

like relief as by the laws now in force within [this] state is provided for insolvent debtors who are confined in execution for debts not exceeding one hundred and fifty pounds to any one person.

[Section II.] (Section III, P. L.) Be it also enacted by the authority aforesaid, That the same court upon such petition being made to them by the said Andrew Trumbower for his discharge from confinement aforesaid shall thereupon proceed in all things conformable to the purport, intent and meaning of the several acts of assembly now in force within this commonwealth for the relief of insolvent debtors not owing more than one hundred and fifty pounds to one person as aforesaid, that his discharge be equally valid and effectual and their proceedings equally good and binding to all intents and purposes whatever.

[Section III.] (Section IV, P. L.) Provided always and be it further enacted by the authority aforesaid, That if any creditor or creditors of the said Andrew Trumbower do not or shall not reside in this state at the time of such proceedings before said court that the service of notice of application to the said court or of any rule or order of the same court in the premises on the [known] agent or attorney of the said creditor or creditors within this state shall be equally good and effectual as if the same notice or notices were served on such creditor or creditors in person.

Passed September 25, 1783. Recorded L. B. No. 2, p. 193, etc.

CHAPTER MXVI.

AN ACT FOR ERECTING PART OF THE COUNTY OF WESTMORELAND INTO A SEPARATE COUNTY.

(Section I, P. L.) Whereas a great number of the inhabitants of that part of Westmoreland county circumscribed by the rivers Monongahela and Youghiogheny and Mason and Dixon's line have by their petition humbly represented to the assembly

of this state the great inconvenience they labor under by reason of their distance from the seat of judicature in said county:

For remedy whereaf:

[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 within that part of Westmoreland county bounded as hereinafter described, beginning at Monongahela river where Mason and Dixon's line intersects the same; thence down said river to the mouth of Speer's run; thence by a straight line to the mouth of Jacob's creek, thence by the Youghiogeny river to the forks of the same; thence up the southwest branch of the said river, by a part of Bedford county, to Mason and Dixon's line; thence by said line to the Monongahela river aforesaid, be and hereby are erected into a county, named and hereafter to be called Fayette county.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the inhabitants of the said county of Fayette shall at all times hereafter have and enjoy all and singular the jurisdictions, powers, rights, liberties and privileges whatsoever which the inhabitants of this state do, may or ought to enjoy, by any charter of privileges or the laws of this state, or by any other ways and means whatsoever.

[Section III.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the inhabitants of each township or district within the said county, qualified by law to elect shall meet at some convenient place within their respective townships or districts at the same time the inhabitants of the several townships of the other counties within this state shall meet for like purposes and choose inspectors and then and there elect one representative to serve them in assembly, one counselor, two fit persons for sheriffs, 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 other counties, which representative so chosen shall be a member of the general assembly of the commonwealth of Pennsylvania and shall sit and

act as such as fully and as freely as any of the other representatives of this state do, may, can or ought to do, and the said counsellor when so chosen shall sit and act as fully and freely as any of the other members of the supreme executive council of this state do, may, can or ought to do.

[Section IV.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That the county of Fayette shall, until otherwise altered by the legislature of the state, be represented in the general assembly by one member.

[Section V.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That all taxes already laid within the bounds of the county of Fayette by virtue of any act of general assembly of this state which are not already paid shall be collected by the respective collectors within the bounds aforesaid and paid into the hands of the treasurer of Westmoreland county, and that all persons concerned in the levying, receiving and paying the said taxes, shall have the same power and authority and be under the same penalties and restrictions for collecting and paying the same, as by the said acts by which the said taxes were assessed are expressed and directed, until the whole be collected and paid as aforesaid.

[Section VI.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the justices of the supreme court of this state shall have like powers, jurisdictions and authorities within the said county of Fayette, as by law they are vested with and entitled unto in the other counties within this state; and are hereby authorized and empowered from time to time to deliver the gaol of the said county of capital or other offenders in like manner as they are authorized to do in other counties aforesaid.

[Section VII.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the freeholders of each township or district in the county aforesaid are hereby authorized and required as often as may be necessary hereafter to meet at some proper and convenient place within the said townships or districts and elect fit persons for justices of the peace for each township or district agreeable to the laws of the state for that purpose respecting other counties.

