

No. 254.

A N A C T

Supplementary to an act, entitled "An Act concerning bail and attachments," passed twentieth March, eighteen hundred and forty-five.

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 in all cases wherein an appeal has been made from the award of arbitrators, since the passage of the act, entitled "An Act concerning bail and attachments, passed the twentieth day of March, one thousand eight hundred and forty-five, and the party appellant has omitted the payment of the costs accrued, to the time of such appeal, but has given the security required by said act, for the payment of the costs, such appeal shall be held good and valid in law, notwithstanding the non-payment of the costs, as aforesaid : *Provided however,* That the opposite party may require the payment of such costs from such appellant, on giving him or his attorney ten days' notice ; and in default of the payment of the same on such notice being given, the court in which such appeal may be entered, may enforce the payment of the same by attachment, or in their discretion, dismiss the appeal.

In all cases of appeal and security given, costs to be paid on ten days' notice.

SECTION 2. The first section of the act, entitled, "An Act concerning bail and attachments," shall be so construed as to require the payment by the appellant, to the prothonotary, of all costs which have previously accrued, whenever an appeal is entered from an award of arbitrators, excepting where executors, administrators, guardians or trustees are appellants.

Construction in regard to payment of costs.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

APPROVED—The thirteenth day of April, one thousand eight hundred and forty-six.

FRS. R. SHUNK.