

CHAP. 78. the action shall be instituted, upon the filing of the declaration, with an affidavit by the plaintiff or his attorney or some other person, that the said action hath been instituted *bona fide*, and for a wrong actually done, as in said declaration set forth.

Construction
of act.

SEC. 3. *And be it enacted*, That this act shall be liberally construed as a remedial act, and the provisions of this article and of all other articles of the Code applicable to the premises, shall be applied in furtherance of the remedy and without hindrance for defect of form merely; *provided, however*, that no final judgment shall be rendered in any case herein provided for, except upon inquiry found by a jury, upon proof as in cases of judgment by default in like actions.

Proviso.

In force.

SEC. 4. *And be it enacted*, That this act shall take effect from and immediately after its passage.

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## CHAPTER 78.

Passed June  
21, 1861.

AN ACT to repeal section two hundred and twenty-six of Article two of the Public Local Laws, relating to weights and measures so far as said law applies to the counties of Frederick, Washington, Allegany, Anne Arundel, Carroll and Montgomery.

Repealed:

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section two hundred and twenty-six of Article two of the Public Local Laws, be and the same is hereby repealed so far as its provisions apply to the sale of Potatoes in the counties of Frederick, Washington, Allegany, Anne Arundel, Carroll and Montgomery.

In force.

SEC. 2. *And be it enacted*, That this act shall take effect from the date of its passage.