

County of York, to answer unto certain bills of indictment for kidnapping, now depending against them in said court, the judges of said court shall and may, and are hereby authorized and directed to take the several recognizances of the said parties or either of them, so surrendering as aforesaid, in the penalty of one thousand dollars, each conditioned for his appearance to answer unto said indictments, and to abide by such final decision in the premises as shall be had and made in the manner herein-after provided for.

Sec. 2. After the said recognizance or recognizances shall have been entered into as aforesaid, it shall be lawful for the Attorney General of this Commonwealth, and the defendant or defendants, or their counsel, to agree to a written statement of all the facts relating to the charges contained in said indictments, which facts when so agreed upon shall be placed upon, and be made part of the record in the form of a special verdict, and in case no such statement of facts shall be agreed upon the jury of the said Court of Quarter Sessions shall, under the direction of said court, find a special verdict in each of said indictments submitted to them, incorporating therein all such facts as shall be given in evidence for, and in behalf of the Commonwealth or said defendants or either of them, so that all questions touching the constitutionality of an act of the Legislature of this Commonwealth, passed on the twenty-fifth day of March, Anno Domini 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 labour and for the protection of free people of color, and to prevent kidnapping," and all the laws of this Commonwealth, so far as the same applies to the said indictment or either of them, may be fully and clearly raised upon said special verdict.

Sec. 3. Upon the finding or agreeing upon a special verdict as aforesaid, the said Court of Quarter Sessions shall enter and pronounce such judgment as to it shall seem lawful, and if the same shall be in favour of the defendant or defendants the Attorney General of this Commonwealth shall cause the same to be removed by writ of error into the Supreme Court of Pennsylvania, at the next sitting thereof for the middle district after the judgment aforesaid, and like recognizances for the appearance of the said defendant or defendants from time to time shall be taken by said Court of Quarter Sessions, as is directed in the first section of this act, and if said judgment is in favour of the Commonwealth, then and in such cases the court shall not