

1777.

L A W S of the S T A T E of

C H A P. IV, V. dition at the next *August* court to be held for the said county, to all intents and purposes, as if the said justices of the said court had met and held the said court as required by the aforesaid act of assembly; and that the justices of *Cecil* county court may then proceed to the hearing and determining, or further continuing and thereafter hearing and determining of the said actions, process and proceedings respectively, as the case may require, as fully and effectually as the justices of the said court could or might lawfully have done in the aforesaid month of *August*, seventeen hundred and seventy-two, the said discontinuance, or any other matter or thing to the contrary notwithstanding.

Proviso. III. **Provided nevertheless,** That in case any plaintiff or plaintiffs, in any suit or suits so discontinued, hath or have brought his, her, or their action or actions anew, and hath or have caused or procured the defendant or defendants therein to be arrested, or where either the plaintiff or defendant in any of the said actions hath died since such discontinuance, by reason whereof such suit or suits would have been discontinued if the same had been depending at the time of such death, or shall die before the said *August* court next, such action shall not be taken to be hereby revived or aided, but totally out of the provisions of this act

Proviso in case of bail. IV, **Provided also,** That nothing in this act shall extend, or be construed to charge or make liable the bail in any action so discontinued, or the bail or sureties bound by recognizance for the appearance of any person or persons prosecuted at the said *August* court, on which recognizance no default was then entered, but such bail and sureties shall respectively be in the same state and condition as if this act had never been made.

Either Party dying since discontinuance, actions may be brought anew, &c. V. **And be it enacted,** That where any of the actions discontinued as aforesaid, were commenced and prosecuted within the time limited by law, and the plaintiff or plaintiffs, defendant or defendants, hath or have died since such discontinuance, or shall die before the said *August* court next to be held for the said county, in all and every such case it shall and may be lawful for such plaintiff or plaintiffs, his, her, or their executors or administrators, to bring his, her, or their actions anew against the said defendant or defendants, his, her, or their heirs, executors or administrators respectively, as the case may require, and to prosecute the same with effect, and shall not be barred in any such action or actions by any act of limitation; provided such new action or actions shall be commenced before the first day of *November* next.

C H A P. V.

An ACT for the recovery of fines on non-enrollers.

Preamble. **W**HEREAS the fines assessed on non-enrollers within this state have not been regularly paid and collected,

Fines assessed on non-enrollers to be paid before the 10th of Sept. next, &c. II. **Be it enacted,** by the *General Assembly* of Maryland, That the fines assessed on the non-enrollers by the several committees of observation within this state, which remain uncollected, shall be paid to the respective sheriffs on or before the tenth day of *September* next; and in case any person assessed as aforesaid, who has not paid his fine to the collector