

upon such rents and conditions, and under such restrictions and reservations, as to the said justices and commissioners shall appear just and reasonable.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That it shall be the duty of the said commissioners to keep the said landings, wharves and hayscales, in good and perfect order and repair, and to improve the same, from time to time, in such manner as will most conduce to the public advantage, and whenever the funds which have arisen, or shall arise therefrom shall, over and above the said repairs and improvement, be sufficient to purchase other landings or wharves, it shall be the duty of the said commissioners, with the consent and approbation of three justices, as aforesaid, to make such purchases, within the township of the Northern Liberties, and to improve the same, and the landings or wharves, so purchased or improved, shall be held under the like trusts, and subject to the same rules and regulations, as the before mentioned public landings and wharves.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the accounts for disbursements and improvement of such additional landings and wharves, as may be purchased by the said commissioners in pursuance of this act, and of the rents, issues and profits arising therefrom, shall be settled and adjusted by the auditors appointed to audit, settle and adjust the accounts of the county treasurers and commissioners, in the same manner, and with like powers and authorities, as they are by law invested with, respecting the present public landings and wharves.

Passed April 4, 1796. Recorded L. B. No. 6, p. 133, etc.

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## CHAPTER MCMX.

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AN ACT TO ERECT UNIONTOWN, IN THE COUNTY OF FAYETTE, INTO  
A BOROUGH.

[Section I.] (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by

the authority of the same, That Uniontown, in the county of Fayette, shall be, and the same is, hereby erected into a borough, which shall be called the borough of Uniontown, which borough shall be comprised within the following boundaries to wit: beginning at a willow bush on the lower end of a small island in Jacob Beeson's run, thence south forty-three degrees and three-quarters east sixty-seven perches to a white oak, thence south seventy-nine degrees and one quarter east one hundred and five perches and six tenths to a post, thence north twenty-nine degrees east sixty-eight perches and five tenths to a wild cherry tree, thence north eighty-seven degrees east two hundred and thirty-four perches to a white oak, thence north three degrees west sixty-two perches to a white oak, thence north forty-nine degrees and an half west one hundred and twenty-eight perches to a stone, thence north eighty-seven degrees west one hundred and thirteen perches to a white walnut on the east side of Red Stone creek, thence up the same to a post opposite the mouth of Jacob Beeson's run, thence up the same with the several courses and meanders thereof to the place of beginning.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That the freemen of the said borough who shall have resided within the same for the space of one whole year, and shall, in other respects, be entitled to vote for members of the general assembly of this commonwealth, shall, on the first Monday of May, in the year one thousand seven hundred and ninety-seven, and upon the same day yearly thereafter, meet together at some convenient place within the said borough to be appointed as hereinafter directed, and shall, then and there, choose by ballot two reputable inhabitants of the said borough to be burgesses, one to be high constable, one to be town clerk, and two to advise, aid and assist the said burgesses in executing the duties and authorities enjoined on, and vested in, them by this act, all of which persons shall be duly qualified to elect, as aforesaid, that the burgess who shall have the greatest number of votes shall be called the chief burgess, and that, until the said first Monday of May, in the year one thousand seven hundred and ninety-seven, Ephraim Douglass, and Alexander McClean, be the burgesses of the said borough, of whom Eph-

rain Douglass shall be called chief burgess, that Jacob Knap shall be high constable, Samuel King town clerk, and Joseph Huston and Thomas Collins assistants to the said burgesses.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the elections aforesaid shall be holden in the following manner, to wit: the said burgesses shall appoint the place of holding the said elections, and shall signify the same by writing to the constable, who shall, by advertisements put up in at least six of the most public places within the said borough one week before the time of holding the elections, give notice of the time and place of holding the same, the burgesses and assistants shall hold the said elections, receive and count the ballots, and declare the persons duly elected, whereupon, duplicate certificates of the persons elected shall be signed by the said burgesses, one whereof shall be transmitted to the governor, and the other filed among the records of the corporation, at any election, holden as above directed, should the two persons highest in vote for burgess have an equal number, the governor shall declare who shall be chief burgess, and if it shall, at any time, happen, through neglect, or otherwise, that no election shall be holden on the day, or in the mode above prescribed, it shall be lawful for the governor, and he is hereby required, forthwith to appoint the burgesses, assistants, constable, and town clerk aforesaid, who shall thereupon be fully invested with the powers and authorities to their respective offices appertaining, and the burgesses, and other officers so appointed or elected, shall hold and exercise their respective offices until the first Monday of May, next ensuing their appointment or election, or until others shall be duly elected, or appointed, in their stead.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said burgesses and freemen, duly qualified to elect as aforementioned, and their successors forever hereafter, shall be one body politic and corporate in law, and by the name of "The burgesses and inhabitants of the borough of Uniontown, in the county of Fayette," shall have perpetual succession, and they and their successors by the name of "The burgesses and inhabitants of the borough of Union-

