

commonwealth be authorized and they are hereby authorized to draw an order upon the treasurer of this state for the payment of the sum of one hundred and eighty-five pounds, money of Pennsylvania, being the full remaining balance of their account, which said order is to be drawn in favor of Gunning Bedford and others concerned in erecting the said triumphal arch.

Passed October 3, 1788. Recorded L. B. No. 3, p. 420.

CHAPTER MCCCLXXIII.

AN ACT DIRECTING THE TIME, PLACES AND MANNER OF HOLDING ELECTIONS FOR REPRESENTATIVES OF THIS STATE IN THE CONGRESS OF THE UNITED STATES AND FOR APPOINTING ELECTORS ON THE PART OF THIS STATE FOR CHOOSING A PRESIDENT AND VICE-PRESIDENT OF THE UNITED STATES.

(Section 1, P. L.) Whereas the constitution of the United States declares and directs that "The house of representatives in the congress of United States shall be composed of members chosen every second year by the people of the several states; that the electors in each state shall have the requisite qualifications of electors of the most numerous branch of the state legislature"; that until the enumeration therein pointed out of the citizens of the United States shall be made, the number of representatives for this state shall be eight, [and] that "the times, places, and manner of holding elections for senators and representatives shall be prescribed in each state by the legislature thereof":

And whereas it is further declared and directed in and by the said constitution, that for the purposes of choosing a president and vice-president of the United States, "each state shall appoint in such manner as the legislature thereof may direct a number of electors equal to the whole number of senators and representatives to which the state may be entitled in the congress":

And whereas the convention which framed the said constitution resolved that as soon as [the conventions of] nine

states should have ratified the said constitution the United States in Congress assembled should fix a day on which electors should be appointed by the state which should have ratified the same and a day on which the electors should assemble to vote for the president, and the time and place for commencing proceedings under the said constitution. And that after such publication the electors should be appointed and the senators and representatives elected:

And whereas the United States in congress assembled by their act of the thirteenth day of September in the present year (reciting that the said constitution had been ratified in the manner therein [declared] to be sufficient for the establishment of the same) did resolve that the first Wednesday in January next be the day for appointing electors in the several states ratifying the said constitution before the said day and that the first Wednesday in February next be the day for the electors to assemble in their respective states and vote for a president:

And whereas a convention duly appointed by the people of this state did by their act of the twelfth day of December in the year of our Lord one thousand seven hundred and eighty-seven in the name of the said people assent to and ratify the said constitution:

In order therefore to carry the said constitution into effect.

[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 the election of representatives agreeably to the said constitution and the directions of this act to serve in the congress of the said United States shall be held by the citizens thereof qualified to vote for members of assembly on the last Wednesday in November next, and of electors agreeably to the said constitution on the first Wednesday of January next, of which elections due notice shall be given by the sheriffs of the respective counties agreeably to the election laws of this state at the places in the city of Philadelphia and in the several counties of this state prescribed by

the election laws aforesaid, in like manner as in and by the said election laws is directed for the election of members of the general assembly of this state. And all and every officer and person whose duty it is or may be to attend, conduct and regulate according to the election laws of this state the general election to be held on the second Tuesday in October next, are hereby authorized, enjoined and required to attend, conduct and regulate the elections herein directed to be held for the purposes aforesaid, in like manner as in and by the said election law is directed and the several powers and authorities to them given by the laws of this state relating to the election of members of assembly of this state are and shall be continued and vested in the said officers and persons respectively for the purposes of holding and conducting the said elections to be held in pursuance of the directions of this act, as fully and effectually to all intents and purposes as if the powers and authorities aforesaid were herein particularly enumerated and expressed, and in case of the death, absence or inability of any of the said officers or persons before the holding the elections in and by this act directed to be held, others shall be chosen or appointed in their stead according to the directions of the said election laws and all and every person and persons who shall or may be guilty of any neglect or abuse of the said election laws or of any part thereof at any election to be held in pursuance of this act shall be prosecuted and punished in the same manner as if he or they, was or were guilty of the like neglects, abuses or breaches of the said election laws in the election of representatives to serve in the general assembly of this state.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That every person coming to elect representatives shall deliver in writing on one ticket or piece of paper the names of eight persons to be voted for as representatives and that every person coming to vote for electors agreeably to the said constitution and the directions of this act shall deliver in writing on ticket or piece of paper the names of ten persons to be voted for as electors agreeably to the said

constitution and for the purposes therein mentioned. The said persons so voted for as representatives and electors to be selected from the citizens and inhabitants of the state at large who [are] duly qualified according to the said constitution to serve in the said respective stations, which said tickets or ballots shall be received and dealt with in like manner with those delivered in at the general elections for members of assembly and councillors of this state.

