

touching the constitutionality of an act of the Legislature of Pennsylvania, passed on the twenty-fifth of March, eighteen hundred and twenty-six, entitled "an act to give effect to the provisions of the constitution of the United States, relative to fugitives from labor, for the protection of the free people of colour, and to prevent kidnapping," so far as said act applies to said indictments or either of them, may be fully and clearly raised upon such special verdict.

Sec. 3. That upon the finding of such special verdict, the said court of quarter sessions of the peace, for the said county of York, shall and may give and pronounce judgment, and if such judgement shall be in favor of the defendant or defendants, then and in that case the said court shall and may direct and order the said indictment or indictments to be quashed, and no further proceedings shall be had thereon, but if said judgment shall be in favor of the commonwealth then and in such case the said court shall not award sentence against the said defendants or either of them; provided, that within _____ months after such judgment shall have been pronounced the said defendants, or such of them as shall so as aforesaid, surrender and submit to a trial, shall sue out a writ of error in the Supreme Court of Pennsylvania, in which case the said court of quarter sessions of the peace, for the county of York, shall and may transmit the record or records in said case or cases to the said Supreme Court of Pennsylvania.

Sec. 4. That the Supreme Court of Pennsylvania, shall and may at the first session of the said court, to be holden in the city of Philadelphia, after said record or records shall be so transmitted, proceed to hear and determine the said case or cases so removed, and if upon such hearing the said Supreme Court shall reverse the judgment or judgments of the said court of quarter sessions of the peace for the said county of York, then and in such case the said indictment or indictments shall be squashed, and all further proceedings thereon be discontinued; but if said judgment or judgments shall be affirmed then and in that case, upon a writ or writs of error sued out of the Supreme Court of the United States, by the defendants or either of them within _____ months, from and after such affirmance, the said Supreme Court of Pennsylvania shall and may certify the record or records in the said case or cases to the said Supreme Court of the United States according to the act of Congress in such case made and provided.