(Section IX, P. L.) Provided always, That the justices of the peace commissioned at the time [time] [sic] of passing this act, and residing within the county of Fayette, or any three of them, shall and may hold courts of general quarter sessions of the peace and general gaol delivery and county courts for holding of pleas; and shall have all and singular the powers, rights, jurisdictions and authorities, to all intents and purposes, as other the justices of courts of general quarter sessions, and justices of the county courts for holding of pleas in the other counties, may, can or ought to have in their respective counties; which said courts shall sit and be held for the said county of Fayette on the Tussday preceding the courts of quarter sessions and common pleas in Washington county in every year at the school-house or some fit place in the town of Union, in the said county, until a court-house be built; and when the same is built and erected 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 VIII.] (Section X, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for Edward Cook, Robert Adams, Theophilus Phillips, James Dougherty and Thomas Rodgers, all of the aforesaid county, yeomen, or any three of them to purchase and take assurance to them and their heirs, of a piece of land situated in Uniontown in trust and for the use of the inhabitants of the said county, and thereon to erect and build a court house and prison, sufficient to accommodate the public service of the said county.

[Section IX.] (Section XI, P. L.) And be it further enacted by the authority aforesaid, That for the defraying the charges of purchasing the land, building and erecting the court house and prison aforesaid, it shall and may be lawful to and for the commissioners and assessors of the said county, or a majority of them, to assess and levy and they are hereby required to assess and levy so much money as the said trustees or any three of them shall judge necessary for purchasing the said land and finishing the said court house and prison.

(Section XII, P. L.) Provided always, That the sum of money so to be raised does not exceed one thousand pounds current money of this state.

[Section X.] (Section XIII, P. L.) Provided also, and be it further enacted by the authority aforesaid, That no action or suit now commenced or depending in the county of Westmoreland, against any person living within the bounds of the said county of Fayette, or elsewhere shall be stayed or discontinued; but that the same actions already commenced or depending may be prosecuted and judgment thereupon rendered as if this act had not been made: And that it shall and may be lawful for the justices of Westmoreland to issue any judicial process, to be directed to the sheriff of Westmoreland county for carrying on and obtaining the effect of their suits which sheriff shall and is hereby obliged to yield obedience in executing the said writs and make due return thereof before the justices of the said court for the said county of Westmoreland as if the parties were living and residing within the same.

[Section XI.] (Section XIV, P. L.) And it is hereby enacted by the authority aforesaid, That Samuel Adams of the county aforesaid be and hereby is appointed collector of the excise of the said county who is hereby authorized and empowered by himself or his sufficient deputy duly constituted and for whom he shall be accountable to demand, collect, receive and recover the excise appointed to be paid by an act or acts of assembly of this state and also the arrearages thereof, of and from all and every person and persons within the said county, retailing or vending any of the liquors by the said acts liable to pay the same; and also to recover and receive all and every the duties, fines and forfeitures, laid or imposed, or that happen to arise or become due for anything done contrary to the true intent or meaning of the said acts.

[Section XII.] (Section XV, P. L.) And be it further enacted by the authority aforesaid, That the collector of excise for the county of Fayette aforesaid, the better to enable him to recover the arrearages of excise now due or which shall become due before the publication of this act shall apply to the collector of excise for the county of Westmoreland for a list which he is

hereby enjoined and required to deliver, containing the names of each and every person in arrears for excise within the said county of Fayette and how much from each [of] them.

[Section XIII.] (Section XVI, P. L.) And be it further enacted by the authority aforesaid, That the collector of the county of Fayette aforesaid before he enters on the execution of his said office is hereby required to give bond with two sufficient sureties to the treasurer of this state for the time being in the sum of two hundred pounds lawful money of this state for the faithful discharge of his duty and paying all such sums of moneys as he shall from time to time receive by virtue of this act. And further, the collector of the said county of Fayette shall in all things govern himself and be subject to the same regulations, restrictions, fines and forfeitures and shall observe like rules, orders and directions as the collectors of the other counties aforesaid by the laws of this state are liable to. And the said collector for the discharge of the duty of his office within the said county of Fayette shall have and receive like fees, perquisites and rewards for his services as the collector of Westmoreland is entitled to for his services.

