

shall be arrested and imprisoned, the one moiety thereof to the informer, who shall prosecute to conviction, and the other moiety to the use of the state: Provided always, That nothing in the foregoing clause contained shall tend to affect any person passing through this state, who shall be furnished with a proper pass from the executive powers of any other state in the union and which shall be approved of by the president and supreme executive council of this state.

[Section XI.] (Section XV, P. L.) And be it further enacted by the authority aforesaid, That an act of assembly, entitled "A supplement to the act for regulating navigation and trade,"¹ passed on the tenth day of April last, shall be and hereby is repealed and made void: Provided, That nothing in this repeal shall reach to or affect any proceedings which have taken place during the continuance of the said act.

[Section XII.] (Section XVI, P. L.) And be it further enacted by the authority aforesaid, That this act shall continue and be in force until the end of the present war between the United States and Great Britain.

Passed September 20, 1782. Recorded L. B. No. 2, p. 3, etc. See the Act of Assembly passed March 20, 1783, Chapter 1019.

CHAPTER CMLXXXVII.

AN ACT TO AMEND THE SEVERAL ACTS OF THIS COMMONWEALTH, DIRECTING THE MODE OF ELECTING MEMBERS OF THE GENERAL ASSEMBLY THEREOF.

(Section I, P. L.) Whereas business of great consequence has been frequently delayed, and manifest injury thereby done to this commonwealth by reason that persons elected to serve as members of assembly have not given their attendance according to the constitution and laws of this state, and the time to which the house stood adjourned, or have been called by the supreme executive council:

¹ Chapter, 967.

(Section II, P. L.) And whereas, it is both just and necessary that all members elected as members of the general assembly of this state should punctually attend their duty or signify their refusal so as the evils consequent on a want of representation may be provided against:

Wherefore:

[Section I.] (Section III, 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 any person or persons elected to serve in the general assembly of the representatives of the freemen of this commonwealth and duly notified thereof according to law, and who shall neglect or refuse to attend on the day fixed by the constitution for the legislative body to meet, or any member or members who shall refuse or neglect to meet on the day to which, by their own minutes, they may stand adjourned, or when called by the supreme executive council, agreeable to the powers vested in them for that purpose, having at least fifteen days' notice of such meeting, each and every person or member so refusing or neglecting shall forfeit and pay, for the use of this commonwealth, the sum of fifteen pounds, to be recovered, with costs of suit, in any court of record of the county where such person or persons so offending shall dwell or inhabit, and as hereinafter is directed.

(Section IV, P. L.) Provided always, That any person or persons elected to serve in the general assembly and being duly notified thereof according to law and who refuse or decline such service shall give, or cause to be given, at his or their own proper expense and cost, to the house of assembly, or the members met, a written notice declaring and expressing therein his or their refusal, and within fifteen days after receiving notification as aforesaid, such person or persons shall not be deemed or held liable to any fine, forfeit or penalty mentioned or intended by this act.

[Section II.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That after the expiration of fifteen days from the time fixed and appointed for any meeting of the general assembly of this commonwealth the members then

present shall cause a written list to be made out and direct to the speaker, or a chairman appointed for that purpose to sign the same, containing the names of all such persons or members as are deemed delinquents under this act, and specifying the county where such delinquents reside, or were chosen to represent; which lists so made out and signed as aforesaid they shall forthwith transmit to the supreme executive council of this commonwealth; who are hereby enjoined and required to cause the attorney-general or some proper person or persons in his behalf to sue for and recover from each and every of the persons so offending the fines, forfeitures or penalties herein specially set forth, and pay the same into the treasury, for the use of the commonwealth.

[Section III.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the general assembly of this commonwealth may, by their order, remit any fine or fines recovered, or that may be recovered, or stay any suit or action depending by virtue of this act, or prevent by their order others being sued for, whenever it appears, from the necessity of the case, such remittance or stay of suit is just and reasonable.

Passed September 20, 1782. Recorded L. B. No. 2, p. 2, etc. The Act in the text was repealed by the Act of Assembly passed February 15, 1799, Chapter 2020.

CHAPTER CMLXXXVIII.

AN ACT TO EXTEND THE POWERS OF THE COMPTROLLER-GENERAL OF THIS COMMONWEALTH.

(Section I, P L.) Whereas, by an act of the general assembly of this commonwealth, passed on the thirteenth day of April, one thousand seven hundred and eighty-two, entitled "An act for methodizing the department of accounts of this commonwealth, and for the more effectual settlement of the same,"¹

¹ Chapter 970.