

C H A P. XLII.

nion of the general court shall be conclusive in law as to the question by them decided; and such county court, on receiving such writ of *procedendo*, shall proceed in such action, to a new trial thereof, in the same manner as if no trial had taken place, or any appeal had been prosecuted, or writ of error brought; and shall direct such action to be tried at the court to which the said writ of *procedendo* shall be returned; if the plaintiff or defendant shall give notice of trial at such court, above thirty days before sitting thereof, to the adverse party, or to his attorney at law or in fact; and the trial can be had at such court with justice to the parties, and if not, such action may be continued in like manner as other actions, according to the discretion of the court; and the appellee on such reversal may be compelled to pay the costs in the general court, by execution issued therefrom; returnable thereto or to the county court that gave the judgment; and all former and future costs, in the county court, of such action, shall abide the final event thereof; and if the appeal or error shall be made for several exceptions, the general court shall give judgment on every exception; provided, that nothing herein contained shall prevent the party, against whom judgment shall be rendered by the general court on such appeal, from appealing, or prosecuting a writ of error, to the court of appeals according to the law of the land.

C H A P. XLIII.

Passed 22d of Dec. 1790.

An ACT for appointing commissioners to contract for and purchase the Indian lands in Dorchester county, and for appropriating the same to the use of this state. Lib. JG. No. 1. fol. 319. Repealed by 1798, ch. 82.

C H A P. XLIV.

Passed 21st of Dec. 1790.

An ACT to condemn land, if necessary, for the public buildings of the United States. Lib. JG. No. 1. fol. 324. Repealed by 1791, ch. 45.

C H A P. XLV.

Chapter 13.

A Supplement to the act, entitled, An act for the relief of sundry insolvent debtors confined in sundry goals of this state. Lib. JG. No. 1. fol. 325.

Preamble.

WHEREAS William Gillifs, of Somerset county, John Taylbr, of Harford county, and Dennis Griffith, of Anne-Arundel county, insolvent debtors, by their petitions to this general assembly have set forth, that by reason of many misfortunes they are unable wholly to satisfy their creditors, and have prayed that they may be discharged from further confinement, upon their delivering up all their property for the use of their creditors; and the prayer of the said petitions being found reasonable; therefore,

Debtors to be relieved, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That the said William Gillifs, John Taylor and Dennis Griffith, shall have the same benefit of the act, entitled, An act for the relief of sundry insolvent debtors, passed this session, as the persons therein named, upon the same conditions, and under the same restrictions, and subject to the same penalties and forfeitures for any breach thereof, or matter therein contained, in the same manner as if their names had been inserted therein.

Chancellor to appoint commissioners, &c.

III. BUT, whereas it is alleged, on the part of some of the creditors of the said Dennis Griffith, that it is suspected he hath been guilty of some fraud and embezzlement in the disposition of his estate to some pretended trustee for the use of his creditors; BE IT ENACTED, That the chancellor, on the application of the said creditors, or some of them, shall have full power and authority to nominate and appoint three judicious and discreet persons of Anne-Arundel county, conversant in accounts, as commissioners to inquire into the truth of every such allegation, and to report a statement of the facts to the chancellor; and the said commissioners, so appointed and accepting the trust reposed in them by virtue of this act, shall forthwith repair before the chancellor, by whom an oath, or affirmation, shall be administered to the said commissioners for the faithful execution of their trust; and thereupon the said commissioners shall fix upon a time and place for hearing the allegations of the parties, and shall give sufficient notice thereof, by public advertisement, for the information of the creditors and all persons concerned; and the said commissioners shall accordingly meet at such time and place, and then and there hear, receive and examine, by all lawful ways and means, the allegations, proofs, books, papers and vouchers, of the parties, and make a distinct report of all and singular the facts appearing in the case, to the chancellor with all convenient speed, and the chancellor shall thereupon determine upon the truth of the respective allegations; and if it shall appear that the said Dennis Griffith hath been guilty of any fraud, embezzlement, or concealment