

bank of the river Delaware, to be extended across the same river, by a south south-east course, to the shore of the state of New-Jersey, are annexed to and shall be deemed to be, and shall henceforth be, parts of the county of Philadelphia, and of the several adjoining townships and precincts of the same county, lying along the said river. 1786.

SECT. V. And that the residue of the bed of the same river, and the islands and dry land within the same, so as aforesaid assigned to this state, and being south-westerly of the line herein last before described, are annexed to and shall be deemed to be, and henceforth shall be, parts of the county of Chester, and of the several adjoining townships and precincts within the same county. and part of Chester.

SECT. VI. *Provided nevertheless,* That the whole of Hogg-island, which lies opposite to the said boundary of Philadelphia and Chester counties, and of the marshes surrounding the said island, is hereby annexed to and shall be deemed to be part of the county of Chester, and of the nearest township of the same county. Hogg-island annexed to Chester.

SECT. VII. *And be it further enacted by the authority aforesaid,* That the jurisdiction of this commonwealth, and of the respective counties to which the bed of the same river, and the islands and dry land within the same, is by this act annexed as aforesaid, as far as the same shall be consistent with the agreement herein before recited, made between the states of Pennsylvania and New-Jersey, shall be full and complete; and all writs and warrants, and process, duly issued within the said counties respectively, shall have force and operation, and may be executed within the river, islands and dry land, as parts of the same counties, by the proper Sheriffs and other officers of the same counties. Jurisdiction of the state over the said river and islands;

And if any difficulty arise concerning the townships, to which the said islands or other dry land within the said river belongs, the same shall be adjusted by the Justices of the peace of the proper county at their General Quarter Sessions, and they shall determine the same, so as that no island in the said river be divided between two townships or precincts, but the same shall be annexed to the township which would, by dividing the same, be entitled to the major part of such island. process may be thereon executed;

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the President in Council shall direct the respective commissioners of the several counties aforesaid, to have the lines aforesaid across the Delaware ascertained and fixed by lasting marks on the shore of the river Delaware, at the charge of the adjoining counties. and difficulties respecting the jurisdiction to be adjusted at the Quarter Sessions.

Passed 25th September, 1786.—Recorded in Law Book No. III. page 130. The lines across the Delaware to be fixed.

CHAPTER MCCXXXV.

An ACT for the more speedy and effectual administration of Justice.

SECT. I. **WHEREAS** the practice of commencing all civil suits and actions in the county Court of Common Pleas hath been found productive of great delay and expense, in the administration of justice, especially within the city and county of Philadelphia, wherein the number of suits has of late years greatly increased: [For the present State and Jurisdiction of the Supreme Court, See the note to Chap. 355, Vol 1, page, 115.]

For remedy whereof,

1786.

SECT. II. *Be it enacted, and it is hereby enacted, by the Representatives of the Freemen of the commonwealth of Pennsylvania, in General Assembly met, and by the authority of the same,* That from and after the first day of January, which shall be in the year of our Lord one thousand seven hundred and eighty-seven, the Supreme Court shall be holden at Philadelphia four times in every year, that is to say, on the second day of January, April, July, and on the twenty-fourth day of September, unless any of the said days should happen to be on the Lord's day, commonly called Sunday, in which case the said court shall be holden on the day following.

Terms to be holden in the Sup. eme Court.

SECT. III. *And be it further enacted by the authority aforesaid,* That none of the said terms shall continue longer than fourteen days from the beginning thereof, except the term of January, which shall continue for the space of twenty-one days, if necessary, and no longer.]

Duration of the terms respectively.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the Justices of the said Supreme Court shall have original jurisdiction and cognizance of all manner of suits, causes and actions, within the city and county of Philadelphia, and shall have full power and authority to issue, under the seal of the said court, writs of *capias ad respondendum*, writs of summons, *scire facias*, attachment, partition, dower, and all other writs and process in and upon the said suits, pleas and actions, directed to the Sheriff (or Coroner, as the case may require) of the said county, and returnable before the said Justices on the first day of the next term.

The Sup. Court to have original jurisdiction in Philadelphia.