[Section III.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That after the polls in the several districts shall be closed and the votes of the electors cast up in manner and form directed by the laws of this state on that subject, the names of the several persons voted for at the several wards and districts in the city of Philadelphia and the several counties of this state shall be written on parchment or paper and the number of the votes for each candidate in the wards and districts fairly enumerated and set down, which numbers shall be written in words at length and not in figures only, and the tickets and other papers relating to the elections shall be sealed up and deposited in manner and form as directed by the election laws of this state, and on such names and numbers being so set down and written, the judges of the several elections in the city of Philadelphia and in each and every district in all and every county of this state, when assembled at the place for that purpose directed shall respectively within the space of three days after the said election. sign and seal the papers or instrument on which the same are so written and shall make out, sign, seal and execute duplicate returns thereof, one whereof shall be delivered to the prothonotary of the county to be kept safely and one other copy thereof shall be delivered to the sheriff of the proper county to be delivered or safely transmitted by him within ten days after each respective election to the secretary of the supreme executive council of this state for the inspection and examination of the said supreme executive council, and in the city of Philadelphia and in such counties wherein the said election shall be holden at one place, the said elections shall

be carried on and conducted and the return thereof made in like manner as is herein directed. And the said supreme executive council, after having received the returns, papers and instruments aforesaid, from the said city and each and every of the counties aforesaid, shall enumerate and ascertain the numbers of votes for each and every candidate so as aforesaid chosen as representatives or electors respectively, and shall thereupon declare by proclamation issued by the said Council duly signed by the president and without delay dispersed through the state, the names of the eight persons highest in votes of the electors throughout the state and in consequence duly elected and chosen as representatives of and for the state in the congress of the United States and the names of the ten persons highest in votes and therefore elected as electors agreeably to the constitution aforesaid. And the said supreme executive council shall as soon as conveniently may be after such examination and declaration, transmit the same, together with the documents on which it is founded to the secretary of the United States in Congress assembled to be by him delivered to the house of representatives in the congress of the United States when they shall be assembled at the time and place by the present congress of the United States directed and fixed on.

[Section IV.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That the electors so as aforesaid to be chosen shall assemble on the first Wednesday in February next at the borough of Reading and shall perform the duties enjoined on them by the said constitution agreeably to the directions thereof. And the same allowance of mileage and daily wages when travelling to, remaining at and returning from the place aforesaid shall be paid them and each and every of them as is by law allowed and paid to members of assembly of this commonwealth, the same to be paid by the treasurer of this state or the treasurer of the counties in which such electors respectively reside on warrants signed by the president of the meeting of such electors, if any they shall choose or by the majority of such electors exclusive of the per-

son in whose favor such warrants may or shall be respectively drawn.

Passed October 4, 1788. Recorded L. B. No. 3, p. 421.

CHAPTER MCCCCLXXIV.

A SUPPLEMENT TO THE ACT ENTITLED "AN ACT TO ENFORCE THE DUE COLLECTION AND PAYMENT OF TAXES WITHIN THIS COMMONWEALTH."¹

(Section I, P. L.) Whereas the mode of compelling the payment of taxes directed to be raised by the act entitled "An act for furnishing the quota of this state towards paying the annual interest of the debts of the United States and for funding and paying the interest of the public debts of this state,"² is found to be tedious and liable to abuse:

For remedy whereof:

[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 if any person or persons who is or are or have been rated or assessed by virtue of the said recited act and in pursuance of the directions thereof shall refuse or neglect to pay and satisfy the sum or sums of money which he, she or they is, are or have been so as aforesaid rated and assessed, for the space of forty days after the same shall be demanded of him by the collector of the proper township, ward or district, or if any person or persons who shall be so as aforesaid rated and assessed in pursuance of the said recited act in any sum or sums of money, shall refuse or neglect to pay the sum or sums of money for which he, she or they shall be so as aforesaid rated or assessed, within the time in and by the said act limited for the payment thereof to the collector

¹ Passed March 24, 1786, Chapter 1218.

² Passed March 16, 1785, Chapter 1137.