

AUDITOR GENERAL, SURVEYOR GENERAL, AND COUNTY SURVEYORS ELECTION
Act of Apr. 9, 1850, P.L. 434, No. 305
AN ACT

Cl. 72

Relative to the election of auditor general, surveyor general and county surveyors by the people.

Section 1. Election; term

The qualified voters of this Commonwealth shall choose by ballot one person to fill the office of Auditor General, and one person to fill the office of Surveyor General, on the second Tuesday of October, anno domini one thousand eight hundred and fifty, and at their general election every third year thereafter. 1850, April 9, P.L. 434, Sec. 1.

Section 2. Commission, powers, and duties

The Auditor General and the Surveyor General elected in pursuance of the first section of this act, shall be commissioned by the Governor of this Commonwealth, and shall assume the duties of their respective offices on the first Tuesday of May next, ensuing their election, and shall possess all the powers granted, perform all the duties, and be subject to all the penalties imposed by the existing laws of this Commonwealth, relating to Auditor General and Surveyor General. 1850, April 9, P.L. 434, Sec. 2.

Section 3. Regulation of elections

The general election laws now in force for the choice of a Governor of this Commonwealth, shall regulate the elections of Auditor General and Surveyor General; and in case any vacancy should occur in either of said offices, by death, resignation or otherwise, the same shall be filled by appointment of the Governor; and the person so appointed shall continue in office until the end of the term for which his predecessor was elected. 1850, April 9, P.L. 434, Sec. 3.

Section 5. Election; duties and term of office

The qualified voters of each county of this Commonwealth shall, on the second Tuesday of October next and on the same day every third year thereafter, elect one competent person, being a practical surveyor, to act as county surveyor for the proper county, for the term of three years; who shall do and perform all the duties, and have and receive all the emoluments, now pertaining to the respective deputies of the Surveyor General. 1850, April 9, P.L. 434, Sec. 5.

Compiler's Note: Section 1051 of Act 447 of 1929 provided that section 5 is repealed except in so far as it relates to counties of the first class.

Section 6. Duties of return judges; contested elections

Duplicate returns of the elections of said county surveyors shall be made out and certified by the return judges, in the manner prescribed by the laws regulating the general elections of this Commonwealth; one copy whereof shall be filed with the clerk of the court of quarter sessions of the proper county, and the other transmitted by mail to the surveyor general, to be filed in his office; and notice of his election shall be given

by the return judges to the person receiving the highest number of votes; all contested elections under this act shall be subject to the provisions of the laws relating to the trial of contested elections of county officers. 1850, April 9, P.L. 434, Sec. 6.

Compiler's Note: Section 1051 of Act 447 of 1929 provided that section 6 is repealed except in so far as it relates to counties of the first class.

Section 7. Oath of office

The person so elected shall, at the next court of quarter sessions of the proper county, or as soon thereafter as practicable, take and subscribe an oath or affirmation to perform all the duties of his office with fidelity. 1850, April 9, P.L. 434, Sec. 7.

Compiler's Note: Section 1051 of Act 447 of 1929 provided that section 7 is repealed except in so far as it relates to counties of the first class.

Section 8. Courts may remove for certain causes

The courts of quarter sessions of the respective counties shall have power, on cause shown, to remove any of said county surveyors, for neglect, refusal, incompetency or inability to perform the duties of his office, and shall also remove them on being convicted of any infamous crime or misdemeanor. 1850, April 9, P.L. 434, Sec. 8.

Compiler's Note: Section 1051 of Act 447 of 1929 provided that section 8 is repealed except in so far as it relates to counties of the first class.

Section 9. Vacancies, how filled

In case of any vacancy occasioned by death, resignation, removal or otherwise, it shall be the duty of the court of quarter sessions of the proper county to appoint a competent person, being a practical surveyor, to fill such vacancy until the time prescribed by this act for the election of said officers. 1850, April 9, P.L. 434, Sec. 9.

Compiler's Note: Section 1051 of Act 447 of 1929 provided that section 9 is repealed except in so far as it relates to counties of the first class.