

may require, and plead thereto, after the prothonotary or his deputy shall have endorsed such memorandum on the said original process, as aforesaid, unless upon sufficient cause being shewn, upon affidavit, before any Judge of the said Supreme Court, who shall make an order therefor.

Memorandum to be endorsed by the prothonotary.

IV. That at the hearing of such summary actions, in which the prothonotary or his deputy shall have made such memorandum as aforesaid, it shall not be necessary for the plaintiff to issue any subpoenas to compel the attendance of any witnesses in the said action, and all charges therefor shall be disallowed; but the defendant or defendants at such hearing shall be taken to have admitted every allegation properly set forth in the said writ or process.

Default, how proceeded with.

V. That no costs shall be allowed for any plaintiff's attorney attending to file the said original summary process, as aforesaid, nor to the prothonotary for making the said want of appearance and plea, as aforesaid, on any pretence whatever; but at the taxation of any such costs such charges shall only be taxed as are now allowed by the Judges of the said Supreme Court at the passing of this Act, wholly irrespective of such additional services herein required.

Costs, how regulated.

VI. That from and after the passing of this Act, any writ, process, or execution, of what nature or kind soever, issuing out of the said Supreme Court, may be returnable upon any day except Sunday, and that for the purposes of returning any such writs, process, or execution, every day except Sunday shall be considered a part of the last preceding term: provided always, that such writ, process or execution, not being an *alias plurus* or *alias pluries*, bear teste upon the last day of the preceding term; and every such writ, process or execution, not being an *alias plurus* or *alias pluries*, actually issuing during the continuance of any term, shall bear teste upon the day upon which they were issued.

Other writs, executions, &c. when may be made returnable.

Proviso.

VII. That from and after the day when this Act shall commence and take effect, all other Acts, and parts of Acts, contrary to, or inconsistent with the provisions of this Act, shall be, and the same are hereby repealed.

Repeals other Acts contrary thereto.

VIII. This Act shall not extend to, or in any manner affect pending suits.

Not to extend to suits pending.

IX. This Act shall come into force immediately after the passing thereof.

Act, when to go into force.