

became escheat to the state; that the said Henry Peters hath taken out an escheat warrant thereon, which is yet in force; that the said John Charles Francois Chirac is the son of the said John Baptist Chirac, was always so called and acknowledged by him, and that it was always the intention of the said John Baptist Chirac that his said son should inherit and possess, after his death, the aforesaid lot, messuages and appertenances, but omitted to make and execute a will for carrying his said intentions into effect; that the said John Charles Francois Chirac, being a foreigner by birth, and having omitted to become naturalized in the United States, could not inherit and hold the said property; and that the said Henry Peters is willing and desirous to relinquish in favour of the said John Charles Francois Chirac his the said Henry's right and claim in and to the said lot, messuages and appertenances, under the said warrant of escheat, provided the state will also relinquish to the said John Charles Francois Chirac its right in and to the premises by virtue of the escheat aforesaid, which the said petitioners, by the petition aforesaid, have prayed that the general assembly will do, and will pass an act for that purpose: And whereas it appears that the matters set forth in the said petition are true, and that the prayer of the said petitioners is reasonable; therefore,

C H A P.
LXVIII.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That all and singular the right, interest and claim, of the state of Maryland, in and to the above described lot, messuages and appertenances, under and by virtue of the escheat aforesaid, and all the right, interest and claim, of the said Henry Peters, in and to the said lot, messuages and appertenances, under and by virtue of the escheat warrant aforesaid, shall be, and the same hereby are, vested in the said John Charles Francois Chirac, and his heirs and assigns, and that the said John Charles Francois Chirac, his heirs and assigns, shall and may take, hold, alien, transfer and convey, the said lot, messuages and appertenances, and every part and parcel thereof, in fee-simple or otherwise, in as full and ample manner, and by like conveyances, and shall and may have and maintain all, any and every action or actions of ejectment or trespass for the recovery of the said lot, messuages and appertenances, and of every part and parcel thereof, as may be done, made, had, maintained or used, by citizens of this state with respect to lands by them severally claimed or held in fee-simple or otherwise, any thing in any law, usage or custom, to the contrary notwithstanding; provided nevertheless, that nothing in this act contained shall extend, or be construed to extend, to defeat, bar, or in any manner affect, the right, title or claim, of any person or persons to the said lot, messuages or appertenances, or to any part or parcel thereof, by virtue of any will of the said John Baptist Chirac, or of any descent from him, or by virtue of any other matter or thing, except the aforesaid escheat and escheat warrant, but that all and every such right, title and claim, shall remain and be of the like force, effect and validity, as if this act had not passed.

Repealed, Sec.
1800, No.

III. PROVIDED ALWAYS, AND BE IT ENACTED, That the said John Charles Francois Chirac shall and he is hereby directed to sell and convey the aforesaid lot of ground and premises to some one citizen or citizens of the United States within the term of ten years from this date, otherwise this act to be null and void.

Provided.

C H A P. LXIX.

An ACT relative to the jurisdiction of the court of appeals.

WHEREAS the authority and jurisdiction of the court of appeals has never been defined or ascertained, and doubts have been entertained respecting its authority to pass such judgment on a writ of error or appeal as ought to have been given in the court below, and to enforce such judgment by execution,

Passed 29th of
Dec. 1800.
Preamble.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That the court of appeals have, and shall hereafter have, full power and authority, on reversing any judgment, or part of a judgment, at law, on a writ of error or appeal brought by a plaintiff, to give such judgment as ought to have been given by the court which gave the erroneous judgment; and in any case where the said court of appeals, on a writ of error or appeal as aforesaid, hath given or shall give such judgment as in their opinion the said court of law ought to have given, the said court of appeals shall have full power and authority to enforce their judgment by execution, in the same manner as the said court of law may enforce a judgment there given.

Court to have
power, &c.

III. AND BE IT FURTHER ENACTED, That hereafter any execution which shall issue from the court of appeals shall express that it be returnable to the general court of the western or eastern shore, as the case may require; and the judges of the said general court shall be and they are hereby authorized and empowered to act upon the said return as if the execution had issued from the said general court.

Execution to
express, &c.