

ROAD TAXES ON UNSEATED LANDS

Act of Mar. 30, 1811, P.L. 189, No. 111

Cl. 72

AN ACT

A supplement to an act, entitled, "An act for laying out and keeping in repair the public roads and highways within this commonwealth and laying out private roads."

Section 1. Collection of road taxes on unseated lands

It shall be the duty of the commissioners of the respective counties within this Commonwealth, on receiving the transcripts of road taxes due on unseated lands, which the supervisors of the different townships are by the existing road-laws required to furnish, to issue their order to the County Treasurer for the amount thereof; and also immediately to transmit copies thereof to the said Treasurer, who is hereby required to enter them in a book to be kept for that purpose; and it shall be the duty of the said Treasurer on receiving the said taxes, or any part thereof, and not before, to pay over the amount thereof to the supervisors who shall respectively be entitled to the same: provided, that no land shall be sold for road taxes until twelve months after the said transcripts have been delivered to the treasurers aforesaid, and notice given in the manner prescribed by the second section of an act directing the mode of selling unseated lands for taxes, passed the third day of april, 1804: provided also, that so much of the existing road laws as requires the treasurers to pay the amount of road taxes due on unseated lands to the supervisors immediately on the orders of the commissioners being presented to them, be and the same is hereby repealed. 1811, March 30, P.L. 189, 5 Sm. L. 251, Sec. 1.

Section 2. And be it further enacted by the authority aforesaid, That on petition of the inhabitants of any two adjoining counties to lay out a road on the lines which divides the said counties the justices of the court of quarter sessions of each county are hereby empowered and required to appoint respectively, three reputable freeholders from the neighbourhood where the road is requested; and the said six freeholders or any five of them shall proceed to view the said ground and make report to the court of each county respectively in the manner prescribed by the first section of the act to which this is a supplement; and if the said justices respectively shall approve thereof the same shall be confirmed and recorded agreeably to the provisions of the said act.

Section 3. (3 repealed May 2, 1929, P.L.1278, No.446)

Section 4. And be it further enacted by the authority aforesaid, That in all cases where separate views and reports of the roads supposed to be on the dividing lines of counties have been made under the authority of the respective courts of quarter sessions of the adjoining counties, and the said reports do not agree as to the line, then and in such cases, on petition of the supervisors of the highways or inhabitants of the said counties to the justices of the court of quarter sessions of each county, it shall be the duty of the said justices, and they are hereby empowered and required to appoint viewers, and proceed in that same manner as is directed by the second section of this act; and when so confirmed shall be considered as on the county line, and be kept in repair at the joint expense of the adjoining township; Provided always That the viewers in such cases shall have power to vacate any part of the old road for which the new road is to be a substitute.

Section 5. And be it further enacted by the authority aforesaid, That from and after the passing of this act, if any

supervisor or supervisors of any township in this commonwealth shall, after ten days notice, neglect or refuse to put up and keep in complete repair, the index-boards directed to be set up by the twenty-fourth section of the act to which this is a supplement, every supervisor so offending and being thereof legally convicted by the oath or affirmation of one or more credible witness or witnesses before any justice of the peace, or before the court of quarter sessions of said county, shall respectively pay a sum not exceeding ten dollars in the discretion of the court or justice before whom such conviction shall be had, to be applied and expended in keeping in repair the public highways in the townships respectively.

Compiler's Note: Section 28 of Act 207 of 2004 provided that any and all references in any other law to a "district justice" or "justice of the peace" shall be deemed to be references to a magisterial district judge.