

shall not be so construed as to impose a tax on the running or book accounts of merchants or others, for goods sold or work done.

JAMES COOPER,

Speaker of the House of Representatives.

WM. WILLIAMSON,

Speaker of the Senate.

APPROVED—The fifteenth day of March, one thousand eight hundred and forty-seven.

FRS. R. SHUNK.

No. 330.

A SUPPLEMENT

To the act, entitled “An Act relative to lien creditors becoming purchasers at judicial sales, and for other purposes,” passed twentieth April, one thousand eight hundred and forty-six.

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 so much of the sixth section of the said act, as relates to actions of trespass, quare clausum fregit, then pending, be and the same is hereby repealed, and the provisions of said section shall be held to apply only to such actions instituted, or to be instituted after the date of the passage of said act.

SECTION 2. *And be it further enacted,* That the act, entitled “A supplement to an act, passed July sixteenth, eighteen hundred and forty-two, entitled ‘An Act concerning the trust estate of Hugh Roberts, deceased, and for other purposes,’ passed the twenty-sixth day of February, Anno Domini one thousand eight hundred and forty-five,” shall not be so construed to affect suits pending at the date of the passage thereof, that is to say, that the said act of the twenty-sixth of February, eighteen hundred and forty-five, shall not be so construed as to have a retrospective operation.

Fines and forfeitures, construction of acts of 26 Feb'y, 1845.

SECTION 3. *Whereas,* By the thirty-sixth section of the act, entitled “An Act relating to executions,” passed the sixteenth day of June, Anno Domini one thousand eight hundred and thirty-six, it is made the duty of the officer charged with the execution of a writ to attach debts in the hands of a garnishee, to serve a copy of said writ upon the defendant; against whom the proceeding is had: *And whereas,* The supreme court decided, that without the said service being made upon the original defendant, the attachment was invalid and of no effect: *And whereas,* The general assembly of this commonwealth, by an act passed the twenty-ninth day of April, one thousand eight hundred and forty-four, declared that said proceedings in attachments should be valid without said service in certain cases: *And whereas,* Said last mentioned act may operate great injustice in cases where persons relying upon the law, as it stood before the passage of said act, have paid the moneys due to the

Preamble.

defendant in the attachment, or in cases where the property or moneys attached may have been bona fide assigned or transferred to third persons; for remedy of which,

Proceedings on attachment in certain cases, regulated.

SECTION 4. *Be it further enacted by the authority aforesaid, That* in all cases of proceedings to attach debts, rights, credits or property of any description, had prior to the passage of said act of twenty-ninth April, eighteen hundred and forty-four, where the writ was not served on the original defendant, and where, before the passage of said act, the garnishee had paid to the original defendant the moneys due or had, returned to him the goods, rights and credits in his possession, as well as where bona fide assignments had been made to third persons, without notice of the original attachment, in all such cases it is hereby declared that said attachments, so executed as aforesaid, shall not be held valid; any thing in said act of twenty-ninth day of April, Anno Domini one thousand eight hundred and forty-four, to the contrary notwithstanding: *Provided, That* this act shall only apply to proceedings now pending where final judgments have not been rendered.

Proviso.

JAMES COOPER,

Speaker of the House of Representatives.

WM. WILLIAMSON,

Speaker of the Senate.

APPROVED—The fifteenth day of March, one thousand eight hundred and forty-seven.

FRS. R. SHUNK.

No. 331.

AN ACT

For the division of Buffalo township, in Armstrong county.

Act detaching parts of Buffalo township for election purposes, repealed.

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* so much of any act of assembly of this commonwealth, as attaches portions of the township of Buffalo, in the county of Armstrong, as election districts, to the boroughs of Kittanning and Freeport respectively, be and the same are hereby repealed

Township divided into North and South Buffalo.

SECTION 2. *That* the aforesaid township of Buffalo shall be divided into two distinct townships, for all purposes whatsoever; the northern part to be known as North Buffalo and the southern part as South Buffalo, and the line dividing the aforesaid North Buffalo and South Buffalo townships, shall begin on the Butler county line, at the north-west corner of sub-school district number three of said township; thence along the north line of said sub-district to its termination, on the lands of John Wray; thence by a direct line to the south-west corner of a tract of land patented to Jacob White, (now in the occupancy of Jehu