

Dock street southward to the public ground on the south side of the said main branch of the Dock.

[Section II.] (Section V, P. L.) Provided always nevertheless, That nothing in this act contained shall extend or be construed to extend to authorize the said commissioners to raise, levy or collect any greater or further sum for all and every the purposes in the said recited act to which this is a supplement mentioned, than in and by the said recited act is provided, nor to expend or appropriate more of the said moneys so provided for and directed to be raised, than the sum of three thousand five hundred pounds, for or concerning the opening and extending the said Dock street and completing the said arches as herein before mentioned, described and directed.

Passed September 1, 1784. Recorded L. B. No. 2, p. 357, etc.

CHAPTER MCVII.

AN ACT FOR ERECTING THE SOUTHWESTERN PART OF THE COUNTY OF CUMBERLAND INTO A NEW COUNTY.

(Section I, P. L.) Whereas many of the inhabitants of the southwestern parts of the county of Cumberland have by their petition to the general assembly of this state represented the inconveniences and hardships which they suffer by the large extent of the said county of Cumberland, and the great distance at which the said petitioners dwell from the town of Carlisle, where the courts of justice and the public offices of the same county are held and kept; and that by reason of such remoteness of the said courts and offices, the recovery of their just debts and demands is rendered difficult and chargeable, and in some cases is unequal to the pains and costs which they would be put to in prosecuting and suing for them; and that felons, misdoers and other offenders from the same causes, often escape the punishment due to their demerits:

For remedy whereof:

[Section I.] (Section II, P. L.) Be it enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That all and singular the lands lying and being within that part of Cumberland county, which are bounded as followeth: That is to say, beginning on the York county line in the South mountain, at the intersection of the line between Lurgan and Hopewell townships, in Cumberland county, thence by the line of Lurgan township (leaving Shippensburg to the eastward of the same) to the line of Fannet township, thence by the line of the last mentioned township (including the same) to the line of Bedford county, thence by the line of Bedford county southwardly to the Maryland line, thence by the said line east to the line of York county, thence by the line of York county along the South Mountain to the place of beginning, be, and hereby are enacted into a county named, and hereafter to be called the county of Franklin.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the said county of Franklin is entitled to, and shall at all times hereafter have all [and singular] the courts, jurisdictions, offices, rights and privileges to which the counties of this state are entitled by the constitution and laws thereof.

[Section III.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That courts of common pleas and general quarter sessions of the peace to be holden in and for the said county of Franklin shall be opened on the Tuesday preceding the Tuesday on which the court of Fayette is held each and every term yearly and every year hereafter, and that the said court of quarter sessions shall sit three days at each sessions and no longer and shall be held at the town of Chambersburg, in the county of Franklin, until a court house shall be built and erected as hereafter directed, in the county aforesaid; the said several courts shall then be holden and kept at the said court house on the days before mentioned.

[Section IV.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That the justices of the peace for the said county of Franklin shall be elected from time to time by

the freeholders of the same, within the several districts thereof as heretofore; and that such of the justices of the peace of the county of Cumberland who shall have been commissioned on the choice of those districts of the present county of Cumberland, which will hereafter be within the said county of Franklin, shall be considered as, and shall be justices of the peace for the said county of Franklin, until the expiration of their several terms for which they were respectively appointed.

[Section V.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That no suit or prosecution which hath been heretofore commenced, or which shall be commenced in the courts of the county of Cumberland, before the courts of the said county of Franklin shall be severally opened, shall be delayed, discontinued, or affected by this act, but the same shall proceed to judgment and execution shall be issued and done of all such judgments by the sheriff and coroner of Cumberland county as if this act had not been made.

[Section VI] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That all taxes and arrears of taxes laid or directed to be laid, or which have become due within the said county of Franklin before the passing of this act, shall be laid, assessed, levied and collected in like manner as if this act had not been passed; and the collector of excise for the county of Cumberland shall have authority in like manner to demand, recover and collect within the said county of Franklin, all sums of money which have or shall become due to this commonwealth for excise on or before the second Tuesday in October next, and all sums of money due to this commonwealth for militia fines within said county of Franklin, shall be collected and recovered as if this act had not been made.

