

CHAP. 347. *ever, that nothing herein contained shall be construed to deprive either party of the right of appeal, as in all cases for like causes of complaint, or the right of removal of said causes to any other county court as in other civil actions.*

CHAPTER 347.

Passed March 10, 1847. *A supplement to an act entitled, an act for the relief of Passmore McCullough, of Anne Arundel County, passed at December session, eighteen hundred and forty-three, chapter one hundred and eighty-eight.*

Preamble.

WHEREAS, by the act to which this is a supplement, the will of the Legislature was clearly expressed that the claims preferred by Passmore McCullough against the Annapolis and Elkridge Rail Road Company, when fairly ascertained, should be provided for and satisfied in the manner therein mentioned; and whereas, by an award made under the provisions of said act, the said company was declared to be indebted to said Passmore McCullough in the sum of forty-nine thousand one hundred and thirty-one dollars and thirty-one cents; and whereas, the said company, although duly notified and requested to do so, declined to appear by counsel, or with witnesses, before the referees appointed by said act, and have since refused to perform said award, and have wholly denied its validity, and have declined to comply in any manner with the directions of said act, whereby the will of the Legislature in the premises has been wholly defeated, and its aforesaid act rendered inoperative and of none effect; and whereas, it may be found in case the said claims are properly defended, that the sum due to the said Passmore McCullough, ascertained upon the principles and agreeably to the intentions of said act, may not amount to so large a sum as declared by said award, or to any sum, and it being right that a full opportunity should be afforded for the production of testimony and for a fair decision, and that some apt provision should be made for the payment of the sum when fairly ascertained as aforesaid, as may be found due to him—Therefore,

Referred to arbitration.

SECTION 1. *Be it enacted by the General Assembly of Maryland, That the claims of Passmore McCullough*