

said, and the commissioners of said county shall have credit therefor in the settlement of their accounts at the treasury of township aforesaid, by the commissioners of the county aforesaid, the commonwealth.

Approved March 31, 1806. Recorded in L. B. No. 10, p. 401.
Note (*) Chapter 2622; 17 Statutes at Large, p. 1082.

CHAPTER MMDCCXXIX.

AN ACT TO RESTRAIN THE HORRID PRACTICE OF DUELING.

Whereas the laws heretofore passed to restrain the horrid practice of dueling have proved insufficient, and many citizens of this commonwealth, and others, have found means to evade the penalties of such offenses, and instigated by deadly feuds have committed murder upon mistaken principles of honor, and have escaped punishment by reason of the difficulty of procuring evidence of the facts: For remedy whereof,

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 if any person within this commonwealth shall challenge, by word or writing, the person of another to fight at sword, rapier, pistol or other deadly weapon; or if any person so challenged shall accept the said challenge; in either case, such person so giving, or sending, or receiving any such challenge, shall, for such offense, being thereof lawfully convicted in any court of record within this commonwealth, by the testimony of one or more witnesses, or by confession, forfeit and pay the sum of five hundred dollars, and shall suffer one year's imprisonment at hard labor, in the same manner as convicted felons are now punished; and moreover shall forfeit and be deprived of all rights of citizenship within this commonwealth for the term of seven years.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That if any person shall willingly

and knowingly carry and deliver any written challenge; or shall verbally deliver any message purporting to be a challenge; or shall consent to be a second in any such intended duel; and shall be thereof legally convicted as aforesaid; he or they so offending shall, for every such offense, forfeit and pay the sum of five hundred dollars, and suffer one year's imprisonment at hard labor, in the same manner as convicted felons are now punished; and moreover shall forever thereafter be rendered incapable of holding any office of honor, trust or profit within this commonwealth, which incapacity shall be declared and made part of the judgment of the court.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That in any case it shall be sufficient to frame an indictment generally, against either of the principals for challenging another to fight at deadly weapons; and notwithstanding it may appear on the trial that the defendant only accepted the challenge, it shall be sufficient to convict and render him liable to the penalties of this act; and in like manner an indictment against the seconds may be framed generally, for carrying and delivering a challenge, and proof of the mere act of fighting, and the defendant being present thereat, shall be sufficient to convict the defendant upon an indictment so framed; and if the duel shall take place within this commonwealth, the mere fact of fighting shall be full and complete evidence of the charges respectively of giving or receiving, or of carrying and delivering a challenge without other proof thereof.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That if any person shall have knowledge of any challenge to fight with any deadly weapons given or received; or in any manner be witness to the fact of such challenge, duel, or fighting, not being a second thereat, or party criminal therein; and shall conceal the same, and do not inform thereof, he or she shall be guilty of a misdemeanor; and upon conviction thereof shall be adjudged to pay a fine of fifty dollars, and moreover suffer nine months imprisonment, without bail or mainprize.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That if any person or persons shall presume to publish in any newspaper, or post by hand bills written or printed, or otherwise, any other person or persons as a coward or cowards, rascal or rascals, liar or liars; or use any other irritating, abusive language for not accepting a challenge, or fighting a duel; such person or persons shall, for such offense, being thereof convicted, be subject to the same punishment as though he or they had fought a duel, as provided by the first section of this act; and the publisher or printer shall, in all prosecutions under this section, be summoned as a witness, and accepted by the courts as a good witness against the writer or writers of such publication or hand bill; and if the said printer or printers, when summoned before the court, shall refuse to give up the writer's name or names, the court shall consider him or them as the author thereof, and proceed to punish him or them accordingly.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That any law or laws which are hereby altered or supplied, be, and the same are hereby repealed.

Approved March 31, 1860. Recorded in L. B. No. 10, p. 402.
See Act March 31, 1860, P. L. 382 and 453, Section 25.

CHAPTER MMDCCLXXX.

AN ACT MAKING APPROPRIATIONS AND FOR OTHER PURPOSES THEREIN MENTIONED.

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 for the payment of the debts and expenses hereinafter mentioned, there is hereby appropriated out of the funds for the support of government, the following sums, to wit: the sum of twelve hundred dollars, for the redemption of certificates issued under the act, entitled, "An act to provide for the settlement of the public ac-