

CHAPTER 163.

1791, ch. 78. A further SUPPLEMENT to the ACT, entitled, an Act respecting the Equity Jurisdiction of the County Courts.

See notes to 1785, ch. 72, ante page 208.

Preamble.

WHEREAS, some doubts are entertained whether the original act, and the supplements thereto, to which this is an additional supplement, confer on the county courts a concurrent jurisdiction within their respective districts, in all cases with the court of chancery within this state; therefore,

Jurisdiction.

SEC. 1. *Be it enacted, by the General Assembly of Maryland,* That the several county courts of this state, by virtue of the said original act, and the supplements thereto, are to all intents and purposes invested with all and singular the powers, authorities and jurisdictions, that can or may be exercised by the chancellor of this state, whether the same be derived from the common law, or in virtue of any statute or act of assembly heretofore passed.

May decree in case of bill to complete specific performance of a contract, and decree according to equity.

SEC. 2. *And be it enacted,* That in case any bill to complete the specific performance of any contract shall be filed in any county court of a county in which the respondent or respondents do reside, although the specific performance is to be executed in some other place, the said court are hereby authorized to hold plea thereof, and to decree according to the equity of the case, and the said decree shall have the same force and effect as a decree of the chancellor would have had, and be enforced in the same manner, provided that in case of a decree for the specific performance of a contract to convey real property lying in a different county, an office copy of such decree shall be first filed with the clerk of the county where such real estate may lie and be recorded.

Respondents residing in different counties, complainant may elect in which to file his bill.

SEC. 3. *And be it enacted,* That when two or more respondents reside in different counties, the complainant or complainants may elect in which county to file his bill, and in such case a duplicate subpœna or subpœnas shall issue to such county or counties wherein such respondent or respondents may reside, and the same proceedings may be had and enforced to compel the appearance of the party or parties, as if such respondent or respondents respectively resided in the county in which such bill may have been filed.

Commissioners to take answers.

SEC. 4. *And be it enacted,* That the said courts are hereby authorized and empowered to issue commissions, as well to take the answer or answers of any respondent or respondents, as also to take the deposition or depositions of any witness or witnesses, as well in the county wherein the bill of complaint may be filed, as also in any other county or counties wherein any respondent or witness may reside.