

be made by a Jury in like manner as is now the law and practice in cases before the Court in banc.

X. And be it further enacted, That in any action brought in the said Supreme Court in which a Postea shall be returned either from the sittings in the County of York or from any Circuit Court in any other County, it shall be lawful for the Clerk of the Pleas, upon the production of the postea signed in the margin by the Officer who returns the postea, to enter a rule for Judgment on the postea, and to tax the Costs and sign Judgment, whereupon Execution may be issued forthwith: Provided always, that it shall be lawful for the Judge before whom such sittings or Circuit Court shall be held, in any case where justice may appear so to require, either upon Summons or not according to the circumstances of the case, to order the returning of the Postea and the entry and signing of Judgment to be stayed until the Court shall make order in the matter at the next succeeding term: And Provided also, that no rule for Judgment on the Postea shall be entered by the Clerk of the Pleas under this Act, until the expiration of Twenty days after the last day of the sitting of the Court from which the Postea is returned; and in order to manifest such last day of the sitting of such Court, the Officer who returns the Postea shall set the same down in the margin of the Postea when he signs his name thereto.

XI. And be it further enacted, That every Judgment to be entered by virtue of this Act may be entered upon record as the Judgment of the Court, although the Court may not be sitting on the day of the signing and entry thereof: and every Execution issued by virtue of this Act shall and may bear teste on the day of issuing thereof; and such Judgment and Execution shall be as valid and effectual as if the same had been signed, entered of record, and issued according to the course of the Common Law.

XII. Provided always, That it shall be lawful for the party entitled to any Judgment under this Act to postpone the signing thereof; and provided also, that notwithstanding any Judgment signed and entered of record or Execution issued by virtue of this Act, it shall be lawful for the Court to order such Judgment to be vacated and Execution to be stayed or set aside, and to enter an arrest of Judgment or grant a new trial, or a new writ of enquiry or a new assessment of damages or of the amount to be recovered, as justice may appear to require; and thereupon the party affected by such writ of Execution shall be restored to all that he may have lost thereby in such manner as upon the reversal of a Judgment by writ of Error, or otherwise as the Court may think fit to direct.

XIII. And be it further enacted, That the Judges of the Supreme Court may from time to time make and establish such rules and orders relating to the matters contained in this Act, and also touching the award and return of any Jury process for trials at Nisi Prius, the same being not repugnant to this Act, as to them may seem expedient.

XIV. And be it further enacted, That this Act shall commence and take effect on the first day of January one thousand eight hundred and thirty-six: Provided always, that the Judges of the Su-