

profits of the real estate of such man or woman, as, in the judgment of the said magistrates, shall be sufficient to provide for such wife, and to maintain and bring up such children, which sum or amount shall be specified in such warrant; but if sufficient real or personal estate cannot be found, then to take the body of such man (or woman,) and bring him (or her) before such magistrates, at a time to be specified in the warrant, aforesaid.

To demand security.

SECTION 2. It shall be lawful for such magistrates, on the return of such warrant, to require security from such man or woman, for his or her appearance at the next court of quarter sessions of Erie county, there to abide the order of the court; and for want of such security, to commit such person to the jail of the said county.

Warrant to be returned to court of quarter sessions.

Order of court.

SECTION 3. The warrant aforesaid, shall be returned to the next court of quarter sessions of the county, when it shall be lawful for the said court, to make an order for the payment of such sums as they shall think reasonable, for the purpose aforesaid, and therein authorizing the directors aforesaid, to dispose of the goods and chattels aforesaid, by sale or otherwise; and to collect and receive the rents and profits aforesaid, or so much of either as in the judgment of the court, shall be sufficient for the purpose aforesaid; but if there be no real or personal estate, it shall be lawful for the court to commit such person to the jail of the county, there to remain until he or she comply with such order, give security for the performance thereof, or be discharged by due course of law.

FINDLEY PATTERSON,

*Speaker of the House of Representatives.*

DANIEL L. SHERWOOD,

*Speaker of the Senate.*

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

FRS. R. SHUNK.

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No. 323

## AN ACT

Relating to a certain suit, and a tax on writs of error.

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 a new trial shall be and hereby is granted and allowed, and directed to be granted and allowed, by the district court for the city and county of Philadelphia, in a certain action therein instituted by John Malone, against the county of Philadelphia, to June term one thousand eight hundred and forty-four, number one hundred and forty-three; and that the said case be proceeded in to trial and judgment, with like effects, in all respects, as if the same had not been heretofore tried in said court, and passed upon on motion for a new trial.

New trial allowed in the case of John Malone, vs. Philadelphia county.

SECTION 2. That from and after the first day of June next, the several Additional tax on prothonotaries of the supreme court shall, in addition to the tax now writs of error. imposed, also receive a further tax of one dollar on each writ of error thereafter issued, to be paid over to the reporter of the opinions and decisions of said court, to aid him in procuring for publication copies of said opinions ; but this section shall continue in force only until the first day of July, one thousand eight hundred and fifty.

FINDLEY PATTERSON,  
*Speaker of the House of Representatives.*

DANIEL L. SHERWOOD,  
*Speaker of the Senate.*

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

FRS. R. SHUNK.

No. 324.

# AN ACT

Relative to the claims of John Miller.

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 to examine into the claims of John Miller, for damages done to three of his cars, on the plane number two, Allegheny Portage railroad, on the twenty-sixth day of May, Anno Domini, one thousand eight hundred and forty-three, and make report to the next legislature.*

FINDLEY PATTERSON,  
*Speaker of the House of Representatives.*

DANIEL L. SHERWOOD,  
*Speaker of the Senate.*

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

FRS. R. SHUNK.