

1802.

Penalty for exercising any office or appointment by this act declared to be incompatible.

SECT. III. *And be it further enacted by the authority aforesaid,* That if any person, after the expiration of six months from the passing of this act, shall exercise any offices or appointments, the exercise of which is by this act declared to be incompatible, every person so offending, shall for every such offence, being thereof legally convicted in any court of record, forfeit and pay any sum not less than fifty nor more than five hundred dollars, at the discretion of the court; one moiety of the said forfeiture to be paid to the overseers, guardians, or directors of the poor of the township, district, county or place where such offence shall have been committed, to be applied to the support of the poor, and the other moiety thereof to the prosecutor who shall sue for the same.

Passed 12th February, 1802.—Recorded in Law Book No. VIII. page 83.

CHAPTER MMCCXXIV.

An ACT to prescribe the times, places and manner, of choosing Senators, to represent this state in the Senate of the United States.

WHEREAS, the constitution of the United States declares, that the times, places and manner of holding elections for Senators of the United States, shall be prescribed in each state by the Legislature thereof: Therefore,

The Legislature to elect Senators from this state, to supply vacancies in the Senate of the United States.

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 a vacancy is about to take place in the representation from this state, in the Senate of the United States, in consequence of the expiration of the time for which a Senator was chosen, the Legislature shall proceed to supply such vacancy in the following manner, to wit: The members of both houses shall assemble in the chamber of the House of Representatives, at the hour of twelve, on the second Tuesday in December preceding the month of March, in any year, wherein a vacancy shall happen by the expiration of the constitutional term, for which such Senator was elected, and then and there elect a Senator or Senators, as the case may be, to represent this state in the Senate of the United States, which election shall be conducted in the following manner, viz. Before the time of meeting, each house shall appoint one teller, and nominate one or more candidate or candidates for Senator, and two days previously to the said meeting, communicate to each other the names of the persons so by them respectively appointed and nominated: At the meeting, the Speaker of the Senate, or in his absence, the Speaker of the House of Representatives shall preside; the names of the persons voted for, and the members voting, shall be entered in writing by the tellers, who shall report to the president the number of votes given for each candidate; if neither of the candidates shall have a majority of votes, of the whole number of the members present, a second poll shall be taken, and so from time to time,

Manner of conducting the election.

until some one of the candidates shall have a majority of votes, of the whole number of the members present: If the election shall not have been completed at the first meeting, the President shall adjourn to such time as a majority of the members then present shall agree, and so from time to time, until the election shall have been finally closed; whereupon, the President shall announce the person having a majority of votes, of the whole number of members present, to be duly elected a Senator, to represent this state in the Senate of the United States: And the President shall, in the presence of the members of both houses, sign four several certificates of the election, attested by the tellers; one of which certificates shall be transmitted to the President of the Senate of the United States, one to the person so elected, and the remaining two shall be preserved among the records, and entered at length on the journal of the Senate and on the journal of the House of Representatives: And whenever a vacancy, by death, resignation, or otherwise, shall happen in the representation of this state, in the Senate of the United States, after the said second Tuesday in December, and during the session of the Legislature; then and in such case, the Legislature shall, within eight days after knowing or being informed of such vacancy, proceed to fill the same, in the manner herein before prescribed.

1802.

Vacancies happening after the 2d Tuesday in December to be filled in like manner.

Passed 5th February, 1802.—Recorded in Law Book No. VIII. page 39.

CHAPTER MMCCXXV.

An ACT to erect Mahantango township, in the county of Berks, into a separate election district.

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 the township of Mahantango, in the county of Berks, shall be a separate election district, to be called "Mahantango District;" and the electors thereof shall hold their general elections at the house now occupied by Michael Artz, in said township of Mahantango.*

Mahantango township in Berks county erected into an election district.

Passed 5th February, 1802.—Recorded in Law Book No. VIII. page 41.

CHAPTER MMCCXXVII.

An ACT altering the place of holding the elections in Air township, in the county of Bedford.

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 from and after the passing of this act, the electors residing within the fifth district, in the county of Bedford, shall hold their general elections at the house now occupied by Jacob Four, in M'Connellsburgh; any former law to the contrary thereof notwithstanding.*

Place for holding elections within the fifth district of Bedford county

Passed 13th February, 1802.—Recorded in Law Book No. VIII. page 47.