

## CHAPTER LVIII.

*An ACT explanatory of the Act, entitled, " An Act to regulate the Payment of Costs on Indictments."*

**W**HEREAS the act, entitled, An act to regulate the payment of costs on indictments has been construed, by some courts of justice, to be of force, and by others not of force: Therefore, in order to prevent any mischief which might arise from such difference of construction,

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 the act, entitled, An act to regulate the payment of costs on indictments, shall be considered in full force and operation, and the proceedings and adjudications had by any court of justice, agreeably to the provisions of the said act, are declared to be lawful and valid.

The act, & all proceedings under it, declared to be in force & valid.

Sec. 2. *And be it further enacted by the authority aforesaid,* That in all cases where two or more persons have committed an indictable offence, the names of all concerned (if a prosecution shall be commenced) shall be contained in one bill of indictment, for which not more costs shall be allowed than if the name of one person only was contained therein.

The names of all persons concerned in the commission of the same indictable offence to be included in one indictment, &c.

Sec. 3. *And be it further enacted by the authority aforesaid,* That the prosecutor, witness or witnesses marked on any bill of indictment which may

The witnesses endorsed made

may be tried, shall be competent to give testimony as to the facts charged therein.

competent to give testimony, &c.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

ROBERT WHITEHILL, *Speaker*  
*of the Senate.*

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*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

THE bill, entitled, An act explanatory of the act, entitled, An act to regulate the payment of costs on indictments, which was presented to me on Saturday the sixteenth instant, has not been returned within ten days, (Sundays excepted) so that it is now become a law: I have directed it to be returned to the House of Representatives, in which it originated.

THOMAS M'KEAN.

*Lancaster, March 28th, 1805.*

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WE certify that the foregoing is a true copy of a message of the Governor, transmitted on the day of its date, (together with the act referred to therein) to the Senate and House of Representatives.

GEORGE BRYAN, *Clerk*  
*of the Senate.*

MATTHEW HUSTON, *Clerk*  
*of the House of Representatives.*

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