

virtue of this act, shall have like effect, and be subject to like appeals and restrictions, as are provided by the act, entitled "An act to provide for the settlement of public accounts, and for other purposes therein mentioned," passed the fourth day of April, one thousand seven hundred and ninety-two.⁽¹⁾

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That each and every agent who may be appointed as aforesaid, shall be allowed for his services required by this act, four dollars per day, payable out of the aggregate funds of this commonwealth.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the act, entitled "An act to facilitate the settlement of the accounts of former and present country treasurers, for arrears of state taxes," passed the fourth day of February one thousand eight hundred and one, be, and the same is hereby repealed.⁽²⁾

Approved February 5, 1802. Recorded L. B. No. 8, p. 41.

Note (1) Chapter 1627, 14 Statutes at Large, p. 243.

Note (2) Chapter 2174, 16 Statutes at Large, p. 519.

CHAPTER MMCCXXXV.

AN ACT TO PRESCRIBE THE TIMES, PLACES AND MANNER OF CHOOSING SENATORS, TO REPRESENT THIS STATE IN THE SENATE OF THE UNITED STATES.

Whereas, the constitution of the United States declares that the times, places and manner of holding elections for senators of the United States, shall be prescribed in each state by the legislature thereof. Therefore:

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 whenever a vacancy is about to take place in the representation from this state, in the senate of the United States, in consequence of the expiration of the time for which a senator was chosen, the legislatures shall proceed to supply such vacancy in the following manner,

to wit: The members of both houses shall assemble in the chamber of the house of representatives, at the hour of twelve, on the second Tuesday in December preceding the month of March in any year, wherein a vacancy shall happen by the expiration of the constitutional term, for which such senator was elected, and then and there elect a senator or senators, as the case may be, to represent this state in the senate of the United States, which election shall be conducted in the following manner, viz. Before the time of meeting, each house shall appoint one teller, and nominate one or more candidate or candidates for senator, and two days previously to the said meeting communicate to each other the names of the persons so by them respectively appointed and nominated: At the meeting, the speaker of the senate, or in his absence, the speaker of the house of representatives shall preside; the names of the persons voted for, and the members voting, shall be entered in writing by the tellers, who shall report to the president the number of votes given for each candidate; if neither of the candidates shall have a majority of votes of the whole number of the members present, a second poll shall be taken, and so from time to time, until some one of the candidates shall have a majority of votes of the whole number of the members present. If the election shall not have been completed at the first meeting, the president shall adjourn to such time as a majority of the members then present shall agree, and so from time to time, until the election shall have been finally closed; whereupon the president shall announce the person having a majority of votes of the whole number of members present, to be duly elected a senator to represent this state in the senate of the United States. And the president shall, in the presence of the members of both houses, sign four several certificates of the election, attested by the tellers; one of which certificates shall be transmitted to the president of the senate of the United States, one to the person so elected, and the remaining two shall be preserved among the records, and entered at length on the journal of the senate and on the journal of the house of representatives. And whenever a

vacancy by death, resignation, or otherwise, shall happen in the representation of this state, in the senate of the United States, after the said second Tuesday in December, and during the session of the legislature; then and in such case, the legislature shall, within eight days after knowing or being informed of such vacancy, proceed to fill the same, in the manner hereinbefore prescribed.

Approved February 5, 1802. Recorded L. B. No. 8, p. 39.

CHAPTER MMCCXXXVI.

AN ACT TO ERECT MAHANTANGO TOWNSHIP, IN THE COUNTY OF BERKS, INTO A SEPARATE ELECTION DISTRICT.

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 township of Mahantango, in the county of Berks, shall be a separate election district, to be called "Mahantango district;" and the electors thereof shall hold their general elections at the house now occupied by Michael Artz, in said township of Mahantango.

Approved February 5, 1802. Recorded L. B. No. 8, p. 41.

CHAPTER MMCCXXXVII.

AN ACT FOR THE RELIEF OF JOHN BERRELL.

Whereas, it has been represented to the legislature that John Tyson, late of the township of Abington, county of Montgomery, and state of Pennsylvania, deceased, being in his life time, seized in his demesne, as of fee, of and in a certain lot of land, situate in the township of Abington aforesaid, containing about sixteen acres of land, did by parol contract, agree to sell and convey the same to John Berrell, of the township of Abington aforesaid, in fee, for a valuable consideration, which consideration has been paid by the said John Berrell,