

CHAPTER MMCD.

AN ACT TO ALTER AND AMEND THE ACT, ENTITLED "AN ACT TO REGULATE THE GENERAL ELECTIONS WITHIN THIS COMMONWEALTH"
(¹).

Section I. (Section I, P. L.) 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 any judge of the court of common pleas, alderman or justice of the peace, who may be present at the election, shall administer the oaths or affirmations directed by the act, passed the fifteenth of February, one thousand seven hundred and ninety-nine, entitled "An act to regulate the general elections of this state,"⁽¹⁾ to be taken by the judges, inspectors and clerks of the election; but if no judge, alderman, or justice of the peace be present at the election, or cannot be conveniently had, one of the judges, after first having the oath or affirmation required by the aforesaid act administered to him by one of the other judges, shall administer the oaths or affirmations to the other judges, and to the inspectors and clerks, and the powers and duties heretofore assigned to agents, shall henceforth cease.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That if the assessor of any township, borough or ward, knowing a person liable by law to be assessed, shall refuse or neglect to assess and return him to the commissioners of the county, such assessor, being thereof convicted before any justice of the peace, or court of quarter sessions of the peace, shall for every such refusal or neglect, be fined, and pay to the use of the poor, of the city, borough, county or township where the party aggrieved resides, besides the costs of prosecution, any sum not less than twenty nor more than twenty-six dollars; and if in the alphabetical list of taxables, directed by law to be delivered to the inspectors of the several election districts, the commissioners aforesaid, shall wilfully omit to insert the name of any person duly assessed and returned to them by such assessor as

aforesaid, and shall be thereof convicted, before any court of quarter sessions, they shall for every such wilful omission be fined and severally pay, besides the costs of prosecution, any sum not exceeding sixty nor less than thirty dollars, to the use of the poor of the city, borough, county or township where the person whose name shall so as aforesaid be omitted, in the said list of taxables resides; and the party aggrieved shall in every case be a competent witness, to prove such refusal, neglect or wilful omission, any law or usage to the contrary thereof, in any wise notwithstanding.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the inspectors of the general election shall be chosen by ballot, at the time and manner as is directed in the second section of the act, entitled "An act to regulate the general elections within this commonwealth," passed the fifteenth of February, one thousand seven hundred and ninety-nine,⁽¹⁾ except as to the time of closing the poll in the city of Philadelphia, the township of the Northern Liberties and the district of Southwark, where the same may be kept open, until nine o'clock in the same evening.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That no body of troops, being regularly employed in the army of the United States or of this state, shall appear and be present, either armed or unarmed, at any place of election within this state, during the time of said election: Provided, that nothing herein contained shall be so construed, as to prevent any officer or soldier from exercising the right of suffrage, in the district to which he belongs, if otherwise qualified agreeably to the laws and constitution of this commonwealth.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That it shall be the duty of the commissioners of the several counties within this commonwealth, to cause to be delivered to the inspectors of the several election districts within their respective counties, on or before nine of the clock of the morning of the election, a separate alphabetical list of the names and surnames, of

all the male taxable persons of each ward, borough and township, inhabiting within the same, who have been assessed for a state or county tax, at least six months before that day; and also a sufficient number of blank forms and returns, made out in a proper manner, and headed as the nature of the election may require, which lists, forms and returns shall be delivered as aforesaid, under the penalty of fifty dollars, on each commissioner for every such neglect thereof.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That in cases in which counties consist of more than one election district, or in cases where one or more members of congress, or members of the senate or house of representatives of the general assembly of the commonwealth, are to be elected, and in case of the election of governor, the judges from each county, and the judges from each election district, whose duty it shall be, agreeably to the aforesaid act, to take charge of the certificate or certificates of the elections of said counties or districts, when met, shall, at the place and the time appointed by law, cast up the several county or district returns as the case may be, and make duplicate returns of the person or persons chosen for the county or counties, if there is more than one county connected in the election; and one of each returns, if there are more than one, shall be deposited in the prothonotary's office of the county, in which they meet; and one other of the returns under a sealed cover, directed to the secretary of the commonwealth, shall be by the said judges placed in one of the nearest post offices; and it shall also be the duty of the said judges to transmit to each of the persons elected to serve in congress, or in the senate or house of representatives, a certificate of the returns of his election; and each judge who shall attend to cast up and make out the said returns shall be allowed ten cents for every mile which he shall necessarily travel in performing that service: Provided however, that daily wages shall not be allowed to judges or inspectors.

Section VII. (Section VII, P. L.) And be it further enacted by the authority aforesaid, That all and every part of

the aforesaid act, entitled, "An act to regulate the general elections of this state," passed the fifteenth of February, one thousand seven hundred and ninety-nine,⁽¹⁾ which is by this act, altered, amended, or supplied, be, and the same is hereby repealed and made null and void."

Approved April 4, 1803. Recorded in L. B. No. 9, p. 256.

Note (1). Chapter 2020; 16 Statutes at Large, p. 163.

ACTS
OF THE
GENERAL ASSEMBLY
OF
PENNSYLVANIA,

PASSED AT A SESSION WHICH WAS BEGUN AND HELD AT LANCASTER ON TUESDAY, DECEMBER 6TH, 1803, AND THENCE CONTINUED UNTIL APRIL 3D, 1804 (INCLUSIVE).

CHAPTER MMCDI.

AN ACT TO REVIVE THE ACT, ENTITLED "A SUPPLEMENT TO THE ACT, ENTITLED 'AN ACT TO EXTEND THE POWERS OF THE JUSTICES OF THE PEACE OF THIS STATE (1).'"

Section I. (Section I, P. L.) 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 the act, entitled "A supplement to the act, entitled "An act to extend the powers of the justices of the peace of this state," passed the first day of March, one thousand seven hundred and ninety-nine,⁽¹⁾ and every matter therein contained (except the limitation thereof) be, and the same is hereby revived and made perpetual.

Recorded in L. B. No. 9, page 265.

Note (1). Chapter 2023; 16 Statutes at Large, p. 187.

I DO hereby certify, that the bill, entitled "An act to revive the act, entitled "A supplement to the act, entitled "An act to extend the powers of the justices of the peace of this state," which has been disapproved by the Governor, and re-