

settlement of their accounts at the treasury of the commonwealth.

CHARLES PORTER, *Speaker*

of the House of Representatives,

JAMES BRADY, *Speaker*

of the Senate.

APPROVED—the thirty-first day of March, in the year one thousand eight hundred and six.

THOMAS M'KEAN.

CHAPTER CCV.

An ACT to restrain the horrid practice of Duelling.

WHEREAS the laws heretofore passed to restrain the horrid practice of duelling have proved insufficient, and many citizens of this commonwealth, and others, have found means to evade the penalties of such offences, 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 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 if any person within this commonwealth shall challenge by word or writing, the person of another to fight at sword, rapier, pistol or other Penalty on giving or accepting a challenge to fight a deadly duel.

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 offence, 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.

On carrying such challenge, or consenting to be a second in the duel.

Sec. 2. *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 offence, 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 for ever 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.

What form of indictment shall be sufficient against the principal and seconds in a duel,

Sec. 3. *And be it further enacted by the authority aforesaid,* That in any case it shall be sufficient to form 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
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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.

and proof sufficient to induce a conviction.

Sec. 4. *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.

Penalty on third persons having knowledge of a challenge given and concealing the fact.

Sec. 5. *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 offence, 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

Penalty on publishing or posting any one for not accepting a challenge, &c.

under

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 writers' name or names, the court shall consider him or them as the author or authors thereof, and proceed to punish him or them accordingly.

Sec. 6. *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.

Repeal of former laws hereby altered or supplied.

CHARLES PORTER, *Speaker*
of the House of Representatives.

JAMES BRADY, *Speaker*
of the Senate.

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THOMAS M'KEAN.

CHAPTER CCVI.

An ACT making appropriations and for other purposes therein mentioned.

Section 1. **B**E 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