

LAW OF MARYLAND.

CHAP. 90.
Ch. 55.

veral counties of this state, passed at November session, eighteen hundred and four,* it shall and may be lawful for such county courts, on suggestion of diminution in the record transmitted being made to such court, and the said court being satisfied of the truth of such suggestion of diminution, to such county court from which the said record was transmitted, as fully in every respect as records were heretofore transmitted from the late general court to the several county courts in this state.

(County clerks, in actions transferred from the late general court to county courts, where judgments rendered therein, to make up at full length the whole proceedings, &c

10. AND BE IT ENACTED, That it shall be the duty of the clerks of the county courts, and they are hereby directed and required, in all and every suit or action which has been transferred to the county courts, and the original papers and statements transmitted by the clerks of the late general court, in virtue of the original act to which this is an additional supplement, to make up at full length from such statement so transmitted, in case there shall be a judgment rendered in any such case, the whole proceedings which has taken place in any suit or action to which it refers, and so as aforesaid transferred, according to the usual and accustomed mode of making up proceedings in courts of law; and on any appeal or writ of error to be prosecuted or brought upon any such judgment, the said clerks respectively shall in like manner make up the whole proceedings, and transmit the same to the court of appeals, under and in virtue of such appeal or writ of error.

(Cause under rule argument in the court of appeals, not to abate by the death of either party. The heir, &c. may appear, &c. The appeal bond answerable, &c.

11. AND BE IT ENACTED, That in case any cause in the court of appeals of either shore shall be under rule argument, and one of the parties shall die after such cause shall be put under rule argument, having an attorney in court, the said cause shall not abate, nor shall his, her or their death be suggested on the record, and that the court of appeals may give judgment as if such deceased party were alive, and the judgment shall have the same effect as if it had been rendered or given in favour of or against the deceased; Provided nevertheless, that the heir, executor or administrator, as the case may be, of such deceased party, may, if he thinks proper, appear to, and become a party in, the said cause, in the place and stead of the deceased party, whose death, in such case, shall be suggested; and the bond which any appellant, who may die pending any appeal or writ of error standing under rule argument, shall have executed for the prosecuting an appeal, or suing forth a writ of error, and the securities therein, shall be liable and answerable to the appellee, his executors, administrators or assigns, for the due prosecution of the said appeal or writ of error, agreeably to the condition of the said bond, in the same manner as if the appellant were alive at the time of rendering any such judgment.

By 1815, ch. 149, if the appellant or plaintiff in error shall die before the term to which the appeal, &c. is returnable, the heir, executor, &c. may appear. Nor shall any appeal or writ of error abate by the death of either party, if the heir, &c. of the deceased party, shall at the first or second term succeeding the death, make the necessary suggestion, and appear, &c.

CHAP. XCL.

An Act authorising the Collection of certain Ground-Rents due on Lots in the Town of Cumberland, in Allegany County. Lib. TH. No. 1, fol. 288.

Preamble.

WHEREAS Thomas Beall, of Samuel, has represented to this general assembly, that many years back he laid out a number of lots

Enacted Jan. 4 1867