

CHAPTER MCCIV.

AN ACT TO ASCERTAIN THE NUMBER OF TAXABLE INHABITANTS WITHIN THE CITY OF PHILADELPHIA AND WITHIN THE COUNTIES OF THIS COMMONWEALTH AND FOR OTHER PURPOSES THEREIN MENTIONED.

(Section) I. P.L.) Whereas it is by the direction of the seventeenth section of the constitution of this commonwealth become the duty of this general assembly to cause complete lists of the taxable inhabitants residing and dwelling within the city of Philadelphia the county of Philadelphia, other than the said city and within each of the other counties of this state respectively to be taken and returned to this house on or before the last meeting of the same in order to enable this general assembly to appoint and ascertain the number of representatives for the said city and for the said counties severally in the legislature for the next seven years according to the number of taxable persons which shall appear to be in each of them:

Wherefore:

[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 the commissioners of the county of Philadelphia shall and they are hereby required to cause complete lists to be made of the taxable inhabitants actually residing within the city of Philadelphia and of the taxable inhabitants actually residing within the county of Philadelphia, and that the commissioners of every other of the counties of this state respectively shall cause complete lists of the taxable inhabitants actually residing within their counties, severally, the same lists to be made and formed with all convenient speed as aforesaid and lodged with the clerk of the general assembly on or before the fifteenth day of August next and that the charge of making out the said lists respectively be paid by the treasurer of the proper county.

[Section II.] (Section III. P.L.) And be it further enacted by the authority aforesaid, That the same list of taxable in-

habitants shall be transcribed from the assessments which have been or which shall be taken and formed upon the returns already made and which shall be made to the commissioners of the several counties of this state by the assessors of each township, ward, and district therein, in pursuance of their warrant which was to have been issued on or immediately after the first day of January last as directed in and by an act of assembly, entitled "An act for furnishing the quota of this state towards paying the annual interest of the debts of the United States and for funding and paying the interest of the public debts of this state,"¹ after the appeal allowed to the inhabitants of the respective county from the same assessments shall be holden and ended and after the said assessments shall be confirmed and regulated according to the allowances and exonerations given upon such appeal.

[Section III.] (Section IV. P.L.) Be it further enacted by the authority aforesaid, That the commissioners or two of them for the proper county shall certify under their hands and seals the number and names of the taxable persons aforesaid with their additions residing within their respective counties and the city of Philadelphia under their hands and seals, and in order to prevent any undue practice in making up the said lists the commissioners of the proper county or two of them shall before some justice of the peace of their county make oath or affirmation, which oath or affirmation the same justice is hereby required and empowered to administer and to certify together with the number of names of taxable persons in words written at full length under his hand and seal at the bottom or end of the list that such list of taxable inhabitants is just and true according to the best of the knowledge and belief of the said commissioners.

[Section IV.] (Section V. P.L.) Be it further enacted by the authority aforesaid, That if any county commissioners shall neglect or refuse to make out and return the list hereinbefore direct to be made out and returned or to deliver the said list or to cause it to be delivered to the clerk of the general assembly within the time hereinbefore limited every such commis-

¹ Passed March 16, 1785. Chapter 1137.

sioner so offending and being thereof convicted in any court of oyer and terminer to be holden for the proper county shall forfeit and pay the sum of five hundred pounds to the commonwealth. Provided that no prosecution for any delinquency or offense against this act shall be brought after twelve months from and after the cause thereof shall have happened.

Passed March 3, 1786. Recorded L. B. No. 3, p. 80.

CHAPTER MCCV

AN ACT TO ALTER AND AMEND AN ACT, ENTITLED "AN ACT TO REMEDY THE DEFECTS OF THE SEVERAL ACTS OF ASSEMBLY HERETOFORE MADE FOR REGULATING THE ELECTIONS OF JUSTICES OF THE PEACE THROUGHOUT THIS STATE AND TO ESTABLISH A PERMANENT MODE OF HOLDING SUCH ELECTIONS; AND TO AUTHORIZE THE JUSTICES OF THE PEACE OF THE CITY OF PHILADELPHIA TO HOLD THE COURTS OF RECORD OF THE SAID CITY," AND TO MAKE FURTHER PROVISION FOR THE DUE ELECTION AND RETURN OF JUSTICES OF THE PEACE ELECT.

(Section I. P. L.) Whereas the act of Assembly of this commonwealth, entitled "An act to remedy the defects of the several acts of assembly heretofore made for regulating the elections of the justices of the peace throughout this state, and to establish a permanent mode of holding such election, and to authorize the justices of the peace of the city of Philadelphia to hold the courts of record of the said city,"¹ passed on the thirty-first day of March, one thousand seven hundred and eighty-four, requireth some alterations, amendments and new provisions in order to regulate the elections of justices of the peace elect, and the return of such elections:

And whereas in and by the said act the president and council in case of disputed elections under the same act before them depending concerning any district for the purposes of the said act not more than thirty miles from the seat of government or place where the president and council shall then assemble were empowered to authorize three of the justices of the peace of the

¹ Chapter 1093.