

1779.

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C H A P. VII.

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An ACT to revive and aid the proceedings of Caroline county court, and for other purposes therein mentioned.

Preamble.

WHEREAS the justices of Caroline county court did not call their county court on the second Tuesday in December last, as by an act of assembly for the adjournment and continuance of several of the county courts within this state, passed the last session of assembly, they were directed and required, whereby all causes, pleas, process, and proceedings, both civil and criminal, in the same court depending, were discontinued:

Causes, &c. undetermined, to be in the same condition as if the court had been held as by law required, &c.

II. Be it enacted, by the General Assembly of Maryland, That all causes, pleas, process, and proceedings, both civil and criminal, (except as hereafter excepted) which were depending and undetermined in the said Caroline county court, which ought to have been held on the second Tuesday in December last, shall be construed, adjudged, and taken, to be in the state and condition, at the next court to be held for the said county, to all intents and purposes, as if the justices of the said court had met and held the said court as by law required, and that the justices of the said court may then proceed to hear and determine, or further continue, and thereafter hear and determine, the said actions, pleas, process, and proceedings, respectively, as the case may require, as fully and effectually as the same might or lawfully could have been done in the aforesaid month of December last, 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, such action shall not be taken or deemed within, but shall be excepted out of the provisions of this act.

Proviso.

IV. Provided also, That nothing in this act shall extend, or be construed to extend, to charge or make liable the bail given to the sheriff for the appearance of any person or persons, on any suit or process returnable at November court last, or the bail or sureties bound by recognizance for the appearance of any person or persons criminally prosecuted at the said November court, and on which recognizance no default was then entered, but such bail or sureties shall be in the same state and condition as if this act had never been made.

V. And, Whereas writs and other process have been issued by the clerk of Caroline county aforesaid, since the discontinuance of all business in the said court as aforesaid, returnable to the Monday before the third Tuesday in March in this present year:

Writs issued, &c. good and available, &c.

VI. Be it enacted, That all writs and other process that have been issued by the clerk of the said county, since the Monday before the third