

consistent with the agreement hereinbefore 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, island and dry land as parts of the same counties by the proper sheriffs and other officers of the same counties. 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 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.

[Section IV.] (Section VIII. P.L.) 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 Delaware river at the charge of the adjoining counties.

Passed 25th September, 1786. Recorded L. B. No. 3, p. 130, etc.

CHAPTER MCCXLVI.

AN ACT FOR THE MORE SPEEDY AND EFFECTUAL ADMINISTRATION OF JUSTICE.

(Section I. P.L.) 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 remedy whereof:

[Section I.] (Section II. P.L.) Be it enacted and it is hereby enacted by the Representatives of the Freemen of the Com-

monwealth 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.

[Section II.] (Section III. P.L.) 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.

[Section III.] (Section IV. P.L.) And be it further enacted by the authority aforesaid, That the justices of the 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 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 works 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.

(Section V. P.L.) 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.

[Section IV.] (Section VI. P.L.) 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.

[Section V.] (Section VII. P.L.) 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 and 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.

[Section VI.] (Section VIII. P.L.) And be it further enacted by the authority aforesaid, 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.

[Section VII.] (Section IX. P.L.) 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 the government the sum of seven shillings and six pence for 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.

(Section X. P.L.) And whereas the difficulty and importance of the question 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 ability should constantly preside in the said court:

(Section XI. P.L.) 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:

[Section VIII.] (Section XII. P.L.) Be it therefore enacted by the authority aforesaid, That from and after the passage of this act there shall be paid for every writ issued out of the said court, (writs of subpoena, 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.

Passed 25th September, 1786. Recorded L. B. No. 3, p. 132, etc.

CHAPTER MCCXLVII.

AN ACT TO EMPOWER THE SHERIFF OF THE COUNTY OF CHESTER TO REMOVE THE PRISONERS FROM THE OLD GOAL IN THE TOWN OF CHESTER TO THE NEW GAOL IN GOSHEN TOWNSHIP IN SAID COUNTY AND TO INDEMNIFY HIM FOR THE SAME.

(Section I. P.L.) Whereas it was in and by an act of assembly entitled, "An act to enable William Clingan, Thomas Bull, John Kinhead, Roger Kirk, John Sellers, John Wilson and Joseph Davis, to build a new court house and prison in the county of Chester and to sell the old court house and prison in the town of Chester,"¹ passed on the twentieth day of March in the year of our Lord one thousand seven hundred and eighty, enacted and provided that when the new court house

¹ Chapter 901.