

[No. 14.]

AN ACT

To repeal part of an act supplementary to the act entitled "An act limiting the time during which judgments shall be a lien on real estate, and suits may be brought against the sureties of public officers," and to render certain appeals from awards of arbitrators valid, and for other purposes.

SECTION 1. *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 that part of the proviso in the act of assembly passed on the twenty-first day of April, Anno Domino one thousand eight hundred and forty, entitled "An act limiting the time during which judgments shall be a lien on real estate, and suits may be brought against the sureties of public officers, which requires an affidavit of defence as therein stated, to be superadded to the oath required by the compulsory arbitration law, in cases of appeals taken by defendants from awards of arbitrators, be and the same is hereby repealed. And all appeals taken from awards of arbitrators, according to the requisitions of the arbitration laws in force at the time of the passage of the said act of the twenty-first of April, Anno Domino one thousand eight hundred and forty, are hereby declared to be good and valid, notwithstanding that no affidavit of defence may have been filed in conformity to the provisions of that part of the proviso which is hereby repealed.

SECTION 2. That all appeals from awards of arbitrators which shall have been dismissed by any court of this Commonwealth, on account of the omission by the defendant to file an affidavit of defence, (in conformity to that part of the proviso which is hereby repealed) at the time of the entry of such appeals: *Provided,* The money or damages sought to be recovered, have not been made by execution or otherwise, are hereby reinstated.

SECTION 3. That so much of the act entitled an act relative to suits brought by and against canal and railroad companies, approved the fourteenth day of April, one thousand eight hundred and thirty-four, as is applicable to actions brought on contracts, express or implied, be and the same is hereby repealed, and all such actions as have been removed in pursuance

Part of former law repealed.

Former act reinstated.

Appeals dismissed reinstated.

Proviso.

Part of former act repealed.

of such act and still pending, be returned for trial to the court in which they were respectively commenced.

WM. A. CRABB,

Speaker of the House of Representatives.

CHARLES B. PENROSE,

Speaker of the Senate.

APPROVED—The eleventh day of February, one thousand eight hundred and forty-one.

DAVID R. PORTER.

[No. 15.]

A N A C T

To authorise the Removal of the Seat of Justice in the County of Wayne.

WHEREAS, a large majority of the taxable inhabitants of the county of Wayne have, by their memorial, set forth to the General Assembly of this Commonwealth, the great inconvenience they suffer in consequence of the seat of justice for said county being fixed at Bethany, and praying the same may be removed to the borough of Honesdale—

For remedy whereof,

SECTION 1. *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 immediately after the passage of this act, it shall be the duty of the Governor of this commonwealth, to appoint three disinterested citizens of this state, none of whom shall be residents of the county of Wayne, whose duty it shall be, as soon as conveniently may be after receiving notice of their appointment, to assemble at the borough of Bethany, in the county of Wayne aforesaid, and after being duly sworn or affirmed, shall proceed to value and apprise the court house, fire proof and all other real estate belonging to the county of Wayne aforesaid, situate in the borough of Bethany aforesaid, at a reasonable cash price, and shall make out duplicate reports of such valuation under their hands and seals, or under the hands and seals of a majority of them, one of which reports they shall deliver to the prothonotary of said county who shall file the same in his office, and the other shall be deposited in the commissioners' office; and the said persons appointed to appraise the public buildings as aforesaid or a majority of them, shall upon a proper and convenient site within the borough of Honesdale for

Preamble.

Gov. to app't 3 persons, not of Wayne co. who shall appraise court house, &c. in Bethany and report.

Report how filed

To fix a site in Honesdale for