

restrain, the jurisdiction of the chancery court of this state in any manner or respect whatsoever, but that the said court shall have the same power, authority and jurisdiction, in all and every case, as belonged to, and was exercised by, the said court before the making this act, any thing herein contained notwithstanding.

SEC. 4. Appeals are now regulated by 1826, ch. 200.

SEC. 5. *And be it enacted*, That this act shall not be construed so as give any county court an original equity jurisdiction for the purpose of compelling a specific performance of any agreement; * and in all cases where a suit at common law is commenced in any county court, and either plaintiff or defendant prays a decision on principles of equity, the common law suit may be proceeded on to judgment, nor shall execution on the said judgment be stayed, unless the party, praying an equitable decision, shall verify the facts stated in his petition by his oath or affirmation, as the case may require, and give bond to the adverse party, in such sum, and with such security, as the court shall approve, conditioned for the payment of such sum as shall appear to be due to the said adverse party, on the determination of the said suit by the said court, on principles of equity as aforesaid, together with all legal costs, both on the common law and equity proceedings.

Act not to give original equity jurisdiction, &c.

*The first part of this section is repealed by November, 1792, ch. 63, which gives such jurisdiction to the amount of £100, or ten thousand pounds of tobacco.

So much as limits the original equity jurisdiction, is abrogated by 1792, ch. 63, and by the acts clothing the county courts with original equity jurisdiction. See 1814, ch. 94, and the various supplements thereto. This law is not in the 7th volume of Harris and Watkins.

Continued by 1798, ch. 71, to October, 1805, and from thence by the annual continuing law.

CHAPTER 79.

A further supplement to the act, * entitled, an act to enlarge the powers of the High Court of Chancery. *1785, ch. 72.

See original act and notes, ante page 208.

WHEREAS the court of chancery has no power to order and decree the recording of a deed where the grantor, or his representatives, reside out of this state, unless on the appearance of the defendant, which cannot be obtained. Preamble.

SEC. 2. *Be it enacted by the General Assembly of Maryland*, That in case any deed hath been or shall hereafter be executed, to the validity of which recording is necessary, and such deed hath not or shall not be recorded agreeably to law, without any fraudulent design or intention of the party claiming under the same, and the person who hath executed or shall execute such deed, his devisee or representatives, are or may be non-residents Where deeds are not recorded, party may file his bill, &c.