

CHAPTER 160.

Passed
Mar. 10, 1854. AN ACT for the relief of Richard Williams, of Montgomery county.

Preamble. WHEREAS, it hath been represented to the General Assembly of Maryland, That a decree by default has been passed by the court of chancery, in a case in which Charles B. Calvert and George H. Calvert are complainants, and Richard Williams and others are defendants, requiring payment by said Williams of a large sum of money, and that such decree has been obtained by reason of a misapprehension and mistake on the part of Williams and of the counsel to whom he applied in the case, and in the absence of wilful neglect or laches; and whereas it hath been represented, that the execution of said decree would operate gross injustice, inasmuch as Williams is alleged to be entitled to credit for payments and just allowances, sufficient in his view to show an indebtedness to him from the estate, for an account of which said suit was instituted, of the benefit of which credit he has been deprived under circumstances entitling his case to the favorable consideration of the Legislature; and whereas, an application has been made to the court of chancery for opening the said decree and allowing a full and fair accounting by him, and it is feared that under existing laws the court cannot grant the said application or administer such relief, as it is believed the case demands; Therefore,

Authority to open decree. SECTION 1. *Be it enacted by the General Assembly of Maryland,* That any court to which the case aforesaid may be removed according to law, be, and it is hereby authorised, upon any application or petition now filed or hereafter to be filed, and upon the establishment of a satisfactory prima facie case, to open any decree or order heretofore passed in said case, to the ends that said Williams may account fully, fairly and equitably for the estate, real and personal, of Thomas Cramphin, deceased, formerly under his care and management; *Provided,* the said court shall be satisfied that justice will be promoted by opening such decree or order; and *provided,* it be opened upon such terms as to the payment of costs, the nature of the defences to be relied upon, the taking of testimony and the time within which it is to be returned, and the prevention of

Proviso.