

question of right between the parties, and directing an account to be stated, on the principle of each determination; *provided*, that no appeal to be taken under the provisions of this act, shall delay the execution of the decree or order, from which such appeal shall be taken, unless the court passing such decree or order shall so direct, nor unless the party prosecuting the appeal shall give an appeal bond in such form and penalty, and with such condition as the said court may direct.

CHAP. 346.  
Proviso.

SEC. 2. *And be it enacted*, That any appeal to be taken under the provisions of this act, shall stand for hearing at the term next after the term to which the same shall be taken.

Appeal taken, to stand at the next term.

SEC. 3. *And be it enacted*, That an appeal from the final decree or order in the cause, all previous decrees and orders which may or shall not have been already reviewed, shall be open for review in the Court of Appeals, in the like manner as if this act had not been passed.

Open for review in the Court of Appeals.

SEC. 4. *And be it enacted*, That the provisions of this act shall operate from the day of the passage thereof, and shall extend to decrees and orders already passed, and to appeals already entered from such decrees and orders.

In force from its passage,

CHAPTER 368.

*An act to authorise and require the Warden and Keepers of the Penitentiary of Maryland, to receive and keep negro William Wheeler, now under sentence of death into the Penitentiary. in the event of the commutation of his sentence by the Governor.*

Passed Mar. 10, 1846.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That the warden and keepers of the Penitentiary of Maryland be, and they are hereby directed and required to receive into the said penitentiary house, negro man William Wheeler, the slave of Benjamin Contee, lately convicted of the crime of insurrection in Charles county court, and now under sentence of death, in case the Governor of the State in the exercise of the pardoning power in his discretion, and with the assent of said convict, commute the punishment of said convict from death to confinement in the penitentiary for life, any law to the contrary thereof notwithstanding.

Warden and keeper to receive.