

No. 10.

AN ACT

To change the venue of certain cases.

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 certain indictment now pending in the court of quarter sessions of Lehigh county, against William H. Winder and John Rice, for a conspiracy, be and the same is hereby removed to the court of quarter sessions of Lancaster county; and that three actions brought to December term of eighteen hundred and forty-four, numbers fifteen, sixteen and seventeen, in the court of common pleas of Lehigh county, against said William H. Winder, in which the Northampton Bank is plaintiff, be and the same are also removed to the common pleas of Lancaster county for trial by juries of Lancaster county aforesaid; and that the president judge of the second judicial district be and he is authorized to proceed to trial, verdict and judgment, in the said indictment and actions before the said president, and one or more of the associate judges of the said Lancaster county, as the said courts in Lehigh county in which the same are now pending, could or might do; and that the said president judge of the said second judicial district may make all necessary orders and appointments for further proceedings in and trying the same, and that no further proceedings be had in any of the said cases by arbitration or otherwise in Lehigh county, and the costs heretofore incurred, shall abide the event of the said suits. And the record in said indictment and actions, shall be duly certified by the prothonotary and clerk of the quarter sessions of the county of Lehigh, to the said court of common pleas and of quarter sessions of the said county of Lancaster: *Provided*, That the county of Lancaster shall not be subjected to any costs or expense in consequence of or by reason of the transfer and removal of the aforesaid indictment and actions; but the same or any part thereof, which would otherwise fall on the county of Lancaster, shall be paid by the commissioners of Lehigh county, on the orders of the commissioners of the said county of Lancaster: *And provided also*, That the said final judgments shall be subject to writs of error, as in other cases, to the supreme court; and in case the same or any of them shall be reversed, and a venire facias de novo awarded, the same shall again be transferred and re-tried in Lancaster county, in the same manner as is hereinbefore provided: *Provided*, That the costs which the said county of Lancaster shall be legally subjected to, in consequence of the removal of said causes, shall be refunded by the county of Lehigh as aforesaid, and the party or parties requesting the removal of the said causes shall, before removing the same, give security in such sum or sums, as the court of Lehigh county may direct, conditioned for the payment of all costs of suit, in case of conviction and judgment against the party applying for the removal of such suit or suits.

FINDLEY PATTERSON,

Speaker of the House of Representatives.

WILLIAM P. WILCOX,

Speaker of the Senate.

APPROVED—The third day of February, A. D. one thousand eight hundred and forty-five.

FRS. R. SHUNK.