

DEFAULTING PUBLIC OFFICERS
Act of Apr. 21, 1846, P.L. 413, No. 346
A SUPPLEMENT

Cl. 72

To the law relating to defaulting public officers.

Compiler's Note: Section 2 of Act 53 of 1978 provided that Act 346 is repealed except for sections 5, 6, 8 and 9 which were saved from repeal.

Section 5. That all accounts of county treasurers, or duly certified copies thereof, heretofore or hereafter settled or stated by the auditor general, shall be received in evidence in all suits brought, or that may be brought by authority of any law, against any such treasurers or their sureties, and the same shall be considered as good and valid, as if the same had been duly settled by the county auditors.

Section 6. That all official bonds hereafter given by any clerk of either branch of the legislature, or by any county treasurer, or by any brigade inspector, or by any officer on the public works, shall not be deemed invalid, on the ground, that the same may not have been approved by the proper officer or officers, as directed by law; but the same are hereby declared to be as good and valid in law, against said public officers and their sureties, as if said bonds had been executed and approved in due form of law; and no mistake in the bond of any collector or other public officer, as to the name of the officer described in the instrument intended for his official bond, shall in anywise invalidate such bond, but the same shall be considered to apply to the officer, whose office was intended to be described in such bond.

Section 8. That in addition to the general powers of the auditor general, over accounts confined by existing laws, it shall be the duty of said officer, from time to time, to re-settle and correct all accounts of public officers, where it may appear from such accounts in his office, or from other information in his power, that errors exist in any of said accounts, prejudicial to the interests of the commonwealth; but in no case shall the amount of the balance of any such account be reduced, except in the cases, and within the time heretofore authorized by law for re-examining accounts: Provided, That this section shall not be construed to apply to accounts settled and examined prior to the first day of January, eighteen hundred and forty.

Section 9. That in all suits brought, or which may be brought by the commonwealth, under authority of law, against any defaulting officer or his sureties, interest shall be allowed and computed in favor of the commonwealth, from the time the public money sued for came to the hands, or should have been in the hands of such officers.