

C H A P.
X, XI.

go at large as aforesaid, shall forfeit and pay, for every offence, the sum of ten pounds current money, to be applied to the use of the poor of the said county.

Persons sued
may plead the
general issue.

IV. And be it enacted, That if any person shall be sued or impleaded for shooting or otherwise destroying such swine or geese as aforesaid, the defendant may plead the general issue, and give this act and special matter in evidence.

C H A P. XI.

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

Preamble.

WHEREAS the justices of Calvert county court did not call their court on the sixth day of January last, as by adjournment they ought, whereby all causes, pleas, process, and proceedings, both civil and criminal, were discontinued:

Actions, &c.
depending, to
be in the same
situation, &c.

II. Be it enacted, *by the General Assembly of Maryland*, That all actions, pleas, process, and proceedings, therein, both civil and criminal, which were depending and undetermined in the said Calvert county November and March courts, and all original writs returnable to November and March courts last past, shall be construed, judged, and taken, to be in the same situation, state, and condition, at the next county court to be held for said county, as they were in at the discontinuance of said proceedings, and the justices of said county may then proceed to the hearing and determining the said actions, process, and proceedings, respectively, as the case may require, as fully and effectually as the justices of said court could or might lawfully have done, the said discontinuance or any manner of thing to the contrary notwithstanding.

Proviso.

III. *Provided*, That in case any plaintiff or plaintiffs, in any suit or suits so discontinued, have renewed his, her, or their actions, since such discontinuance, or where either the plaintiff or defendant hath died since such discontinuance, by reason whereof such suit or suits would have been abated, if the same had been depending at the time of such death, or shall die before the next court to be held in virtue of this act, such actions shall not be deemed within, but shall be excepted out of, the provisions of this act.

Proviso.

IV. *Provided also*, That nothing in this act shall extend 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 criminally prosecuted at the said November and March courts, 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.

Proviso.

V. *Provided*, That nothing in this act shall be construed, deemed, or taken, to invalidate any action, process, or proceedings, commenced (since the fall of the court aforesaid) by the commissioners appointed under the new constitution, any thing to the contrary notwithstanding.

C H A P.