

by repealed; and it shall be lawful for any plaintiff or his attorney, to give the notice to the sheriff as is required by said act, at any time after holding inquisition; and in cases where any plaintiff or his attorney has heretofore failed to signify such election to the sheriff within the space of ten days after inquisition, it shall be lawful to do so at any time prior to the first day of October next, and to proceed therein in all other respects as to the acceptance or refusal of the defendant or other persons claiming under him, and as to sale of the premises, as is directed by existing laws: *Provided*, That this act shall not be construed to authorize a notice in any case wherein a writ of *liberari facias* has been or may be executed.

SECTION 2. The notice required to be given by the provisions of the act referred to in the first section of this act, from the defendant or defendants, or other person or persons claiming under him or them, to the sheriff, of his or their willingness to retain possession under the valuation of the inquest, may be given at any time within thirty days from the time of the reception by him or them, of the notice of plaintiff's election to allow him so to retain the same; and in cases where the defendant or defendants or other person or persons so claiming, have neglected to give such notice within the time allowed, it shall be lawful for him or them, to give the same, on or before the first day of October next: *Provided*, That no such notice shall be given in cases where writs of *vend. exponas* have been or may be issued on account of the said notice not having been given according to law.

FINDLEY PATTERSON,

Speaker of the House of Representatives.

DANIEL L. SHERWOOD,

Speaker of the Senate.

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

FRS. R. SHUNK.

No. 32.

AN ACT

To authorize the canal commissioners to re-examine the claims of Royer and Schmucker.

Canal Commissioners to re-examine claim.

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 the canal commissioners be and they are hereby authorized and required to re-examine the claim of John Royer and George Schmucker, doing business under the firm of Royer and Schmucker, for damages done to Cove Forge, and other property belonging to them, on the Frankstown branch of the Juniata river, for damages sustained by them by the freshet in June, one thousand eight hundred and thirty-eight; and whether the destruction or injury to their property, occasioned

thereby, was caused, in any degree, by the construction of the state works on the said canal, and report the facts to the next legislature. Report facts to legislature.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 33.

AN ACT

To repeal certain acts relating to the erection of public buildings in the county of Fayette.

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 the act entitled "An Act to authorize the erection of public buildings in the county of Fayette, and for other purposes, approved the twelfth day of April, one thousand eight hundred and forty-five;" and also the fourth section of an act entitled "A supplement to the act of Assembly, passed the twenty-ninth of March, one thousand eight hundred and thirty-two, relating to the proceedings in the orphans' courts of this commonwealth, and for other purposes, approved the fifteenth day of April, one thousand eight hundred and forty-five," which said section relates to the erection of the public buildings in the said county of Fayette, be and the same are hereby repealed; and that all the former laws of this commonwealth, or portions of laws repealed by the said act of the twelfth of April, one thousand eight hundred and forty-five, be and the same are hereby revived.* Repeal of former acts. Certain acts revived.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

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

FRS. R. SHUNK.