SECT. V. *Provided always,* That no suit or action shall be commenced in the said Supreme Court for any debt or cause which arose before the passing of this act, except suits of the commonwealth, and such wherein the title of land or other real estate may come in question: and if any plaintiff shall bring or commence any suit or action in the said court, and shall not recover thereupon more than fifty pounds, such plaintiff shall not be allowed any costs of suit.

Provided no suit shall be commenced for a cause arising before this act except suits of the commonwealth, and on titles to land; and if not more than £. 50 recovered, plaintiff shall pay costs. The court may establish rules.

SECT. VI. *And be it hereby declared and enacted,* That the Justices of the said Supreme Court have full power and authority, and they are hereby directed to make and establish such rules for regulating the practice of the said court, and expediting the determination of suits, as they in their discretion shall judge necessary.

Of removal of suits from the Common Pleas.

SECT. VII. *And be it further enacted by the authority aforesaid,* That, from and after the said first day of January next, no plea, suit or action, brought after the passing of this act, and depending in the county court of Common Pleas in the county of Philadelphia, shall be removed into the said Supreme Court by any writ of *certiorari*, issued on the part of any plaintiff in the said court of Common Pleas, nor shall any such action or plea be removed, as aforesaid, by any writ of *habeas corpus* or *certiorari*, after the same shall have been at issue two terms or more: And in case any such writ shall be presented by any plaintiff, in the said court of Common Pleas, to the Justices thereof, after the day aforesaid, or shall be so presented by any defendant, after the cause hath been at issue two terms or more, the said Justices shall, nevertheless, proceed to hear and determine the said plea or action before them depending.

[This section explained by act of 28th of February, 1787, pos. chap. 152.]

SECT. VIII. *And be it further enacted by the authority aforesaid,* 1786.
That the prothonotary of the said Supreme Court, and such other discreet persons as the Justices of the same court shall, from time to time, nominate and appoint, shall be, within the counties where they respectively reside, commissioners of bail, and they are hereby severally empowered to take and receive recognizances of bail, in any suit or action in the same court depending, in the same manner and form as the Judges of the said court may or do take the same, and for the same fee as formerly allowed by law.

Commissioners of bail to be appointed. [See chap. 1864, sect. 12.]

[**SECT. IX.** *And be it further enacted by the authority aforesaid,* That the prothonotary of the said Supreme Court shall pay into the hands of the Treasurer of the state, for the support of government, the sum of seven shillings and six-pence upon every writ of *capias ad respondendum*, summons or other writ, whereby any suit or action shall be commenced in the said court, by virtue of this act.]

Additional tax on suits in Supreme Court [supplied.]

[**SECT. X.** And whereas the difficulty and importance of the questions that frequently arise in the said court of Common Pleas for the county of Philadelphia, render it necessary that a person of legal knowledge and abilities should constantly preside in the said court :]

[Sect. 10, 11, 12, supplied by the existing constitution.]

[**SECT. XI.** And whereas the principles of justice, and the directions of the constitution, require that a compensation be provided, in some measure adequate to the services, which shall be rendered to the public by the said President :]

[**SECT. XII.** *Be it therefore enacted by the authority aforesaid,* That, from and after the passing this act, there shall be paid for every writ issued out of the said court (writs of *subpœna*, *venire facias*, and writs at the suit of the commonwealth, excepted) by the person suing out the same, the sum of one shilling, over and besides the usual and customary fees; and that from and after the first day of January aforesaid, the like sum shall be paid by the plaintiff for every rule of reference, which shall be made and entered into, in any action in the same court depending, which sums shall be received by the Prothonotary, and by him accounted for and paid, quarterly, to the president of the said court.]

Tax on writs and rules of reference, for compensating the services of the President of Philadelphia Common Pleas.

Passed 25th September, 1786.—Recorded in Law Book No. III. page 132.

CHAPTER MCCXXXIX.

An ACT to incorporate the Presbyterian church of Silver Spring, in the county of Cumberland.

Passed 25th September, 1786.—Private Act—Recorded in Law Book No. III. page 155.