

An Act for the Reformatiō of Jeofailes in Maryland.

Whereas their have been several good & wholesome Statutes of England made to reform Jeofailes and mispleadings after the Matter of fact found and return'd by 12 men of a Jury which is in force in this Province & yet many Errours & Mispleadings happen in this Province in many County Courts not remedied by the said Law for want of able & knowing Attorneys & Clerks whereby many honest Persons are frustrated of the End & benefitt of their Suit who have upon just and good cause recovered in the County Courts by writts of Errour & appeal brought upon the same Judgment before the Judges of the proventiall Courts who being sworne must judge according to Rules of Common Law to prevent which mischiefs for the future Wee the Burgesses & Delegates of this present Generall Assembly doe humbly pray it may be Enacted

And be it Enacted by the Kings most Excellent Majesty that in all actions heretofore brought in any County Courts or hereafter to be brought in any County Courts where any plaintiff hath or shall recover or where any Diffendant hath or shall non suit the Plaintiff or otherwise by matter of fact barr the Plaintiff by & in the Judgment of the Justices of the County Courts where such causes was try'd if it appeires by the Record to be submitted to the Justices by consent of the Partys or their Attorneys in Court it shall be accepted deemed taken & reputed by the Justices of the Proventiall in a Writt of Error or appeal to avale & benefitt the plaintiff recovering to all intents and purposes as much as if the same matter as to the fact had been found tryed & returned by a Jury of 12 men any Law Statute or Usage to the Contrary Notwithstanding. And because many Judgements may have been heretofore given in divers County Courts which may remaine Imperfect & insufficient in Law & thereby subject to be reversed by Error according to the strickt rules of Law, Therefore to prevent any futuer trouble or suit between any partys thereon or any Judgement that hereafter may be given in any County Court in this Province Bee it Enacted by the Kings Most Excellent Majty etc. That in all Judgements given in any County Courts which aperes to be given above one year last past & no Writt of Errour brought thereon in six months after the date of this Act and all and Every Judgement of any County Court that may happen to be given in any County hereafter in any Personall action where unto no writt of Errour is brought in one year from the granting such Judgment the Partys thereby recovering either by verdict or Judgment of the Court shall be for ever theirof in peace & Injoy the benefitt of such Judgment without any revercall by writt of Errour or attainit where they are not brought within one year after the granting of such Judgment Person under age or non Compos mentis under coverture or not resident in this Province during such defect & not Longer allways Excepted & foreprized any Law Statute usage to the contrary

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