[Section VII.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the sheriffs, treasurers, prothonotaries, collectors of excise and all such officers as have heretofore usually given surety for the faithful discharge of their respective offices, who shall hereafter be appointed or elected in the said county of Franklin before they or any of them shall enter upon the execution of their respective offices, shall give sufficient security in the same sums; in the same manner

and form, and for the same uses, trusts and purposes as such officers are obliged by law for the time being to do in the county of Cumberland.

[Section VIII.] (Section IX, P. L.) And be it further enacted by the authority aforesaid, That at the first general election to be holden for the said county of Franklin at Chambersburg on the second Tuesday of October next, there shall be chosen three representatives to serve them in the general assembly, one counsellor, two fit persons for sheriffs, and two fit persons for coroners, and three commissioners, in the same manner and under the same rules, regulations and penalties, as by the constitution and laws of this state are directed in respect to the other counties; and the said representatives, counsellor and other officers, when chosen and duly qualified, shall have and enjoy all and singular such powers, authorities and privileges, in and for their county, as such officers elected in and for any other county may, can or ought to have.

[Section IX.] (Section X, P. L.) And be it further enacted by the authority aforesaid, That the said county of Franklin shall elect three members, and the county of Cumberland shall elect four members to represent them respectively in the general assembly of this commonwealth, from and after the passing of this act until the same shall be altered, agreeably to the constitution and laws of this state.

[Section X.] (Section XI, P. L.) And be it further enacted by the authority aforesaid, That James Maxwell, James McCalmont, Josiah Crawford, David Stoner and John Johnson, are hereby appointed trustees for the said county of Franklin; and they or any three of them shall take assurances of and for two lots of ground in the town of Chambersburg or Chamberstown, in the township of Guilford, within the said county of Franklin for the seats of a court-house and of a county gaol or prison for the said county in the name of the commonwealth, in trust and for the use and benefit of the said county of Franklin, and thereupon to erect a court-house and prison sufficient to accommodate the public service of the said county.

[Section XI.] (Section XII, P. L.) And be it further enacted by the authority aforesaid, That the commissioners shall lay,

assess and levy sufficient sums of money within the said county, as county rates and levies are raised and levied to pay for the same lots and for the building and finishing the said courthouse and gaol, provided the sums so to be laid and levied for the purposes aforesaid exceed not the sum of one thousand two hundred pounds, and the money so raised as aforesaid shall be put into the hands of the trustees for the aforesaid purposes, and the said trustees shall from time to time render a faithful account of the expenditures of the same, not only to the commissioners, but to the grand jury and any other officer, who may be appointed by authority for the inspection of the accounts of the county, when called on by either of them.

(Section XIII, P. L.) Whereas it is but just and reasonable that Franklin county should have their full proportion or share of what money is raised for Cumberland county for county uses, after all just demands against said county of Cumberland, before passing this act, are paid:

Therefore:

[Section XII.] (Section XIV, P. L.) Be it enacted by the authority aforesaid, That the commissioners of Cumberland county shall ascertain all the just debts due by said county (before passing this act) and deliver a certified copy of all such debts to the trustees of Franklin county within three months after this present time and if the taxes assessed and laid in Cumberland county before passing this act, for county uses, shall be more than sufficient to pay all the just debts of said county, when the said taxes shall be collected and paid to the treasurer of Cumberland county, he the said treasurer shall pay unto the trustees of Franklin county their full proportion or part of such overplus money agreeably to the taxes the said two counties have respectively paid; the same to be ascertained by the commissioners of Cumberland county.

Passed September 9, 1784. Recorded L. B. No. 2, p. 365, etc. See the Act of Assembly passed March 27, 1790, Chapter 1496.