

aforesaid to the president or vice-president and council in order that one-half of the number elected be commissioned to fill up such vacancy.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That when the freeholders of any district, county town, township or ward within this commonwealth have refused or neglected or shall hereafter refuse or neglect to elect justices of the peace agreeable to the directions of the before recited acts, or of the further provisions herein made, that then it shall and may be lawful to and for the president or vice-president in council, to commissionate a suitable number of justices of the peace to fill up such vacancies, agreeable to the numbers settled in the afore recited acts.

Passed August 31, 1778. See the note to the Act of Assembly passed February 5, 1777, Chapter 739. The act in the text was repealed by the Act of Assembly passed March 31, 1784, Chapter 1093.

CHAPTER DCCCVI.

AN ACT FOR SETTLING THE ACCOUNTS OF THE LATE COMMITTEE AND COUNCIL OF SAFETY.

(Section I, P. L.) Whereas it is necessary that the accounts of the late committee and council of safety be speedily adjusted and settled in order to enable this state to settle their accounts with Congress:

Therefore:

[Section I.] (Section II, P. L.) Be it enacted, and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That [William Moore, Joseph Dean and David Rittenhonse] be and they are hereby appointed auditors, with full power to audit, collect, adjust, liquidate and settle the said accounts of the late committee and council of safety of Pennsylvania, and when any balance shall be due to the state they shall direct the payment thereof to be made to the state

treasurer; and where it shall be due from the state they shall draw an order on the state treasurer in favor of the person to whom the same shall be due, which order the state treasurer is hereby directed to pay, and they the said auditors shall also at each sitting of the general assembly make report of what progress they have made in the settlement of the said accounts.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the said auditors or any two of them, be and they are hereby directed and empowered to open an office for the purpose of receiving and regularly keeping the said accounts and to give notice thereof in the public newspapers or otherwise, requiring all persons who have been entrusted with public money, or who have demands upon the late committee or council of safety or are otherwise interested in any of the said accounts unsettled to attend at the said office for the purpose of adjusting and settling the same.

[Section III.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said auditors or any two of them be and they are hereby authorized and directed to purchase and prepare sufficient books in which they shall enter all the accounts of the late committee and council of safety; therein carefully distinguishing and separating such as are the proper accounts of this state and such as are owing or chargeable to the United States or any of them.

(Section V, P. L.) And the better to enable the said auditors to obtain a full and certain knowledge of the aforesaid accounts from the different parts of this state and to make a just settlement thereof:

[Section IV.] (Section VI, P. L.) Be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said auditors or any two of them as often as occasion may require, to call before them by subpoena or attachment any person or persons who have been entrusted or charged with public moneys or who they may have reasons to believe capable of giving evidence or information respecting the said accounts, or any of them, and such person or persons to examine on oath or affirmation touching the same; which oath or affirmation they or any one of them are hereby empowered to administer; and all

persons subpoenaed as aforesaid are hereby enjoined and required to pay due obedience thereto, and in every case of neglect or refusal shall be subject to the same pains and penalties as in such like cases is customary, and persons subpoenaed as witnesses shall be entitled to the same fees for their attendance as witnesses in the usual course of law.

[Section V.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the said auditors or any two of them shall have power and authority to employ such suitable persons as clerks or accountants for the purpose of stating such accounts as may be by them allowed and passed, and to allow them such compensation for their services as shall by the said auditors be deemed reasonable and just; and they are hereby further empowered to draw upon the state treasurer for any sum not exceeding one thousand pounds to defray the necessary expenses of clerks' wages, office rent, stationery and other charges of the like nature, which accounts with their proper vouchers shall be laid before the general assembly to be examined and allowed.

[Section VI.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That in case of neglect or refusal of any of the said auditors to act or in case any vacancy may happen by death or otherwise, it shall be lawful for the president or vice-president and council in the recess of the house, to fill such vacancy by their appointment as often as it may be necessary.

[Section VII.] (Section IX, P. L.) And be it further enacted by the authority aforesaid, That the said auditors herein appointed or hereafter to be appointed as above mentioned shall before they enter upon the execution of the duties herein enjoined them take an oath or affirmation before the president or vice-president in council, for the faithful execution of the trust reposed in them.

Passed September 2, 1778. See the note to the Act of Assembly passed October 13, 1777, Chapter 766; and the Acts of Assembly passed December 5, 1778, Chapter 824; March 31, 1779, Chapter 835; (repealed by the Act of Assembly passed) March 1, 1780, Chapter 882.