[Section XIV.] (Section XVII, P. L.) And be it further enacted by the authority aforesaid, That until a sheriff and coroner shall be chosen in the county of Fayette in pursuance of this act it shall and may be lawful for the sheriff and coroner of Westmoreland county to officiate and act in the discharge of their respective duties as fully and as amply as they may or can do in the county of Westmoreland.

(Section XVIII, P. L.) And to the end that the boundaries of the said counties of Westmoreland and Fayette may be the better ascertained and known.

[Section XV.] Be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the trustees named in this act or a majority of them and they are hereby required and firmly enjoined within the space of six months next after the publication of this act, to assemble themselves together, and with the assistance of one or more surveyors by them provided to run, mark out and distinguish the boundary line between the aforesaid counties of Westmoreland and Fay-

ette, which is not already marked or bounded by the rivers Monongahela and Youghiogeny, and Mason and Dixon's line as described in this act, and the charges to arise for the doing thereof shall be defrayed equally by the inhabitants of the said counties of Westmoreland and Fayette as far as they may interfere with each other and for that end levied and raised by the said inhabitants in such manner as other public money for the use of the said counties by law ought to be raised and levied.

[Section XVI.] (Section XIX, P. L.) And be it further enacted by the authority aforesaid, That before any sheriff hereafter to be appointed and commissioned for the said county of Fayette shall enter upon the duties of his office he shall become bound in obligation with two or more sufficient sureties to be approved of by the president in council for the time being in the sum of two thousand pounds and with like conditions as is directed with respect to the sheriffs of the other counties within this state; which said obligation shall be taken in the name of the commonwealth of Pennsylvania and entered upon record in the office for the recording of deeds in the said county of Fayette and shall be in trust to and for the use and benefit of the person or persons who shall be injured by any breach, neglect or omission of duty in such sheriffs, and may be proceeded upon in the same manner as is directed in respect to other sheriff's bonds, in and by the laws of this commonwealth now in force, and that the treasurer hereafter to be appointed for the said county for receiving the [state] taxes before he shall enter on the duties of his office shall give bond and security in the like [manner] as other county treasurers are by law directed to give security in the sum of two thousand pounds; and that the treasurer for said county for receiving the county levies shall in the like manner give security in the sum of five hundred pounds.

[Section XVII.] (Section XX, P. L.) Provided always, and be it enacted by the authority aforesaid, That this act shall not take until the first day of September, which will be in the year of our Lord one thousand seven hundred and eighty-four, so far as the same respects the election of censors, a counsellor and

representative for the general assembly; but the inhabitants of the county of Fayette aforesaid, shall at the ensuing election, elect censors, a counsellor and representatives in assembly in conjunction with the inhabitants of Westmoreland county agreeable to the directions of the constitution and the laws now in force.

Passed September 26, 1783. Recorded L. B. No. 2, p. 194, etc. See the Acts of Assembly passed March 21, 1784, Chapter 1093; January 19, 1793, Chapter 1649.

CHAPTER MLVII.

AN ACT FOR INCORPORATING THE BAPTIST CHURCH IN THE TOWNSHIP OF MONTGOMERY AND COUNTY OF PHILADELPHIA.

(Section I, P. L.) Whereas the minister, elders and members of the Baptist church in the township of Montgomery in the county of Philadelphia have prayed that their said church may be incorporated and by law enabled as a body corporate and politic to receive and hold such charitable donations and bequests as have been or may from time to time be made to their society and vested with such powers and privileges as are enjoyed by the religious societies who are incorporated in the state of Pennsylvania. And whereas it is just and right and also agreeable to the true spirit of the constitution that the prayer of their said petition be granted:

[Section I.] (Section II, P. L.) Be it therefore 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 David Loofbourrow, minister, Isaac James, Peter Evans, Jenkin Evans and George Smith and their successors duly elected and appointed in such manner and form as hereinafter is directed be and they are hereby made and constituted a corporation and body politic in law and in fact to have continuance forever, by the name, style and title of "The trustees of the Baptist Church in Montgomery township in the county of Philadelphia."