

I N D E X.

ANNAPOLIS.

16. The Representatives of the City of *Annapolis*, to have only Half the Wages allowed to the Representatives of Counties. *Ibid.* §. 4.

17. The Right of the Rector's Three Lots, and that of the Public, to the Ground on which the Prison now stands, secured. 1718, *ch.* 8; and 1723, *ch.* 14.

18. Commissioners were appointed to hear and determine all Disputes concerning either the Property or Bounds of Lots; and their Determinations to be transmitted into the Secretary's Office as the indisputable Bounds, &c. And Owners of Lands within the Survey of the City, were to appear before the Commissioners, and make good their Claim of Satisfaction for Lots, possessed by any Persons not paid for, to be adjudged by the said Commissioners, or be for ever debarred from any future Claim thereto. 1718, *ch.* 19, §. 2 and 3.

19. The said Commissioners were also impowered, to lay out 10 Acres of the Public Pasture into 20 Lots, to be taken up, &c. as directed by the Act of 1694, *ch.* 8; to the taking up of which Lots, no present Possessor of Lots within the City had a Right till after Two Years. *Ibid.* §. 4 and 5.

20. The Commissioners to have a Succession till the Business was completed, and their Proceedings to be recorded in the Mayor's Court. *Ibid.* §. 6 and 7.

21. Farther Time given to the Tradesmen, who originally took up Lots in the Addition, to improve the same. 1720, *ch.* 10.

22. The Lots or Parcels of Ground already purchased of the Proprietors, either in the Addition or Town-Pasture, shall be Surveyed, Numbered, &c. and returned into the Mayor's Court Office. The Purchasers to have a Fee-simple Estate in such Lots; and building a Dwelling House with 400 Foot of Flooring, besides Garrets or Roofs, shall, for every Quarter of an Acre so improved, enjoy all the Privileges of Inhabitants, &c. 1725, *ch.* 7.

23. The Rector and Vestry of *St. Anne's* Parish, enabled to Lease out the Church Lots. 1747, *ch.* 24.

24. Part of the Land laid out for building a Custom-House, was appropriated to the building of a Market-House by 1728, *ch.* 9: Which the Corporation were impowered to sell, and to purchase another Piece of Ground within the City, whereon to build a new Market-House. 1751, *ch.* 21.

See *Conveyances*, 12. *Public Goal*, 1. *Schools*, 1—10. ANNE-ARUNDEL COUNTY. See *Annapolis*, 5 and 13. *Counties*, 2. *Special Records*.

APPEAL.

1. No Execution upon Judgment obtained in the Provincial, or County, or other inferior Courts, shall be stayed, or any Appeal or Writ of Error, before the Person suing out the same shall give sufficient Security, in double the Sum recovered, to prosecute the same with Effect, or pay Debt and Costs, according to the Term prescribed in this Act. 1713, *ch.* 4, §. 2.

2. No Person shall have Appeal, &c. from the County Court to the Provincial, where the Debt or Damages recovered, do not amount to 6*l.* Sterling, or 1200*lb.* Tobacco. *Ibid.* §. 3.

3. Nor from the Provincial Court to the Governor and Council, where the Recovery does not exceed 50*l.* Sterling, or 10,000*lb.* Tobacco. *Ibid.*

4. The Method of Prosecuting Appeals, and Writs of Error, shall be as followeth: The Appellant shall procure a Transcript of the Proceedings, under the Hand of the Clerk, and Seal of the Court from whence he Appeals, &c. and cause the same to be transmitted to the Court before whom such Appeal, &c. is to be heard; and file such Errors in the Proceedings, or Cause of Appeal, as he shall think fit to assign; and the Court shall give Judgment upon such Transcript, &c. *Ibid.* §. 4.

5. Appeals made in Manner aforesaid, shall be admitted by the superior Court, in Nature of a Writ of Error. *Ibid.* §. 5.

APPEAL.

6. On demand of an Appeal, the Clerk of the Court shall enter a Memorandum thereof, both in the Proceedings and Records. And such Clerk refusing to make out a Transcript of the Proceedings (on Request of any Appellant) shall be liable to the Damages sustained by the Appellant, by such Refusal or Delay, such Party paying or securing the Clerks legal Fees. *Ibid.*

7. Appeals, &c. brought before the Governor and Council, may be heard out of Assembly Time. *Ibid.* §. 6.

8. In case the Governor be Absent, or a Party in any Appeal, &c. from the Provincial Court, the Council and President alone may determine. *Ibid.* §. 7.

9. In case the Governor and President be both absent from the Court of Appeals, the Senior Councillor, then present, shall preside, and the Judgment of those present shall be effectual, provided there be Five Members of the Court present. 1729, *ch.* 3, §. 2.

10. Appeals from the Court of Chancery to the Court of Appeals, shall be subject to the same Regulations, &c. as Appeals from the Courts of Common Law are. *Ibid.* §. 3.

11. No Appeal, &c. shall be allowed any Attorney, from the Judgment of the County Court, when sued for issuing Criminal Process, without Presentment of the Grand Jury, an Order from the Governor in Council, or Order of the County Court appearing upon Record. 1715, *ch.* 48, §. 2.

12. All Persons, against whom any Sentence or Decree in the Prerogative Court shall be made, shall be allowed Thirty Days to enter an Appeal therefrom, and Thirty Days more to prosecute the same before a Court of Delegates; whose Sentence therein shall be final. 1726, *ch.* 9, §. 2; and 1715, *ch.* 39, §. 27.

13. Persons, thinking themselves aggrieved by any Decree in Chancery, may appeal to the Governor in Council: Wherein each Member shall have a full Voice. 1721, *ch.* 14, §. 3.

14. Appeals or Writs of Error may be continued in the High Court of Appeals for the full Term of Two Years, from the End of the Appearance Court, and no longer. 1730, *ch.* 16.

15. Appeal may be had from any Vestry Proceedings to the Governor and Council. 1702, *ch.* 1, §. 20. See *Vestry*, 24.

See *Attorneys*, 6. *Indians*, 6. *Indians Lands*, 18. *Prerogative Court*, 35. 4. *Small Debts*, 7, 8. *Vestry*, 24.

APPEARANCE.

Any Person, sued in the Provincial or County Court, may come into Court in Person, and after Special Bail given, (if so adjudged) may appear and imparle, or confess Judgment. 1716, *ch.* 20, §. 2.

APPRAISEMENT. See *Administrators*, 13, 25. *Fieri Facias*, 1—5. *Guardians*, 9—11.

APPRENTICES. See *Orphans*, 3, 10—13. *Servants*, 20.

ARMS. See *Press-masters*, 7. *Public Arms*, per Tot.

ARRESTS.

1. No Inhabitant of this Province shall be arrested for Debt, Damage or Cost, out of the County where he resides, before a *Non-est*, on a Writ issued at the Request of the Plaintiff, be returned. 1728, *ch.* 24, §. 2.

2. In case of such Arrest, on a *Capias ad respondendum*, the Plaintiff shall suffer a Non-suit, with Costs and Damages. *Ibid.* §. 3.

3. If taken in Execution, contrary to this Act, the Defendant shall be discharged from Imprisonment, and have his Damages, &c. discounted out of the Judgment obtained against him. *Ibid.*

4. But Persons absconding, or flying from Justice, may be arrested in any County. *Ibid.* §. 7.

See *Attorneys*, 10. *Musters*, 10. *Suits at Law*, 1.

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