

manufacture to be then going on, may seize and remove the said articles therefrom within the space of twenty-four hours, to some safe and convenient place, and therein detain the same until it be determined in the proper court whether the same be forfeited or not, by virtue of this act.

The forfeitures incurred, how disposed of.

SECT. III. *And be it further enacted by the authority aforesaid,* That the penalties and forfeitures mentioned in this act may be recovered as debts of equal amount are by law recoverable, with costs of suit, the one moiety of which penalties and forfeitures shall go to the guardians of the poor of the city of Philadelphia, the district of Southwark, and the township of the Northern-Liberties, or to the overseers of the poor of the township of Moyamensing respectively, accordingly as the said seizure was made within the said city or district, or either of the townships aforesaid, and the other moiety to the informer or prosecutor who shall sue for the same.

This act may be plead in any suit had, in consequence of any proceedings under it. Defendant to recover treble costs.

SECT. IV. *And be it further enacted by the authority aforesaid,* That if any suit or action be commenced and prosecuted against any person or persons for any thing done in pursuance of this act, every such person or persons may plead the general issue, and give this act and the special matter in evidence, and if a verdict shall pass for the defendant or the plaintiff become nonsuit or discontinue his action, or if on demurrer or otherwise judgment shall be given against the plaintiff, the defendant shall recover treble costs.

JAMES ENGLE, *Speaker*
of the House of Representatives.
P. C. LANE, *Speaker of the Senate.*

APPROVED—the sixteenth day of March, one thousand eight hundred and nine.

SIMON SNYDER.

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CHAPTER XXXV.

An Act allowing further time to the Commissioners of Luzerne county for the re-payment of certain monies due the commonwealth.

WHEREAS by an act of the Legislature, passed the nineteenth day of March, one thousand eight hundred and seven, there was granted to the Trustees of Wilkesbarre Academy, the sum of two thousand dollars, being part of four thousand three hundred and twenty-five dollars, due from the county of Luzerne to this commonwealth, upon condition that the commissioners of said county should pay into the state treasury within two years from the time of passing said act, the balance of the aforesaid debt, viz. the sum of two thousand three hundred and twenty-five dollars. And whereas it has been represented

to the legislature, that the payment of the money within the time stipulated would, from a variety of unforeseen circumstances, be an oppressive inconvenience to the citizens of Luzerne: Therefore,

SECTION I. *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 time allowed to the commissioners of Luzerne county, by an act passed the nineteenth day of March, one thousand eight hundred and seven, for the payment of a certain sum of money be, and the same is hereby extended in the following manner, *that is to say,* They shall pay or cause to be paid, into the state treasury on or before the first day of June next, one thousand dollars, and the remaining sum of one thousand three hundred and twenty-five dollars, on or before the first day of June, one thousand eight hundred and ten, with interest: *Provided always,* That in case of failure to comply with the provisions of this act, the grant of two thousand dollars heretofore made to the trustees of Wilkesbarre Academy, shall revert to the commonwealth, and the commissioners of said county shall thereupon forthwith pay or cause to be paid over to the state treasurer, the full sum of four thousand three hundred and twenty-five dollars.

JAMES ENGLE, *Speaker*
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the sixteenth day of March, one thousand eight hundred and nine.

SIMON SNYDER.

CHAPTER XXXVI.

An ACT concerning libels.

SECTION I. *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 from and after the passing of this act no person shall be subject to prosecution by indictment in any of the courts of this commonwealth, for the publication of papers examining the proceedings of the legislature or any branch of government, or for investigating the official conduct of officers or men in public capacity.

SECT. II. *And be it further enacted by the authority aforesaid,* That in all actions or criminal prosecutions of a libel, the defendant may plead the truth thereof in justification or give the same in evidence, and if any prosecution by indictment, or any action be instituted against any person or persons contrary to the true

Time for the payment of a certain sum of money by the commissioners of Luzerne county to this commonwealth, extended. *Proviso.*

No person to be prosecuted by indictment for examining and publishing the conduct of certain officers.

The truth to be given in evidence in all actions of criminal