An Act.

To erect the Towns of Wrightsville and West Phalia, in the county of York into a Borough, to be called the Borough of Wrightsville.

Section 1. Be it enacted by the Senate and House of Representatives of the commonwealth of Pennzylvania in General Assembly met & it is hereby enacted by the authority of the same, That the villages of Wrightsville and West phalia in the county of York shall be and the same is hereby erected into a borough, which shall be called the borough of Wrightsville, and shall be bounded and limited as follows;- Viz, beginning at

Boundary a birch tree on the river Susquehanna at the foot of bridge Street, thence along Bridge Street and land of William Wright south seventy five degrees, west ninety five perches to a black oak on the land of James Wright, thence along said land to fourth street thence along the west side of said street south twelve and a half degrees, west eighty nine perches and a quarter to the north side of Locust Street thence along the north side of said street south seventy seven degrees west ninety eight perches to a post on Jonathan Mifflin's land, thence along the line of said land south twelve and a half degrees, east twenty (six and) perches to the middle of Hellam street, thence along said street north seventy seven degrees east one hundred and eighteen perches and a half to the west side of third Street, thence along said

Boundaries street, south twenty two degrees, east fifty six perches, to the south side of a Street adjoining lands of Joseph Detwiler thence along said street, north sixty eight degrees, east twenty perches to the west side of Barks' alley, thence south twenty three degrees east twenty eighty

Boundary

perches to a post on Joseph Detwiler's land thence south two degrees east forty eight perches to a Hackberry tree thence south thirty six and a half degrees, east eighty perches to a Hickory stump, thence north seventy eight and a half degrees east eighty six perches to a poplar stump, thence north twelve and a half degrees west twenty four perches to the river Susquehanna at the mouth of Creitz Creek, thence north west by the said river three hundred and sixteen perches to the place of beginning.

The qualifications of voters

Section 2. - The inhabitants of said borough entitled to vote for the members of the general assembly, having resided within the said borough at least six months, immediately preceding the election and within that time paid a borough tax (if such tax shall have been assessed) shall have power on the second Friday of May, next, to meet at the house of Jacob Reiman, innkeeper in said borough, and annually thereafter at such convenient place in said borough as shall have been fixed on by the by-laws of the corporation for that purpose and then and there between the hours of one and six of the afternoon, elect by ballot one respectable citizen residing therein who shall be styled the chief burgess, one other citizen who shall be styled the assistant burgess, and five citizens to be a town council all of whom shall be residents of said borough; but previous to the opening of said election such of the inhabitants as are present at said place of election shall elect two citizens as judges, one inspector and two clerks of said election which shall be regulated and conducted throughout according to the general election laws of this commonwealth and who shall be subject to the same

The time and place of holding Election for Officers of the Borough

Election Officers Their Duty

penalties as for malpractices as by the said laws are imposed and the said judges, inspector and clerks before they enter on the duties of their respective offices shall take an oath or affirmation before any justice of the peace, for said county to perform the same with fidelity and after the said election shall be closed, shall declare the persons having the greater number of votes to be duly elected and in case any two or more candidates shall have an equal number of votes, the preference shall be determined by lot to be drawn by two of the judges in the presence of the inspector and clerks, whereupon duplicate certificates of said election shall be signed by the judges, one of which shall be transmitted to the person elected chief burgess and the other filed among the records of the corporation, and it shall be the

High Constable's Duty

duty of the high constable for the preceeding year to give notices in writing to each of the persons elected as aforesaid, and in the case of death, resignation, removal or refusal to accept of any of the said offices, or if it should at any time happen that no election should be holden on the day and manner aforesaid the corporation shall not on that account be

Chief Burgess Duty

dissolved but the chief burgess, or in his absence or inability to act, the assistant burgess shall issue his precepts directed to the high constable to hold an election in the manner aforesaid to supply such vacancy giving at least eight days notice by six advertisements set up in the most public places in said borough. Provided that the citizens of said borough shall be entitled to vote at the first election although they shall have paid no borough tax.

Section 3. From and after the second Friday

in May next, the chief burgess, assistant burgess, and town council duly elected as aforesaid and their successors shall be one body politic and corporate by the name and style of the chief burgess, assistant burgess and town council of the borough of Knightsville, and shall have perpetual succession and the said chief burgess, assistant burgess, and town council, and their successors shall be capable in law to have, get, receive, hold and possess goods and chattels, lands and tenements, in fee simple or otherwise, not exceeding the yearly value of five thousand dollars, and also to grant, sell, let, and assign, the same goods and chattels, lands and tenements, and by the name and style aforesaid, they shall be capable in law, to sue and be sued, plead and be impleaded, in all manner of action whatsoever, and have and use one common seal and the same from time to time at their will, to change and alter, until otherwise directed by law.

