

is hereby empowered and required to enter a noli prosequi on every such indictment or presentment on the defendant's paying the fees thereon.

Passed March 16, 1779. See the note to the Act of Assembly passed November 27, 1778, Chapter 819.

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## CHAPTER DCCCXXVIII.

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AN ACT TO INCREASE THE FINES AND PENALTIES ON PUBLIC OFFICERS FOR REFUSAL OR NEGLECT OF DUTY; AND ALSO TO AUGMENT THE FEES OF THE SEVERAL OFFICERS HEREINAFTER MENTIONED.

(Section I, P. L.) Whereas the fines and penalties which the different public civil officers of this commonwealth are by the laws thereof now in force liable to forfeit and pay for or by reason of their neglecting or refusing to perform the duties of their several offices, are no sufficient security to the public for the due and faithful discharge of the trusts reposed in them, or the performance of the duties enjoined them by the said laws, to the great hindrance of public business and the insecurity of the good people of this state:

[Section I.] (Section II, P. L.) Be it therefore 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 if any of the sheriffs, coroners, constables, overseers of the poor, supervisors of the highways, county commissioners and assessors, township assessors, collectors of the public taxes, jurymen, judges and inspectors of elections of representatives and all and every other of the civil officers of this commonwealth which by the laws thereof now in force are liable to pay a fine or forfeiture for any neglect or refusal to do and perform any of the duties which they were empowered, enjoined or required to do and perform by the directions of the said laws; each and every such officer or officers so refusing or neglecting to do, execute and perform any of the said

duties so enjoined and required of them shall for every such offense respectively forfeit and pay five times the sum and sums which such offender or offenders are liable to forfeit and pay by the said laws (except as hereinafter mentioned,) to be sued for recovered, paid and applied in the same manner and for the same uses and purposes respectively as the former fines were by the said laws directed to be sued for, recovered, paid and applied.

[Section II.] (Section III. P. L.) Provided always nevertheless and be it further enacted by the authority aforesaid, That if any of the said officers within the city of Philadelphia shall incur any fine or forfeiture for neglecting or refusing to do and perform any of the duties required or enjoined to be done and performed by them or any of them by laws of the province of Pennsylvania which were in force on the third day of July one thousand seven hundred and seventy-six; and which fine and forfeiture was by the said laws payable to the mayor and commonalty of the said city of Philadelphia each and every such fine shall be, and is hereby declared to be appropriated to and for the same uses and purposes in the said city as the fines and forfeitures for the like offenses are appropriated in and for each of the several counties in this state and shall be sued for, recovered, paid and applied in the same manner, anything in the said laws to the contrary thereof notwithstanding.

(Section IV, P. L.) And whereas the fees of the said officers as they stood regulated by the former laws of this state are become so far inadequate to their expenses whilst attending on public business, that if a remedy be not applied they must attend on and perform the duties of their respective offices greatly to the prejudice of their private fortunes; and the persons most capable of executing, doing and performing the duties of the said offices will not apply for or accept of them to the great hindrance and irregularity in public business and greatly to the prejudice and inconvenience of the good people of this commonwealth:

For remedy whereof:

[Section III.] (Section V, P. L.) Be it further enacted by the authority aforesaid, That from and after the publication of this act the several fees of the attorney-general, sheriff, coroner, jus-

tices of the peace, justices of the common pleas, justices of the orphans' court, prothonotary or clerk of the supreme court, clerk of the general quarter sessions of the peace, prothonotary or clerk of the court of common pleas, clerk of the orphans' court, the registers of the several counties, master of the rolls and of the several recorders of deeds, attorneys, constables and crier of the court, and all other the civil officers in this government (except the officers hereinafter named) whose fees stood regulated by the laws thereof in force on the twenty-fifth day of March in the year of our Lord one thousand seven hundred and seventy-eight shall be three times the sum and sums as they respectively at that time stood rated; and that the wages of jury-men and witnesses shall respectively be four times the sum and sums rated in the said laws, as the wages allowed them by the said laws were by no means adequate to their necessary expenses whilst they were attending on their respective business and duties.

[Section IV.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That an act of assembly of this state passed at Lancaster the twenty-sixth day of March in the year of our Lord one thousand seven hundred and seventy-eight [entitled 'A supplement to the act'], entitled 'An act for the regulating and establishing of fees,'<sup>1</sup> shall be and the same is hereby declared to be repealed to all intents and purposes.

[Section V.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That this act shall be and continue in force until the end of the next sitting of the general assembly and no longer.

Passed March 16, 1779. See the note to the Act of Assembly passed August 22, 1752, Chapter 398; and the Acts of Assembly passed October 9, 1779, Chapter 862; November 27, 1779, Chapter 875; February 28, 1780, Chapter 879; March 1, 1780, Chapter 882; March 8, 1780, Chapter 888; March 17, 1780, Chapter 897; April 3, 1781, Chapter 935; June 21, 1781, Chapter 945.

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<sup>1</sup> Passed March 26, 1778, Chapter 793.