

facie evidence to entitle the plaintiff to recover in said action, unless the defendant shall prove that the constable has discharged his duty in such case, according to law. CHAP. 285.

SEC. 2. *And be it enacted*, That the bond of the constable which shall be in force, at the time he shall receive claims for collection, shall be liable to be sued and recovered upon, in cases coming under the first section of this act, unless it shall appear in proof that after using reasonable diligence, he was prevented from recovering the money, by an execution against the defendant, by a supersedeas of the judgment recovered against him, or an injunction or certiorari, or unless the powers of the constable shall cease, before he could by execution and the use of proper diligence, recover any such claim. Bond of constable responsible.

SEC. 3. *And be it enacted*, That the second section of this act, shall not preclude any creditor from instituting suit upon any other bond of the constable, if neglect, default or breach of duty, shall arise under or during the official action of the constable under such bond. Second section not to preclude creditor from instituting suit.

CHAPTER 284.

*An act for the benefit of Mary Brown.*

Passed March 9, 1843.

*Be it enacted by the General Assembly of Maryland*, That the Court of Appeals of the Western Shore, be and they are hereby authorised and directed to reinstate on the docket of said court, the case of Mary Brown against Charles F. Mayer, the same being an appeal from the court of chancery and dismissed by said court of appeals on the ground that the record of said case was not sent up in the time required by law, and that said court of appeals proceed to hear and determine said case in the same name as if the record had been transmitted to the said court of appeals within the time required by law. Court of Appeals to reinstate case.

CHAPTER 285.

*An act to repeal an act to establish Magistrate's Courts in the several counties of this State, and to prescribe their jurisdiction, passed at December session eighteen hundred and thirty-five, chapter two hundred and one, and the several supplements thereto, so far as relates to Talbot county.* Passed March 8, 1843.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That from and after the first day of November Repealed as to Talbot.