

of this act, if any county commissioner elected or appointed in pursuance of an act passed the eleventh of April, one thousand seven hundred and ninety-nine, entitled, "An act to raise and collect county rates and levies,"⁽¹⁾ or the treasurer of any county in this commonwealth, shall receive or hold any contract, or shall be either directly or indirectly interested in the management or superintendence of any public work or improvement, by and under the authority of the board of commissioners of such county, the same shall be deemed a misdemeanor in office, and shall be punished in the manner prescribed in the twenty-third section of the said recited act for neglect of duty: Provided always, that the provisions of this act, shall not be so construed as to prevent the commissioners of any county, from receiving their lawful compensation when necessarily attending to the progress of any public work or improvement in their official capacity.

Approved March 21, 1806. Recorded in L. B. No. 10, p. 337.
Note. ⁽¹⁾ Chapter 2095; 16 Statutes at Large, p. 375.

CHAPTER MMDCXCIV.

AN ACT FOR ESTABLISHING THE SEAT OF JUSTICE, IN THE COUNTY DISTRICT OF TIOGA.

Whereas in conformity with the provisions contained in the ninth section of the act, entitled "An act to erect parts of Lycoming, Huntingdon and Somerset counties, into separate county districts," passed March sixth [twenty-sixth], one thousand eight hundred and four,⁽¹⁾ John Fleming, William Hill Wells, and William Ellis, trustees appointed for the county district of Tioga, have transmitted to the general assembly, proposals by them received from Benjamin W. Morris, and as it appears that the proposed seat of justice and the proposals aforesaid, will be advantageous for the said county: Therefore,

Section I. (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Penn-

sylvania, in General Assémbly met, and it is hereby enacted by the authority of the same, That John Fleming, William Hill Wells, and William Ellis, trustees appointed for Tioga county, or a majority of them, be, and they are hereby authorized and required to survey or cause to be surveyed, one hundred and fifty acres of land, beginning at the intersection of the Delmar and state roads, and extending thence northeasterly to land of Samuel W. Fisher and company, so as to include the said state road and the town of Wellsborough, agreeably to the description contained in the proposals made by Benjamin W. Morris; and the said trustees, or a majority of them, in conjunction with Benjamin W. Morris aforesaid, are hereby authorized and required to extend or enlarge the ground plot or plan of Wellsborough, and to lay off and fix on a convenient lot or lots of land, not exceeding two acres, in the said town of Wellsborough, whereon the public buildings shall be erected for the use of Tioga county, and the residue of the said tract of one hundred and fifty acres, to lay off in out lots with the necessary reservations for streets, lanes, alleys, and roads.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That it shall be the duty of the trustees aforesaid, to demand and receive from Benjamin W. Morris, a sufficient deed or deeds in fee simple, of one full and equal moiety of the lots and lands included by the survey of one hundred and fifty acres aforesaid, in trust for the use of Tioga county, and procure the same to be recorded in the office for recording deeds in the county of Lycoming; and the said trustees or a majority of them, are hereby authorized to sell and dispose of the lots aforesaid, in such manner as will be most for the benefit of the county, and to make and execute deeds to the purchasers; and the monies arising from such sales shall be by them held and reserved for the use and benefit of Tioga county, subject to the disposal of the commissioners of Tioga county, when the choosing or electing such commissioners shall or may be authorized by law: Provided always, that nothing in this act contained, shall have any force or effect in law, unless Benjamin W. Morris shall first execute

and deliver to the trustees aforesaid, such deed or deeds of the full moiety of the one hundred and fifty acres before mentioned.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the aforesaid trustees shall each receive one dollar and thirty-three cents, for every day they shall be employed in the performance of the duties of the aforesaid trust, together with all expenses necessarily incurred for assistance in surveying and laying out lots, streets, lanes and alleys; which shall be paid by the treasurer of Lycoming county, on orders from the commissioners of said county, out of the taxes levied in the county district of Tioga.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the trustees aforesaid, or a majority of them, shall within six months from and after the courts of law and board of commissioners, shall have been established and opened by law, in and for said county, surrender and convey to the said commissioners and their successors in office, in trust for the use of the county, all the trust and trusts vested in them, or a majority of them by this act; and the said commissioners of the county are hereby empowered and required to do and perform the several duties which may remain to be done; and the said county commissioners shall have power and it shall be their duty to call upon, and if necessary compel the aforesaid trustees, or either of them, by suit to settle their accounts, and pay over to the treasurer of the county, any monies which may remain in their hands, or in the hands of either of them, due to the county of Tioga, from the sale of the town lots or out lots aforesaid.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That the said trustees shall, as soon as may be, file a draught and return of the survey and proceedings under and by virtue of this act, in the office of the recorder of deeds, in and for the county of Lycoming, or in the said office for the county of Tioga, if such office be then established by law.

Approved March 21, 1806. Recorded in L. B. No. 10, p. 337.

Note (*) Chapter 2478; 17 Statutes at Large, p. 769.