

the said court, because the late register in Chancery had omitted to transmit a transcript of the proceeding to the said court within the time required by law, and without any neglect on the part of the appellants—therefore,

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the clerk of the Court of Appeals for the Western Shore, be and he is hereby authorised and directed from and after the day and of the passage of this act to reinstate and place on the Docket of said court, the case of Jonathan Prout and others, against Zachariah Berry and wife, which was dismissed by the said court, at December term, eighteen hundred and forty-one.

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Clerk authorised to reinstate case.

SEC. 2. *And be it enacted,* That the said cause when so reinstated shall by the said clerk be brought forward upon the docket by regular continuance, so as to be placed on the trial docket of the said court at its June term, eighteen hundred and forty-three, be heard and determined by the said court of appeals, as if the said transcript had been transmitted to and filed in the said court within the time required by law.

Case to be docketed for June term.

SEC. 3. *And be it enacted,* That nothing herein shall authorise the court of appeals to review, reverse, or correct the orders of the Chancellor appealed from as aforesaid, in favor of any the parties to the writ, excepting the appellants as aforesaid, and if on the hearing of the said appeal the said orders shall be reversed, and it shall be determined that the appellees Zachariah Berry and his wife, were not entitled to a share of the fund distributed by the said orders, then in such case, the said appellees shall be entitled to retain out of the monies which they may be required to pay to the appellants in consequence of such reversal, such proportions of the sums of money which they may have paid to the annuitants under the last will and testament of Levi Gant deceased, as the court may deem just and equitable, and the said appellants shall be substituted in the place of the said appellees as against the annuitants to the extent of such retainer.

Court of Appeals not to reverse, &c.

CHAPTER 169.

An act to incorporate the Trustees of The Methodist Episcopal Chapel in the Village of Hillsborough, Caroline County. Passed March 1, 1843.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Henry Jump, of Queen Anne's county,

Incorporation.