

in pursuance thereof, shall henceforth cease, determine, and be forever void. 1793.

Passed 6th March, 1793.—Recorded in Law Book No. V. page 49.

CHAPTER MDCXLV.

A SUPPLEMENT to the act, entitled "An Act to regulate the trials of contested elections."

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 in all contested elections of a Governor, or member of either branch of the legislature of this commonwealth, the person returned, and the candidate next highest in votes, shall be the parties in the trial thereof; and in case of the absence or neglect of such person next highest in votes, any one of the petitioners, duly qualified, who have signed the petition against such election, taking precedence according to the order in which they have signed the same, shall be considered as one of the parties.

(Ante. chap. 1574, pa. 43).
Who shall be parties in case of a contested election for governor

SECT. II. *And be it further enacted by the authority aforesaid,* That if either or both of the parties shall neglect to attend, for the purpose of objecting to and striking from the names drawn in pursuance of the provisions of the first and second sections of an act passed on the twenty-ninth day of September, one thousand seven hundred and ninety-one, entitled "An Act to regulate the trials of contested elections," the members of the Senate and of the House of Representatives jointly, or the members of either house separately, as the case may require, shall appoint one of their own number, in the place of either or both of the said parties so neglecting to attend, which member or members, so as aforesaid appointed, shall have full power and authority to do and perform every act and thing touching the same, in as valid and effectual a manner, as if the party or parties were personally present.

If the parties neglect to strike the committee, a member to be appointed for that purpose.

SECT. III. *And be it further enacted by the authority aforesaid,* That no order shall be taken on any petition, unless the same is accompanied by a certificate from the treasurer, prothonotary, or any of the commissioners of the county or counties in which the petitioners reside, setting forth that the said petitioners, or as many of them as are required by the law to which this is a supplement, were, at the time of signing such petition, duly qualified electors.

Petitioners against an election to be qualified electors.

SECT. IV. *And be it further enacted by the authority aforesaid,* That all witnesses sent for and attending the trial of contested elections shall be allowed six cents for every mile of the distance necessarily travelled by them, in coming to and returning from the place of such trial, and shall be allowed the sum of one dollar and thirty-three cents for every day they may be detained at the place of such trial; which mileage and expenses, as well as the expense of summoning the said witnesses, shall be taxed by the said committee appointed to try the election, and certified by their chairman

Allowance to witnesses for travelling and attendance:

How to be taxed, certified, and paid.

1793. to the Speaker of one or both Houses, as the case may require; and the amount thereof, the same being first approved by the House or Houses to which such certificate is made, shall be paid by the treasurer of the county in which the facts complained of in such petition had taken place, on orders drawn by the Speaker of either or both Houses, as the case may require.

Duty of committees on contested elections.

SECT. v. *And be it further enacted by the authority aforesaid,* That committees, appointed in pursuance of the provisions of the act to which this is a supplement, shall in all cases have power not only to determine on the validity of contested elections, but also to decide which of the candidates has the greatest number of legal votes, which candidate shall thereupon be entitled to the seat or office, which he had been voted for at such election.

Expenses heretofore incurred, how payable. [Obsolete.]

[SECT. vi. And whereas a contest has arisen respecting the last election of representatives for the county of Dauphin, and sundry expenses have been incurred in obtaining the testimony, and conducting the trial respecting the said election: Therefore, *Be it further enacted by the authority aforesaid,* That the expenses incurred on the trial of the said contested election shall be paid, in all respects, agreeably to the rates set forth in the fourth section of this act.]

Passed 6th March, 1793.—Recorded in Law Book No. V. page 51.

CHAPTER MDCLXVII.

[Original Act, chap. 1532, page 15.]

A SUPPLEMENT to an act, entitled "An Act to provide a more effectual method of settling the public accounts of the commissioners and treasurers of the respective counties."

Further duties of the auditors.

SECT. v. *AND be it further enacted by the authority aforesaid,* That the auditors hereafter appointed, agreeably to the directions of the first section of the act, to which this is a supplement, shall have full power and authority to settle the accounts of the commissioners of the preceding year, respecting the said public landings and hay-scales, in the same manner, and subject to the same provisions, as by the said act is directed respecting the other accounts of the said commissioners. (*f*)

Passed 6th March, 1793.—Recorded in Law Book No. V. page 43.

(*f*) By the preceding part of this act, which is entirely obsolete; the auditors were authorized to settle the accounts relative to the public landings in the Northern-Liberties, and the hay

scales built on one of the said landings, from 20th of February, 1768, until the 1st of January, 1793, and make report to the Common Pleas within six months, &c.