

ing the time for which the said officers were appointed respectively; *provided also*, that if any person appointed to any office by the town council as aforesaid, shall neglect or refuse to take upon himself the duties of the office to which he shall be so appointed, he shall forfeit and pay for the use of the corporation any sum not exceeding twenty dollars, unless he can render to the said council a satisfactory reason why he should be exonerated from such service. Proviso.

SECT. XIV. *And be it further enacted by the authority aforesaid*, That if any person or persons shall think him, her or themselves aggrieved by any thing done in pursuance of this act, except in what relates to the imposing and collecting the borough tax and appointments made by the town council, he, she or they may appeal to the next court of common pleas to be held for the said county, upon giving security according to law, to prosecute his, her or their appeal with effect; and the said court having taken such order therein as shall seem just and reasonable, the same shall be conclusive against all parties. How grievances may be redressed.

SECT. XV. *And be it further enacted by the authority aforesaid*, That the act passed the sixth day of April, one thousand eight hundred and two, entitled, "An act for laying out, making and keeping in repair the public roads and highways within this commonwealth, and for laying out private roads," shall not extend to the borough of Reading aforesaid. An act respecting roads, &c. not to extend to the borough of Reading.

SECT. XVI. *And be it further enacted by the authority aforesaid*, That from and after the first Monday in May next, the act aforesaid, entitled, "An act for erecting the town of Reading in the county of Berks, into a borough, &c." passed the twelfth day of September, one thousand seven hundred and eighty-three, be and the same is hereby repealed. Former law repealed.

JOHN TOD, *Speaker*  
of the House of Representatives.

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

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

SIMON SNYDER:

## CHAPTER CLXXI.

An ACT to enable the militia or volunteers of this state, when in the military service of the United States or of this state, to exercise the rights of election.

SECT. 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 whenever any of the citizens of this commonwealth having a The right of suffrage secured to militia men

who are called into actual service.

right to vote at a general election shall be in actual military service under a requisition from the president of the United States, or otherwise, on the days appointed by law for holding general elections within this commonwealth, each and every such citizen shall be entitled to exercise the right of suffrage at such place as may be prescribed by the commanding officer of the company or troop to which he or they shall respectively belong, as fully as if he or they were present at the usual place of election, any provision in any act or acts now in force to the contrary notwithstanding; *provided however*, that no such election shall be held if the company or troop to which such person or persons shall be attached shall be within two miles of the usual place of holding elections, at the time of holding such election.

Proviso.

What officers to conduct the elections.

SECT. II. *And be it further enacted by the authority aforesaid*, That the proceedings for conducting the said elections shall be as far as the same shall be practicable, in all respects the same as those prescribed by the general election laws of this commonwealth, except that the captain or commanding officer of each company or troop shall act as judge, and that the first lieutenant or officer second in command, shall act as inspector at such election so far as shall relate to the proper company or troop to which such officer shall belong.

Judges to transmit returns of elections to the proper prothonotaries.

SECT. III. *And be it further enacted by the authority aforesaid*, That within three days after the said elections shall have been held, the judges shall respectively transmit a return thereof to the prothonotary of the proper county within which the citizens so having voted would have voted, if the persons so having voted had not been on actual military service; and they shall respectively transmit another return thereof to the commanding officer of the regiment or battalion as the case may be, who shall make a general regimental return thereof under his hand and seal, and shall transmit the same to the secretary of commonwealth.

Relative to the election of members of congress.

SECT. IV. *And be it further enacted by the authority aforesaid*, That the judges of the respective elections for the proper county in which the volunteers or militia men who may have voted as aforesaid, may have resided prior to their being called into actual military service, shall meet on the second Tuesday in November next; after the said election shall have been held, and where any other county or counties are connected in the election of senators, or members of congress, the meeting of all the judges concerned, shall be deferred until the time aforesaid: and the prothonotary of the proper county shall deliver to them the returns which shall have been made as hereinbefore directed; and when the said returns shall have been so delivered to them the said judges shall take all such proceedings thereupon as would be taken

if the said election or elections had been held within the proper county.

SECT. V. *And be it further enacted by the authority aforesaid,* That the several officers who shall act as judges and inspectors as heretofore directed, shall respectively send under their hands and seals to the prothonotary of the proper county, all the tallies and lists of voters.

Tallies, &c. to be sent to the proper prothonotaries.

SECT. VI. *And be it further enacted by the authority aforesaid,* That the several officers authorized to conduct the elections as aforesaid, shall take the like oaths or affirmations, shall have the like powers, and they, as well as all other persons who may attend, vote or offer to vote at the said elections, shall be subject to the penalties and restrictions as would be enforced or exercised if such elections had been held in the proper county; and in case any of the persons directed to act as judges or inspectors as aforesaid, shall refuse or neglect to serve, then the officers next in command in the companies or troops to which the person or persons refusing, shall belong, shall act as judges and inspectors, or in either capacity as the case may be, and shall exercise and perform all the rights and duties enjoined by this act, or shall be subject to all the penalties enjoined or prescribed by law.

Judges, &c. to be under oath, &c.

Who shall serve in cases of refusal; and of the judges, &c.

SECT. VII. *And be it further enacted by the authority aforesaid,* That the captain or commanding officer of the proper company or troop authorized by this act to perform the duties of judge of election, shall administer the proper oath or affirmation to the officer who shall act as inspector, and as soon as the officer so authorized to act as inspector shall have been sworn or affirmed, he shall administer the proper oath to the officer whose duty it shall be to act as judge.

How oaths of office are to be administered.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the officer whose duty it may be to act as judge of election shall appoint two persons to act as clerks, and he shall administer to them proper oaths or affirmations as the case may be.

The judge of election to appoint clerks, &c.

JOHN TOD, *Speaker*  
*of the House of Representatives.*  
P. C. LANE, *Speaker of the Senate.*

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

CHAPTER CLXXII.

An ACT making a further appropriation for building a bridge over Neshannock creek.

SECT. I. *BE it enacted by the senate and house of representatives of the commonwealth of Pennsylvania, in general assembly*

*Carl Engelhofer,*  
*Attorney at Law.*