

CHAPTER LXXVIII.

AN ACT

To provide for the erection of an additional court, within the city and county of Lancaster.

SECT. 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 there shall be a court of record established in and for the city and county of Lancaster, by the name and style of "The District Court for the city and county of Lancaster," which shall consist of a president, who shall have power to try, hear and determine all civil pleas and actions, real, personal and mixed, and for the trial of all such pleas and actions shall have and exercise the same powers, authorities and jurisdictions as are now vested by law in the court of common pleas for the county of Lancaster: *Provided,* That the said court shall have no jurisdiction, either originally or on appeal, except when the sum in controversy shall exceed three hundred dollars.

SECT. 2. *And be it further enacted by the authority aforesaid,* That from and after the first Monday in June next, all suits and causes depending in the court of common pleas of the county of Lancaster where the sum in controversy exceeds three hundred dollars, may at the election of either plaintiff or defendant be transferred to the said district court, there to be heard, tried and determined: *Provided,* That the said transfer be made within six months from the passage of this act, and that the sum in controversy shall be ascertained by the affidavit of the party commencing his said suit or action, or by the affidavit of the person or persons causing his said suit to be removed into the district court as aforesaid.

SECT. 3. *And be it further enacted by the authority aforesaid,* That in all cases the final judgment of the said district court may be examined and affirmed, or reversed on a writ of error from the supreme court in a similar manner, and subject to the same limitations and provisions under which writs of error are now issued from the supreme court, to the court of common pleas of the county of Lancaster.

SECT. 4. *And be it further enacted by the authority aforesaid,* That the said district court shall hold four terms in the course of each year, to begin on the first Mondays of February, June, September and December, respectively, and shall have full power, and are hereby enjoined to hold adjourned courts whenever the state of the business shall require it, and

also make such regulations of practice as may most facilitate the progress of justice: *Provided*, That the determination of no cause or action before the said court shall be delayed beyond the fourth term, including that to which the said action was instituted, if the parties be prepared for trial at the times appointed by the said court, and if the judge of the said court should wilfully delay any cause, suit or action in readiness for trial as aforesaid, it shall constitute a misdemeanor in office.

Gov. to ap-
point a presi-
dent. **SECT. 5.** *And be it further enacted by the authority aforesaid*, That the Governor shall be, and he is hereby required as soon as conveniently may be, to appoint the president of said district court who shall receive a yearly compensation of sixteen hundred dollars, which shall be payable quarterly out of the State Treasury.

Prothonota-
ry. **SECT. 6.** *And be it further enacted by the authority aforesaid*, That the prothonotary for the time being of the court of common pleas of the county of Lancaster, shall perform all the duties of prothonotary of the said district court, and the sheriff and coroner for the time being, of the county of Lancaster, shall obey all lawful orders of the said district court, and all the costs and fees now established by law in the courts of common pleas, shall be charged and payable in similar instances in the district court: *Provided*, That said prothonotary shall be subject to all the provisions and penalties of an act, entitled "An act, taxing certain offices," passed the tenth day of March, one thousand eight hundred and ten.

Sheriff.

Proviso. **SECT. 7.** *And be it further enacted by the authority aforesaid*, That the said court shall be opened for the purpose of issuing mesne process on the first Monday of May next, which shall be for that purpose a test day of all process relative to the first term, on, or before which day, the judge of the said court shall be appointed.

Test day of
process. **SECT. 8.** *And be it further enacted by the authority aforesaid*, That the names of jurors to serve at the said court shall be drawn from the wheels provided for jurors, agreeably to the directions of an act and its supplement, entitled "An act, directing the mode of selecting and returning jurors," passed the twenty-ninth of March, one thousand eight hundred and five, and the sheriff and commissioners of the county of Lancaster shall forthwith after the passing of this act, put into the said wheel the names of a competent number of jurors to serve at said district court for the remainder of the present year, and shall annually afterwards, at the time appointed by law for putting into the said wheel the names of the jurors for the said county, add a competent number to serve at the said district court, agreeably to the provisions of the law in such case made and provided.

Jurors.

SECT. 9. *And be it further enacted by the authority aforesaid*.

said. That this act shall be and continue in force for the term Limitation of this act.
of four years, and no longer.

JOSEPH LAWRENCE, *Speaker*
of the House of Representatives.

WILLIAM MARKS, Junior,
Speaker of the Senate.

APPROVED—the twenty-seventh day of March, one thousand
eight hundred and twenty.

WILLIAM FINDLAY.

CHAPTER LXXIX.

AN ACT

To authorise an assignment of the concerns of the Philadelphia and
Pittsburg transporting company.

SECT. 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 it shall be the duty of the managers of the Philadelphia and Pittsburg transporting company to assign over all the concerns of the company, to assignees to be appointed by any court within this Commonwealth having competent jurisdiction, upon the petition of any creditor of said company. in the manner and form as is provided for the appointment of assignees in the case of insolvent debtors; and the said assignees shall proceed to settle and adjust the accounts, collect and pay the debts, and do every matter and thing relative to the settlement of the concerns of the company, as are provided by the several laws of this Commonwealth for the settlement of the accounts of insolvent debtors: *Provided,* That if the said managers shall neglect or refuse to comply with the foregoing provisions, they shall be accountable in their individual capacities for any losses the funds of the said company may sustain in consequence of such neglect or refusal; and to satisfy any claim or demand that may be made against the said company, in case of neglect or refusal as aforesaid, it shall and may be lawful for the sheriff, constable or other officer, to proceed and levy on any property that may be found in possession of the managers, or either of them, and sell the same in the usual manner to satisfy the said claim or demand, and the costs which may have accrued thereon.

JOSEPH LAWRENCE, *Speaker*
of the House of Representatives.

WILLIAM MARKS, Junior,
Speaker of the Senate.

APPROVED—the twenty-seventh day of March, one thousand
eight hundred and twenty.

WILLIAM FINDLAY.