Corporate Privileges

Section 4. If any person or inhabitant of the said borough duly qualified to elect as aforesaid, shall be elected to the office of chief 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 fifteen dollars, and if any other person, duly qualified as aforesaid shall be duly elected or appointed in pursuance of this act, to any other office in said borough, and having notice of his election or appointment shall refuse to undertake and execute the duties of that office, every person so refusing shall forfeit and pay a fine of ten dollars, which fines, forfeitures and all others, in pursuance of this act, or of any of the by-laws, and ordinances of the town council shall be for the use of the said corporation and shall be recoverable before any justice

Penalty for refusal to assume the duties of office when elected

of the peace in the same manner as debts not exceeding one hundred dollars are recoverable by the laws of this commonwealth and shall be paid to the treasurer of the borough and it shall be the duties of the officers of the said borough, on receiving the money belonging to the corporation to pay the same to the Treasurer forthwith. Provided that no person elected as aforesaid shall be liable to a fine for refusing or neglecting to serve more than once in four years.

Forfeiture for the use of the borough

Section 5. The chief burgess shall take and subscribe an oath or affirmation before any Justice of the peace for the county of York 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 burgess of the borough of Wrightsville, and when so qualified he is hereby authorized to administer an oath or affirmation to the assistant burgess, town council, high constable and town clerk, in manner and form aforesaid, before they enter on the duties of their respective offices. The certificates of which oaths and affirmations shall be filed among the records of the said corporation.

Oath of Chief Burgess &c

Section 6. The town council shall meet on the first Monday next after their election in each year at such place as a majority of them shall agree upon and choose one of their number President who shall preside at all meetings and it shall be the duty of the said council three of whom shall form a quorum to hold quarterly meetings on the third Saturday in April, July, October and January in each year, and oftener if occasion required, at which meetings they may make, alter, revoke, repeal and amend all such laws, rules, regulations and ordinances as shall be determined by a majority of them necessary to promote the peace, good order

The time when the council shall meet after the election

Duty of the Town Council

benefits and advantages of the said borough, particularly of providing for the regulations of markets, improving, repairing and keeping in good order, the streets, lanes alleys and highways, and removing nuisances and obstructions therefrom, ascertaining the depth of vaults, sinks, pits, for necessary houses and making permanent rules relative to the foundation of buildings, party walls, and fences they shall assess, apportion and appropriate such taxes as shall be determined by a majority of them necessary for carrying the said rules and ordinances from time to time unto complete effect and also may appoint a town clerk, treasurer, street supervisor or supervisors, and a collector annually and such other officers as may be deemed necessary from time to time and the same officers from time to time to remove for misdemeanor in office. Provided, That no by laws, rules, or ordinances of the corporation shall be repugnant to the constitution or laws of the United States or of this commonwealth and that no person shall be punished for the breach of any by law or ordinance of the said corporation, until ten days after the promulgation thereof by at least three advertisements or copies of the said by laws, or ordinances, set up in the most public places in said borough. And provided, also, That in assessing such tax, due regard shall be had to the valuation of taxable property taken for the purpose of raising county rates and levies, so that the tax shall not in any one year exceed one half cent on the dollar of such valuation, unless some object of general utility shall be thought necessary, in which case a majority of the taxable inhabitants of said borough shall approve and certify the same on covering under their hands to the town council who shall proceed to assess the same accordingly and the inhabitants of said borough

Duties of the Town Council

shall be exonerated from the payments of all road taxes that may be assessed by the township of Hellam, for property within the borough limits; they shall also have power to make by-laws or ordinances to prevent horses and hogs from running at large within the limits of said borough and are also to levy and collect a tax on owners of dogs and bitches, not exceeding fifty cents for each dog, or two dollars for each bitch in any one year and in case public safety should require it at any time to pass an ordinance authorizing any person to shoot or kill all dogs or bitches within the said borough not confined by their owners. And provided further That all out lots, farming lots, and la[illegible] included within the limits of said borough shall not be subject to higher taxation in each and every year than the ratio laid or assessed by the township of Hellam for roads and public highways.

Duty of Town Council

Section 7. The chief burgess elected and qualified agreeably to this act or in his absence or inability to act the assistant burgess is herdby authorized to issue his precept as often as occasion may require directed to the collector commanding him to collect all taxes so assessed and the same to pay over to the treasurer, and the said chief burgess, or in his absence or inability to act, the assistant burgess is hereby authorized to carry into effect all by-laws and ordinances enacted by the town council, and whatsoever shall be enjoined on him or them for the well ordering and governing of said borough and shall also have power to mitigate or remit fine and forfeiture in all cases when it shall appear that the person or persons so fined did not offend intentionally or on their having

Duty of Chief Burgess

The Power of the Chief Burgess

some other just and reasonable excuse to plead in his or their behalf.

