

CHAPTER 90.

• 1805, ch. 65. AN additional SUPPLEMENT to an ACT* to provide for the organization and regulation of the Courts of Common Law in this State, and for the administration of justice therein.

See notes to 1804, ch. 55, ante page 490.

Where a judgment is reversed, the court of appeals may direct a return of the record to the county court, with a writ of procedendo &c.

SEC. 1. *Be it enacted, be the General Assembly of Maryland,* That in all cases of appeals or writs of error, heretofore prosecuted or brought before the late court of appeals, or the late general court for the western and eastern shores respectively, and which were transferred to the court of appeals for the respective shores, in virtue of the act to which this is an additional supplement, and in all cases of appeals or writs of error which have been or may be prosecuted or brought before the court of appeals for the respective shores, where the judgment expected to shall be reversed, in the manner provided by the act of

† Chap. 42. November session, one thousand seven hundred and ninety,† entitled, an act directing new trials in certain cases where judgments shall be reversed on appeal or writ of error, that the court of appeals for the respective shores shall, in the case of a writ of error to, or appeal from the county court to the late general court, and so as aforesaid transferred, and in the case of a writ of error to, or appeal from, the county court to the court of appeals for the respective shores, direct their clerk to return the transcript of the record to the clerk of the county court which gave the judgment, with a writ of procedendo to such county court, directing them to proceed in such action, and to a new trial thereof, in the same manner as if no trial had taken place, or any appeal had been prosecuted, or writ of error brought; and in the case of a writ of error to, or appeal from, the late general court to the late court of appeals, and so as aforesaid transferred, then the court of appeals for the respective shores shall direct their clerk to return the transcript of the record to the clerk of the county court of the county where the defendant named in the original action may reside, or was arrested upon the original writ, and if there shall be more than one defendant in any such action, then at the discretion of the court, to the clerk of the county court of the county where either of the defendants may reside or were arrested, with a writ of procedendo to such county court, directing them to proceed in such action as is herein before mentioned; and there shall be the same proceedings had upon the transcript and writ of procedendo as is provided by the said last herein before mentioned act.

Attach-
ments may
issue on
judgments

SEC. 2. *And be it enacted,* That in all cases where an attachment, with clause of scire facias, may be required to be issued upon any judgment or proceeding in the late general court of