

C H A P.
III.

contain only two feet depth, and the other or rest four; all which suggestions appearing to this general assembly to be true, and the prayer of the said petition to be reasonable,

Canals two feet deep available, &c.

II. Be it enacted, by the General Assembly of Maryland, That any canal which shall be cut or made on one level, by the Patowmack company at the Great or Little Falls of Patowmack river, supplied by the current of that river, containing two feet depth of water at the least in dry seasons, and communicating again with the river by locks, if necessary, the spaces between the locks, if they should be placed distant from each other, containing four feet depth of water, shall be equally available to every intent and purpose, and the said company shall be entitled to the same tolls, and shall have all the rights whatsoever, as if the whole of such canals had been made to contain four feet depth of water, agreeable to the directions of the said acts, any thing in the said acts to the contrary notwithstanding.

Commencement.

III. This act to take place as soon as a similar law shall be passed by the legislature of the commonwealth of Virginia.

C H A P. IV.

An A C T to revive and aid certain proceedings in the general court of the eastern shore.

Preamble.

WHEREAS the judges of the general court, on the twenty-fourth day of September last were, by violent tempestuous weather, prevented from meeting at Talbot court-house and holding the general court for the eastern shore agreeably to their adjournment of the preceding day, and divers actions, suits and proceedings, both civil and criminal, were thereby discontinued, and the said judges could not legally hold the said court until the next meeting appointed by law; for aiding therefore the said actions, suits and proceedings, and for saving, as far as may be, the suitors from the damage that might otherwise be occasioned by such discontinuance;

Actions, &c. revived, &c.

II. Be it enacted, by the General Assembly of Maryland, That all actions, suits and proceedings, depending in the said court, and undetermined on the twenty-third day of September last, be and hereby are revived, and continued to the next general court for the eastern shore, to be held as is appointed by law; and that the said actions, suits, pleas and proceedings, shall at the next meeting of the said court to be holden as aforesaid, be in the same state and condition, as if they had been lawfully continued by the judgment or order of the said court.

Proviso.

III. Provided nevertheless, That if any new action shall have been commenced, by the plaintiff or plaintiffs, in any suit or action, that was so discontinued, and the defendant or defendants, or any of them, shall have been arrested thereon, or if any of the parties in any action not marked, to be tried at September term last, shall have died after the suit or action was so discontinued, so that the said action, according to law, would thereby abate, it is not hereby revived and continued, but if the first action was brought within the time limited by law, all the time between the impetration of the first original writ, or filing the first declaration in ejectment, and the time of impetrating the second original writ, or filing the second declaration in ejectment, or the death as aforesaid, shall not be reckoned so as to bar, under any act of limitation, the said second action already brought, or that may be brought by any plaintiff or plaintiffs, in the first action, his or their heir or heirs, executor,