Duty of Town Clerk.

Section 8. It shall be the duty of the Town clerk to attend all meetings of the council when assembled on business of the corporation, and perform the business of clerk thereto and keep and preserve the common seal and records of the corporation and be answerable for the same and also for the faithful discharge of the duties which may be enjoined upon him by virtue of this act, or by the by-laws and ordinances of the corporation and his attestation with the seal of the corporation shall be good evidence of the act or thing so certified.

The obligations of the Treasurer

Section 9. The treasurer shall give sufficient security for the faithful discharge of the duties of his office, and for the delivery of all moneys, books and accounts appertaining thereto into the hands of his sucessor upon demands made for that purpose.

Duty of the officers of the Town Council

Section 10. The Street supervisor, treasurer high constable, clerk, collector, and all other officers that may be appointed by the corporation or council, shall in the month of May yearly render their accounts to the said council for settlement and the said accounts being so adjusted and settled shall be forthwith published by the council showing particularly the amount of taxes laid and collected and all moneys paid into treasury, and the amount of the expenditures and in case any of the officers of the corporation shall fail or neglect to perform any duty enjoined upon him by this act, or by the ordinances of the town council, he shall forfeit and pay a fine for the use of said corporation at the discretion of the said council not exceeding five dollars and if the said person has been appointed by the town council, he may be removed from office

by the said council and his place be supplied by the appointment of another person.

Section 11. It shall be the duty of the high constable to give notice of the election by setting up advertisements in at least three public places in the said borough five days previously thereto and shall attend and see that the same is opened at the time and in the manner directed by this act. Provided That Samuel Marsh and George Green of the said towns or either of them shall publish and superintend the election to be held on the second Friday of May next as herein before directed.

The duty of High Constable

Section 12. It shall be lawful for all persons entitled by law to vote for burgess and other officers of the Borough of Wrightsville at the same time and place where they vote for said officers, on the second Friday of May next and annually thereafter at such time as is by law provided for the election of constables throughout this commonwealth to elect two respectable citizens of the said borough and return the names of the persons so elected to the next court of quarter sessions of the said county one of whom shall be appointed constable of said borough in the same manner and with like power and authority and receive like fees and be subject to the same regulations and penalties as are provided and contained in the laws now existing or may hereafter be passed concerning constables within this commonwealth, and shall serve and execute all manner of process which may by law be directed to the constable of said borough and the constable so appointed shall do and perform all the duties required to be

The manner of electing High Constable

done by the high constable of said borough in pursuance of this act and of the by-laws and ordinances of said borough notice shall be given as is provided in the preceeding section.

Court of Appeal

Section 13. The chief burgess, assistant burgess, and president of town council or any two of them shall constitute a court of appeal, and prior to the collection of any borough tax, the collector shall inform each inhabitant, of the amount of his tax and the time and place of appeal. Provided, nevertheless, That the said court of appeal shall have no other power, as such, then to determine the justness of the apportionment of said tax, and to remedy any grievance that may occur in imposing the same.

Power of the town council to fix the compensation of the officers of their appointment

Section 14. The town council shall from time to time fix the compensation of the high constable, town clerk, treasurer, clerk of the markets and such other officers as may be appointed under this act, or under the by-laws, or ordinances of said council, which compensation shall be paid out of the borough treasury, by orders drawn thereon, and all orders for the payment of money from the treasury shall be granted by the town council signed by the president, and countersigned by the town clerk.

Section 15. It shall be the duty of the town council to cause public notice of any by-law or ordinance which they may enact to be given in written or printed handbills to be set up at three of the most public places within the borough at least ten days before any such by-law or ordinance shall take effect.

Power of the chief Burgess to call meetings of the council

Section 16. The chief burgess, or in his absence or inability to act, the assistant burgess shall have power, at all times when occasion may require, to call a meeting of the council, and lay before

them any matter; he may think proper for their consideration, and for which purpose he may issue his precept to the high constable, commanding him to give notice to the members of council, that a meeting of council will be held at a certain time and place to be appointed by the said burgess.

Section 17. If any person or persons shall think him, her, or themselves aggrieved by anything done in pursuance of this act except what relates to the appointments made by the town council, he, she, or they may appeal to the next court of common pleas, to be held for the said county, upon giving security according to law, to prosecute his, her, or their appeal with effect, and the said court having taken such order thereon as shall seem just and reasonable, the same shall be conclusive.

The right of appealing to the court of common Pleas.

Wm. Patterson
Speaker of the House of Representatives.
Jacob Kerr
Speaker of the Senate.

Approved the eleventh day of April Anno Domini eighteen hundred and thirty four.

George Wolf