

No. 23.

AN ACT

To remove certain suits from the Common Pleas of Montgomery county, to the Supreme Court, and for other purposes.

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 the suits now pending in the court of common pleas of the county of Montgomery, wherein the president and directors of the Beaver Meadow rail road and coal company are plaintiffs, and the Lehigh coal and navigation company is defendant, be and the same are hereby transferred to the supreme court of Pennsylvania, in and for the eastern district at Philadelphia, to be there tried at *nisi prius*, in the same manner as they might have been if originally instituted in the said supreme court, and the said court shall fix and appoint a special court of *nisi prius* for the trial of the same. Certain suits transferred to Supreme Court

SECTION 2. Any suits hereafter instituted in the said court of common pleas, wherein the said companies are parties, shall on the application of either of the parties, be transferred to the said supreme court, to be there tried in the same manner as is provided in the first section of this act, in the case of the said suits now pending, and that the record in every of the said cases shall be certified by the said court of common pleas to the said supreme court. How other suits may be transferred

SECTION 3. The said supreme court shall on the application of either of the said parties, grant a rule for a special jury and view in any of the said cases so as aforesaid transferred. Special jury

SECTION 4. That for all causes of action, arising out of contracts made, or hereafter to be made with the Lehigh coal and navigation company, or their agents, for the construction of any work upon the Lehigh navigation, or upon the rail road connecting the slack water of the Lehigh river, with a point at or within the borough of Wilkesbarre, where said work shall have been done within the county of Luzerne, it shall and may be lawful for the party or parties, having a right to sue such contracts to bring suit in the common pleas of Luzerne county, and that the service of any writ or writs, by the sheriff of Luzerne county, by himself or deputy, made upon the proper officer or officers in the city of Philadelphia, or elsewhere, shall be as good and valid and have the same Certain suits against Lehigh company may be tried in Luzerne

effect as if the same had been served within the said county of Luzerne.

WM. HOPKINS,
Speaker of the House of Representatives.

CHARLES B. PENROSE,
Speaker of the Senate.

APPROVED—The eighth day of March, one thousand eight hundred and thirty-nine.

DAVID R. PORTER.

No. 24.

AN ACT

Authorizing the erection of a building for the use of the Indiana Academy, on part of Vine street, in the borough of Indiana.

Preamble

WHEREAS, The inhabitants of the borough of Indiana, in the county of Indiana, have represented that the trustees of the Indiana academy, in said county, and situate adjoining the said borough, are about to dispose of the same, and to erect another building for the purposes of academy. And the inhabitants of said borough are desirous that the same should be located within the limits of said borough, and that a portion of one of the streets be appropriated for said purpose. Therefore,

Power and authority of trustees

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 the trustees of the Indiana academy be, and are hereby authorized and empowered to enter upon all that part of Vine street, which is situate between Water street and a twenty feet alley running parallel to said Water street on the north, and to erect thereon such building or buildings as in their discretion shall be deemed suitable for the purposes of an academy, and the same, together with all the grounds lying within the boundaries aforesaid, to hold, use, occupy, and enjoy, to them and their successors, for the purposes of a seminary or seminaries of learning, as fully, and to all intents and purposes, as if the