

the real estate so levied on, in the same manner as if such levy had been made after the passage of this act.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

APPROVED—The twenty-first day of April, one thousand eight hundred and forty-six.

FRS. R. SHUNK.

No. 359.

A N A C T

To authorize the voters of Mifflin county to decide the question of tavern license therein, and to prohibit the sale of intoxicating drinks within specified limits in certain counties.

SECTION 1. That the provisions of an act, entitled “An Act authorizing the citizens of certain counties to decide by ballot, whether the sale of vinous and spirituous liquors shall be continued in said counties,” approved the seventh day of April, eighteen hundred and forty-six, be and the same are hereby extended to the county of Mifflin, as fully and effectually as if the said county of Mifflin had been therein named. To decide by ballot on the sale of liquors.

SECTION 2. That from and after the passage of this act, no intoxicating drinks, in less quantities than thirty gallons, except for medicinal, mechanical or sacramental purposes, shall be sold, vended or disposed of, in any manner, by any person, at any place in the counties of Armstrong or Clarion, within three miles of either of the following named iron works, to wit: the Bradeye’s Bend iron company works, either in the county of Armstrong or Clarion; the Cochecho furnace, Clarion county, Helen furnace, Clinton furnace, Hemlock furnace, or President’s Mills in said county; or of the coal mines of the Lehigh coal and navigation company, in Carbon county: *Provided*, The court of quarter sessions, of either of said counties, may license such taverns, under the laws now existing, as may be deemed necessary for the accommodation of the public. Intoxicating drinks not to be sold in less quantities than thirty gallons in Armstrong, Clarion and Carbon counties.

SECTION 3. Any person who shall sell, vend or dispose of any intoxicating drinks, within the limits aforementioned, in either the counties of Clarion or Armstrong, shall for every such offence be liable to prosecution for keeping a tippling house, and shall, upon conviction, be sentenced to pay such fine as by law is now inflicted upon persons convicted of keeping tippling houses; and in addition to such prosecution, any person offending against the provisions of this act, shall forfeit and pay any sum not less than ten dollars, or more than fifty dollars, with costs of suit, to be recovered before any justice of the peace, residing in the county where the offence may be committed: one half shall go to the Penalty for violations of this act.

person suing for the same, and the other half to the county in which suit may be brought; and on failure to pay forthwith, the amount of the judgment, with costs, it shall be the duty of the justice to issue his warrant of commitment, directed to any constable, who is hereby required to execute the same, and to commit the person, so offending, to the county jail, where he shall be imprisoned for thirty days, and shall not be discharged unless he shall pay the amount of the judgment and costs.

Courts of quarter sessions to receive remonstrances against granting licenses.

SECTION 4. In every application to any court of quarter sessions for a license to keep an inn or tavern, it shall be the duty of the court to receive all remonstrances against granting such license, and give the same such consideration in deciding on the application, as the facts set forth in such remonstrances shall be entitled to.

FINDLEY PATTERSON,

Speaker of the House of Representatives.

DANIEL L. SHERWOOD,

Speaker of the Senate.

APPROVED—The twenty-first day of April, one thousand eight hundred and forty-six.

FRS. R. SHUNK.

No. 360.

AN ACT

In relation to certain public officers and their sureties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Powers of courts of common pleas.

the court of common pleas of the county, in which any prothonotary, sheriff, county treasurer, brigade inspector, or other public officer may reside, from whom, by law, security is required for the performance of his official duties, shall have the power to examine into the manner of the performance of said official duties, and the ability and solvency of the sureties of any such officer, at any time during his tenure of office, and to require from him such other, or such additional security, for the performance of his official duties, as they shall deem expedient; and such jurisdiction shall be exercised in the following manner, to wit: whenever any person or persons shall apply to the said court by petition, verified by affidavit, and setting forth that the solvency of such public officer, or of any one or more of his official sureties, has become impaired or diminished, since the execution and approval of their official bond, or that such officer has become liable for neglect of duty, or become a drunkard, and that the reason thereof, the said officer and his sureties are not worth the amount of penalty of his said bond, or that said sureties are likely to suffer loss on account of misconduct of such officer, it shall be lawful for said court, or any judge thereof in

Jurisdiction, how to be exercised.