town," shall, at all times hereafter, be persons able and capable in law to have, get, receive and possess, lands, tenements, rents, liberties, jurisdictions, franchises and hereditaments, to them and their successors in fee simple, or for term of life, lives, years, or otherwise, and also goods and chattels, and other things of what nature or kind soever, and also to give, grant, let, sell and assign the same lands, tenements, hereditaments, goods and chattels, and to do and execute all other things about the same by the name aforesaid, and they shall, forever hereafter, be persons able and capable in law to sue and be sued, plead and be impleaded, and answer and be answered unto, defend and be defended, in all or any of the courts within this commonwealth, in all manner of actions, suits, complaints, pleas, causes and matters whatsoever, and that it shall and may be lawful to and for the said burgesses and inhabitants aforesaid, and their successors forever hereafter, to have and use one common seal, for sealing of all business whatsoever touching the said corporation, and the same from time to time, at their will, to change and alter.

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That if any person, an inhabitant of the said borough, and duly qualified to elect as aforesaid, shall be elected to the office of burgess, and having notice of his election, shall refuse to undertake and execute that office, every person so refusing shall forfeit and pay a fine of twenty dollars, and if any person qualified as aforesaid shall be duly elected to any other office in the said borough, created by this act, and having notice of his election shall refuse to undertake and execute the duties of that office, every person so refusing shall forfeit and pay the sum of ten dollars, which fines and forfeitures, and all others in pursuance of this act, or of the by-laws of the said burgesses and inhabitants, shall be to the use of the said corporation, and in any such case of refusal, the acting burgesses shall issue their process, directed to the high constable, requiring him to hold an election for the choice of some other fit person, or persons, in the stead of such as shall so refuse.

[Section VI.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the chief burgess shall

take and subscribe an oath or affirmation, before one of the justices of the peace for the county of Fayette, to support the constitution of the United States, and of this state, and an oath or affirmation well and truly to execute the office of chief bur-gess of the borough of Uniontown, and when so qualified, he shall administer an oath or affirmation to the other bur-gess, assistants, high constable and town clerk, in manner and form aforesaid, before they shall enter upon their respective offices.

[Section VII.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That it shall, and may be, law-ful for the said bur-gesses and assistants to appoint such other officers, within the said borough, as shall be necessary to carry into complete effect the provisions of this act, Provided, That such offices shall have been previously created by the said bur-gesses and inhabitants, assembled together in town meeting, as hereinafter directed.

[Section VIII.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That it shall, and may be, lawful for the said bur-gesses and inhabitants to assemble in town meetings as often as occasion may require, and make such ordinances, rules and regulations, create such offices, assess and appropriate such taxes, as shall be thought, by a majority of the inhabitants assembled as aforesaid, best calculated to pro-mote the interests of the said corporation, and as shall not be repugnant to or inconsistent with, the constitution and laws of this commonwealth, and the same to revoke, annul, alter and make anew, as convenience may require, which town meetings shall be assembled by the bur-gesses aforesaid, at their discre-tion, or upon request in writing from at least six of the in-habitants duly qualified to elect as aforesaid, which said bur-gesses shall require the high constable to give at least five days' notice of such intended town meeting, by advertisements fixed up in at least six of the most public places in the said borough, notifying the time, place and object, of such intended town-meeting.

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