

CHAPTER CLIX.

AN ACT

Enjoining duties upon the Attorney General, and for other purposes.

SECT. 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 it shall be the duty of the Attorney General immediately to remove from office any one of his deputies who shall refuse or neglect to institute any suit on behalf of the commonwealth, or shall not use requisite diligence in prosecuting any business that has been or may be confided to him by law; and in order to enable the Attorney General to perform the duties enjoined upon him by this act, the Auditor General shall from time to time report to him such cases as may require his interposition on behalf of the commonwealth.

Attorney general to remove deputies for neglect.

Auditor general to report such cases.

SECT. 2. *And be it further enacted by the authority aforesaid,* That the compensation to attorneys who shall recover monies for the commonwealth, shall in no case exceed five nor be less than one per cent. upon the amount paid into the State Treasury to be settled by the officers of the accountant department.

Compensation to attorneys for recovering public money

Attorney general not to receive fees from deputies.

Proviso.

Such fees received over \$ 1,000 a year to be accounted for on oath and paid into the treasury.

SECT. 3. *And be it further enacted by the authority aforesaid,* That it shall not be lawful for the Attorney General to receive any compensation or proportion of the fees of prosecution from any deputy appointed or to be appointed by him in any city or county of this commonwealth: *Provided,* That all fees received by any deputy attorney general in any one year above the sum of one thousand dollars, shall be by him accounted for and paid into the State Treasury, and each deputy attorney general in the commonwealth, is hereby required to keep an accurate account or statement of the fees and perquisites by him received, and to make an annual return thereof to the Auditor General on oath, and if any deputy attorney general shall neglect or refuse to perform the duties enjoined on him by this section, he shall be guilty of a misdemeanor in office and shall forthwith be removed by the Attorney General.

SECT. 4. *And be it further enacted by the authority aforesaid,* That after indictment found by the grand jury, it shall not be lawful for the Attorney General to enter a nolle prosequi therein except in the cases of assault and battery, fornication and bastardy, on agreement between the parties or in prosecutions for keeping tippling houses with the consent of the court.

Nolle prosequi prohibited after indictment found except in certain cases.

SECT. 5. *And be it further enacted by the authority aforesaid,* That the district court for the city and county of Phil-

adelphia shall have concurrent jurisdiction with, and shall have all the powers and jurisdictions that are now vested in the courts of common pleas by virtue of an act, entitled "An act to compel assignees to settle their accounts, and for other purposes," and auditors appointed by any court in cases arising under the said act, as well as in all other cases whatsoever, shall receive a reasonable compensation for their services, to be fixed by said court and to be paid and taxed as other costs: *Provided*, That the same do in no case exceed the sum of two dollars per day for each auditor.

District court to have concurrent jurisdiction with the court of common pleas in certain cases. Proviso.

SECT. 6. *And be it further enacted by the authority aforesaid*, That either of the president judges of the district court for the city and county of Philadelphia, is hereby authorised and empowered to hold the said court in the absence of the other judges thereof.

Either of the president judges of the district court authorised to hold courts in the absence of the other judges.

REES HILL, *Speaker of the House of Representatives.*

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the twenty-ninth day of March, one thousand eight hundred and nineteen.

WILLIAM FINDLAY

CHAPTER CLX.

AN ACT

Supplementary to an act, entitled "An act to incorporate the Union Canal Company of Pennsylvania."

WHEREAS the act incorporating the Union Canal Company of Pennsylvania has failed to effect the improvements contemplated by the legislature, and requires to be modified in order to accomplish the great and important water communication between the rivers Susquehanna and Schuylkill. And whereas such modification may be made so as to benefit the stockholders and bring into activity the property belonging to them, and which else would remain useless both to them and to the public.

Therefore,

SECT. 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*