

CHAPTER 322.

AN ACT to amend the thirtieth and thirty-second sections of the fifth Article of the Code of Public General Laws entitled, "Appeals" relating to the transmission of records, and the filing of appeal bonds. Passed Mar. 10, 1884.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the thirtieth and thirty-second sections of Article five of the Code of Public General Laws entitled, "Appeals," be amended and re-enacted so as to read as follows: Re-enacted.

30. No appeals shall be dismissed because a copy of the record shall not have been transmitted within the time required by law, if it shall appear to the Court of Appeals, that such delay was occasioned by the neglect or omission of the Clerk, but if the Clerk shall have prepared the records as required by law, and the appellant or plaintiff in error shall have neglected or omitted to pay for such record or by any other neglect or omission on the part of the appellant or plaintiff in error, the said record shall not be sent to the Court of Appeals within nine months after the appeal has been entered, or writ of error produced, the Court from which the appeal was taken may, on motion, strike out the entry of such appeal, and proceed to execution, or other proceedings, as if such appeal had never been entered, and thereafter no other appeal or writ of error shall be allowed. Appeals not to be dismissed.

32. The Clerk or Judge of any Court of law or equity, shall approve any bond under the preceding section, but no appeal bond in any case shall be approved, and no execution upon any judgment, order or decree in any of the Courts of law or equity, shall be stayed or delayed by an appeal, unless the person or persons against whom such judgment, order or decree has been recovered or passed, his heirs, executors or administrators, shall upon praying such appeal, file in the case an affidavit that said appeal is not taken for delay. Appeals not taken to cause delay.