

part of her quota of taxes or assessments due to this state, by reason of the default of the said Peter Shaffner, a collector as aforesaid.

Passed September 22, 1794. Recorded L. B. No. 5, p. 360 &c.

CHAPTER MDCCLXXXIII.

AN ACT TO ENABLE SUCH OF THE MILITIA OF THIS COMMONWEALTH AS MAY BE ON SERVICE AND ABSENT FROM THEIR RESPECTIVE COUNTIES TO VOTE AT THE NEXT GENERAL ELECTION.¹

[Section I.] (Section I, P. L.) 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 such of the freemen of Pennsylvania as are by the constitution and laws of this commonwealth entitled to vote at general elections, and who shall be absent from their respective places of residence and in actual service on the fourteenth day of October next shall, nevertheless, be entitled to exercise their right of suffrage at such places as may be subscribed by their respective judges of election, appointed in the manner hereinafter mentioned, as fully as if they were present at their usual places of voting, anything in the act of general assembly passed the thirteenth day of September, one thousand seven hundred and eighty-five, entitled, "An act to regulate the general elections of this commonwealth and to prevent frauds therein,"¹ or the act passed the nineteenth day of September, one thousand seven hundred and eighty-six,² to alter and amend the same, to the contrary in any wise notwithstanding. Provided nevertheless, That no such election shall be held within a half mile of any of the ordinary places of voting.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That the manner of voting at and conducting the said election shall, as far as the same is practicable, be as is prescribed by the general election laws of this

commonwealth, except that the captain or commanding officer of each company shall act as judge, and the first lieutenant or officer second in command in each company shall act as inspector at such election, so far as relates to their particular company or command.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That as soon as any such election is finished, the said several judges thereof shall make out under their respective hands and seals a fair statement and certificate of the number of votes which shall have been so given for each candidate or person voted for, distinguishing the stations and offices for which such election was holden, which numbers shall be expressed in words at lengths, and duplicates thereof being made out; which returns and duplicates shall be attested by the inspector and clerk, and one copy forthwith transmitted to the prothonotary of the county to which the said electors belong, and the other, except in the cases of the fifth section of this act mentioned, delivered to the commanding officer of their regiment, who shall therefrom make out a general regimental return, under his hand and seal, and transmit the same to the secretary of this commonwealth.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the judges of the election within the proper counties to which any of the said companies belong, shall, instead of meeting within three days after the general election as is prescribed by the first above recited act, meet on the tenth day of November next, when the prothonotary shall deliver to the said judges the returns so as aforesaid made, who shall thereupon proceed in the same manner as if the said votes had been given in their proper counties, and the judges of the different counties erected into districts for the purpose of choosing state senators or representatives in Congress, shall, instead of meeting on the third Tuesday in October, meet on the fifteenth day of November next.

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That the different officers whose term of appointment would otherwise have expired on the said fourteenth day of October, shall and may continue to exercise their respective functions until the general return shall have been

made by the judges of the election within the proper counties, in the manner and at the time hereinbefore mentioned and prescribed.

[Section VI.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the captains or commanding officers of such companies as may not be attached or belonging to any particular regiment, shall transmit the duplicate certificate of the election so as aforesaid made by their respective companies, to the secretary of this commonwealth, as is directed in the case of the regimental returns, mentioned in the third section of this act.

[Section VII.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the judge and inspector of every company shall have full power and authority to administer the following oath or affirmation to any person desirous of voting at the election to be held in the manner hereinbefore specified. "You, A. B., do swear or affirm that you are at least twenty-one years of age, having resided the last two years in Pennsylvania, and having paid a state or county tax which has been assessed on you at least six months ago"; or "You, A. B., are between the ages of twenty-one and twenty-two years, and the son of a qualified elector." And the judges and inspector of each company shall, previously to their opening the election, respectively administer to each other the requisite oaths to wit: "I, A. B., do swear, or affirm, that I will duly attend the ensuing election throughout the continuance of the same, and that I will truly and faithfully assist the inspector thereof, according to my best ability, according to law, and that I will endeavor to prevent all fraud, deceit and abuse in the carrying on of the same, and that I will make due return of the same," I, A. B., do swear, or sincerely and truly declare and affirm, that I will duly attend the ensuing election during the continuance of the same, as inspector thereof, and that I will truly and faithfully perform my duty therein to the best of my abilities, and that I will not receive any ticket or vote from any elector who shall offer the same until he shall have proved his right to vote in the manner prescribed by the act, entitled, "An act to regulate the general elections of this commonwealth, and to pre-

vent frauds therein,"¹ and that I will endeavor to prevent all fraud, deceit and abuse whatever of electors or others, in carrying on the same." "I, A. B., do swear, or affirm, that I will impartially and truly, to the best of my ability, write down the name of each elector who shall poll at the ensuing election which shall be given to me incharge, and also the name of the town, township, ward or district wherein such elector shall reside, and that I will carefully and faithfully mark down the number of votes whilst I shall be therein employed that shall be given for each candidate at the election, as often as his name shall be read unto me by the judge of this election.

[Section VIII.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the several officers for conducting the said election shall have the same powers, and, as well as the electors and other persons attending the same, be subject to the same penalties for any crime, misbehavior or neglect of duty, as is provided by the existing laws of this commonwealth in ordinary cases of general elections.

[Section IX.] (Section IX, P. L.) And be it further enacted by the authority aforesaid, That the said several judges and inspectors shall enclose in a strong paper cover, and send under their seals to the prothonotary of the proper county, all the tickets given in at such elections, together with the tallies and lists of voters, anything in the existing laws of this commonwealth to the contrary notwithstanding.

[Section X.] (Section X, P. L.) And be it further enacted by the authority aforesaid, That in case any of the judges or inspectors of the said election should be unable or neglect to serve, such officer next in command as may be present shall officiate in his stead.

[Section XI.] (Section XI, P. L.) And be it further enacted by the authority aforesaid, That all or any of the officers in actual service as aforesaid, not included in the foregoing provisions, shall be entitled to vote in the manner and under the restrictions hereinbefore mentioned, except that they may vote with such company as they may respectively think fit, provided they shall respectively give but one vote.

[Section XII.] (Section XII, P. L.) And be it further enacted by the authority aforesaid, That no execution, distress or

attachment for any debt under twenty pounds, issued or to be issued against any officer or private engaged in service as aforesaid during the continuance of such service, shall be levied on their household goods and furniture or instruments of mechanical trade.

¹Chapter 1175.

²Chapter 1242.

¹See Ante.

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CHAPTER MDCCLXXXIV.

A SUPPLEMENT TO THE ACT, ENTITLED, "AN ACT TO PREVENT THE RECEIVING ANY MORE APPLICATIONS, OR ISSUING ANY MORE WARRANTS, EXCEPT IN CERTAIN CASES, FOR LAND WITHIN THIS COMMONWEALTH."¹

[Section I.] (Section I, P. L.) 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 no application shall be received in the land office for any lands within this commonwealth, except for such lands whereon a settlement has been or hereafter shall be made, grain raised, and a person or persons residing thereon.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That all applications made since the first day of April, one thousand seven hundred and eighty-four, on the files or books of the land office, for lands within this commonwealth for which the purchase money has not been paid, shall from and after the passing of this act be null and void.

Provided nevertheless, That all persons shall have the benefit of the act passed March the twenty-ninth, one thousand seven hundred and ninety-two, entitled, "An act to authorize the receiver general of the land office to carry moneys received into that office since a given period, for lands sold and which have