

CHAPTER CCCCXCVII.

AN ACT FOR REGULATING THE FINES IMPOSED UPON THE ASSESSORS
CHOSEN OR TO BE CHOSEN WITHIN THIS PROVINCE.

Whereas by an act of general assembly of this province passed in the eleventh year of the reign of King George the First, entitled "An act for raising county rates and levies,"¹ it was, amongst other things, enacted that if any of the assessors being chosen according to the directions of the said act should refuse or neglect to do their duty, the commissioners of the proper county, or any two of them, should fine every such assessor in any sum not exceeding ten pounds, which should be levied by one of the same commissioner's warrants as in [the] said act is directed and appointed.

And whereas by a subsequent act of assembly passed in the twenty-ninth year of the late King George the Second, entitled "An act for granting the sum of sixty thousand pounds to the King's use," &c.,² the fine upon assessors refusing or neglecting to act, was raised to twenty pounds for every such refusal or neglect, which, by one other act passed in the thirty-first year of the same reign, entitled "An act for striking the sum of fifty-five thousand pounds," &c.,³ was again raised, and the fines imposed on the assessors who should refuse or neglect to perform and discharge the duties required of them by that act and the act, entitled "A supplement to the act for granting sixty thousand pounds to the King's use," &c.,¹ was made fifty pounds; which said fine of fifty pounds has been continued by several subsequent acts of general assembly of this province without any provision for abatement or mitigation of the said fine as the particular circumstances of the assessors so chosen or to be chosen by virtue of the said acts might require.

And whereas it has been represented to this house that the

¹ Passed March 20, 1724-25, Chapter 284.

² Passed November 27, 1755, Chapter 406.

³ Passed June 17, 1757, Chapter 423.

¹ Passed March 23, 1757, Chapter 422.

finer on all county, township and ward assessors for refusing or neglecting to serve the offices for which they were respectively chosen by virtue of the last-mentioned acts imposed are very heavy and burdensome, inasmuch as they are fixed at fifty pounds, without leaving any discretionary power to remit the same, though the case may really require it, as it is found on experience that some have been chosen for the said offices not qualified to execute the duties thereof, others just after being chosen have been obliged to leave the province on urgent business, that some are not of ability to pay the fine and others in or just out of other offices in the city or county or have already served in the same or offices of the like kind for many years, all of whom think it a great hardship to serve again or be subject to the payment of so heavy a fine.

For remedy whereof:

[Section I.] Be it enacted by the Honorable James Hamilton, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and the counties of Newcastle, Kent and Sussex upon Delaware, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That if any of the assessors chosen in any of the counties, townships or wards within this province by [virtue] of the acts hereinbefore mentioned, or any or either of them, shall refuse or neglect to do and perform the duties therein and thereby required of them as assessors of their respective counties, townships or wards, then and in every such case the commissioners of the respective counties, or any two of them, shall and they are hereby enjoined and required to fine every such assessor so refusing or neglecting to do his or their duties as aforesaid in any sum not exceeding fifty pounds, to be levied in the same manner that fines and forfeitures imposed and inflicted by the act for raising county rates and levies are directed and enjoined, and when recovered shall be added to the provincial stock, anything in the hereinbefore recited acts, or any or either of them, to the contrary notwithstanding.

[Section II.] Provided nevertheless, That this act shall [con-

tinue in force during] the terms of the sev[eral acts which impose the fine] of fifty pounds upon assessors refu[sing or neg]-lecting to discharge the [duties of assessors within] this province and no [longer].

Passed March 4, 1763. Referred for consideration by the King in Council, December 9, 1763, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXIV, Section II, and the note to the Act of Assembly passed March 20, 1724-25, Chapter 284, and the Acts of Assembly passed March 16, 1779, Chapter 828; November 27, 1779, Chapter 875; April 17, 1795, Chapter 1352; April 11, 1799, Chapter 2095; March 28, 1814, P. L. 267; March 10, 1823, P. L. 64; April 15, 1834, P. L. 509; February 28, 1835, P. L. 45; May 15, 1841, P. L. 393; July 15, 1897, P. L. 271.

CHAPTER CCCCXCVIII.

AN ACT FOR ERECTING A HOUSE OF CORRECTION IN THE COUNTY OF LANCASTER.

Whereas it has been represented to this house by petition from a considerable number of the inhabitants of the borough and county of Lancaster that they now and for a long time have suffered most grievously, as well by unruly, disobedient servants as by idle, strolling vagrants from divers parts who have taken shelter in that county and borough; that drunkenness, profane swearing, breach of the Sabbath, tumults and other vices so much prevail that it is not in the power of the magistrates to suppress them and preserve peace and good order, having no house of correction for the punishment of such offenders.

And whereas the said county and borough of Lancaster have been erected and established since the passing an act of general assembly of this province for erecting houses of correction and work houses in the respective counties, passed in the fourth year of the reign of King George the First,¹ by means whereof doubts have arisen concerning the power of the said county to erect houses of correction or workhouses within the said county.

¹ Passed February 22, 1717-18, Chapter 229.