

[Section III.] (Section X, P. L.) Be it further enacted by the authority aforesaid, That all such last wills and testaments as have been received, proved and registered and all letters testamentary and letters of administration granted in the register-general's office at Philadelphia, and in the several counties of this state, since the declaration of independence of the fourth of July, one thousand seven hundred and seventy-six, to the fourteenth day of March, one thousand seven hundred and seventy-seven, when the said act for establishing the offices for wills and administrations was passed, or to the day when the several officers nominated and appointed in the city and several counties of this state, in pursuance of the said last-recited act, opened or exercised their respective offices, shall be deemed as good and valid to all intents and purposes in the law, as wills proved and registered and letters testamentary and of administration, granted by the register-general or his deputies in the several counties before the declaration of independence, notwithstanding the incapacity of the said officers.

Passed August 31, 1778. See the notes to the Ordinance of the First Constitutional Convention passed September 3, 1776, Chapter 731; and to the Act of Assembly passed March 14, 1777, Chapter 748.

CHAPTER DCCCV.

A FURTHER SUPPLEMENT TO THE ACT, ENTITLED "AN ACT DIRECTING THE MODE AND TIME OF ELECTING JUSTICES OF THE PEACE FOR THE CITY OF PHILADELPHIA AND THE SEVERAL COUNTIES IN THIS COMMONWEALTH AND FOR OTHER PURPOSES THEREIN MENTIONED."

(Section I, P. L.) Whereas, notwithstanding the provision made in the act of general assembly of this commonwealth, entitled "An act directing the mode and time of electing justices of the peace for the city of Philadelphia, and the several and respective counties in this commonwealth, and for other pur-

poses therein mentioned,"¹ enacted the fifth day of February, in the year of our Lord one thousand seven hundred and seventy-seven, and in the supplement thereto, enacted the fifteenth day of March, in the year aforesaid, yet there is no sufficient provision made for supplying vacancies that may happen by the death, removal from the county, resignation or refusal of those elected to act, whereby several of the districts, county towns, wards and townships in this commonwealth, remain without their full number of justices, as settled by the said acts, for the administration of justice:

(Section II, P. L.) For remedy whereof:

[Section I.] Be it enacted, and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That where any vacancy or vacancies have happened or shall hereafter happen in the number of justices in any district, county, town, township or ward within this commonwealth, occasioned by the death, resignation, removal or refusal to act of any of the justices commissioned or elected by the inhabitants agreeable to the acts of assembly aforesaid; it shall and may be lawful for some one of the nearest justices to the said district, county town, township or ward; and he is hereby enjoined and required upon information given him by any of the inhabitants, to summon before him the constable or constables of the said district, county town, township or ward where such vacancy is or shall be, and enjoin and command the said constable or constables to hold an election on a certain day within twenty days thereafter, and at a certain place within the said district, county town, township or ward, to be by him then fixed and appointed by a writing under his hand and delivered to the said constable or constables: And the said constable or constables shall give at least ten days' notice to the freeholders qualified by law to vote for justices of the peace, by written or printed advertisements to be by him or them affixed in at least six of the most public places of such district, county town, township or ward, to meet at the said time and place, to elect a double number of proper persons to be returned as directed by the acts

¹ Passed February 5, 1777, Chapter 739.

aforesaid to the president or vice-president and council in order that one-half of the number elected be commissioned to fill up such vacancy.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That when the freeholders of any district, county town, township or ward within this commonwealth have refused or neglected or shall hereafter refuse or neglect to elect justices of the peace agreeable to the directions of the before recited acts, or of the further provisions herein made, that then it shall and may be lawful to and for the president or vice-president in council, to commissionate a suitable number of justices of the peace to fill up such vacancies, agreeable to the numbers settled in the afore recited acts.

Passed August 31, 1778. See the note to the Act of Assembly passed February 5, 1777, Chapter 739. The act in the text was repealed by the Act of Assembly passed March 31, 1784, Chapter 1093.

CHAPTER DCCCVI.

AN ACT FOR SETTTLING THE ACCOUNTS OF THE LATE COMMITTEE AND COUNCIL OF SAFETY.

(Section I, P. L.) Whereas it is necessary that the accounts of the late committee and council of safety be speedily adjusted and settled in order to enable this state to settle their accounts with Congress:

Therefore:

[Section I.] (Section II, P. L.) Be it enacted, and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That [William Moore, Joseph Dean and David Rittenhonse] be and they are hereby appointed auditors, with full power to audit, collect, adjust, liquidate and settle the said accounts of the late committee and council of safety of Pennsylvania, and when any balance shall be due to the state they shall direct the payment thereof to be made to the state