

CHAPTER MMDCCCLVIII.

AN ACT ERECTING A MIDDLE DISTRICT OF THE SUPREME COURT,
AND FOR OTHER PURPOSES.

Section I. (Section I, P. L.) 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 middle district of the supreme court of this commonwealth shall be and hereby is erected to consist of the counties of York, Adams, Dauphin, Cumberland, Franklin, Huntingdon, Mifflin, Northumberland, Luzerne, Lycoming, Centre, Clearfield, M'Kean, Potter and Tioga.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That there shall be a prothonotary appointed and commissioned for said court, who shall take the same oath or affirmation and give such bond and security as is by law required of the prothonotaries of the eastern and western districts of the supreme court, and shall perform similar duties in his district and be entitled to the same fees as are by law allowed for like services to the prothonotaries of either of said districts.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That it shall be the duty of the justices of the supreme court to attend and hold one term annually, in and for the middle district at the borough of Sunbury in the county of Northumberland, on the first Monday of July, and the said term shall continue two weeks, if necessary to do the business therein depending.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the supreme court hereby directed to be holden, shall have and exercise the same powers, authority and jurisdiction in all cases and respects whatsoever, which are vested by the constitution and laws in the supreme court of this commonwealth.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That the prothonotaries of the eastern and western districts of the supreme court, at or before the first day of May, anno Domini, one thousand eight hundred and eight, be and they are hereby each of them empowered and directed to purchase a blank book for the middle district, and to employ a clerk to make out a docket in the same, for the middle district, containing a statement of all actions then pending and undetermined in their respective districts appertaining to the middle district, and shall each of them have the said dockets, together with the records, declarations and other papers respecting all such actions then pending and undetermined as aforesaid, ready to be delivered to the prothonotary of the supreme court for the middle district by the first Monday of June, anno Domini, one thousand eight hundred and eight, and shall deliver the same to him accordingly; the price paid for the said dockets, and the wages of the clerks, employed as aforesaid, to be paid to the prothonotaries of the eastern and western districts of the supreme court respectively, out of the state treasury, on warrants drawn by the governor in the usual manner.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That from and after the first day of May, anno Domini, one thousand eight hundred and eight, all actions pending and undetermined in the eastern or western district of the supreme court, appertaining to the middle district, shall be considered as pending in the supreme court for the said middle district, and the judges of the said court shall, in all respects and in like manner, proceed to determine the same as though the said actions had originated in the supreme court for said middle district.

Section VII. (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the prothonotary of the middle district of the supreme court, to be appointed as by this act is provided, shall be accountable to the protho-

taries of the eastern and western districts of said court, and to all others who may have any interest therein, for all fees which shall have accrued upon the several actions in their respective courts, pending prior to this act taking effect, and the same pay over as shall come to his hands.

Section VIII. (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the last Monday of July in each and every year hereafter, shall be a common day of return for the supreme court of the eastern district, at which time all writs and process may be returnable in the same manner as at the regular terms of said court, and may also bear teste on the said day: Provided, that the same be sued out at like periods of time, previous to the days hereby made return days of the said courts respectively, and like directions be observed and performed as are made necessary by law, in writs, process or other proceedings, returnable to the terms of the said court; and it shall be the duty of one of the judges of the said court to attend on the said last Monday of July at the place assigned by law for holding the terms of said court, to grant rules and to make all necessary orders touching any suit, action, writ of error, process, pleadings or proceedings returned to or depending therein, preparatory to the hearing, trial or decision of such action, suit, writ of error, process, pleadings or proceedings.

Section IX. (Section IX, P. L.) And be it further enacted by the authority aforesaid, That the first court to be holden in Sunbury agreeably to the provisions of this act, shall commence on the first Monday of July, Anno Domini, one thousand eight hundred and eight.

Section X. (Section X, P. L.) And be it further enacted by the authority aforesaid, That so much of any law or laws as is by this act altered and supplied, be and the same is hereby repealed.