

## CHAPTER 186.

\* 1825, ch. 167. AN additional SUPPLEMENT to the Act\* to prevent unnecessary accumulation of Costs in Civil Suits.

No tax to be paid on account of great seal affixed.

SEC. 1. *Be it enacted, by the General Assembly of Maryland,* That in all cases of appeals or writs of error prosecuted or brought before the court of appeals by the plaintiff, upon a bill or bills of exceptions, when the judgment excepted to shall be affirmed, and it shall appear to the said court that the substantial merits of the case are not determined by the said judgment, the said court of appeals shall and may, in their discretion direct their clerk to return the transcript of the record to the clerk of the county court which gave the judgment, with a writ of procedendo to the judges of said county court, commanding them to proceed in such action, and 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 the opinion of the court of appeals shall be conclusive in law as to the question by them decided; and the said county court shall thereupon proceed in such action by amendment of pleadings, or otherwise, in manner and form as is now practised in cases where writs of procedendo issue under the existing laws; *Provided,* that nothing herein contained shall be construed to authorize the return of any transcript in any cause where the judgment of the court of appeals would be a bar to a new action brought upon the same cause.

Proviso.

SEC. 2. *And be it enacted,* That in all cases of appeals, or writs of error, prosecuted or brought before the court of appeals upon a bill or bills or exception taking to the opinion of any county court upon any question of location of land, where the judgment shall be affirmed or *reserved*,\* and it shall become necessary, for the purposes of justice, to remand the cause to the county court which gave the judgment with a writ of procedendo, it shall be and hereby is made the duty of the court of appeals to instruct the said county court as to the manner in which the said location shall be made.

(\*reversed)

## CHAPTER 187.

AN Act relating to the Court of Chancery.

Levy authorized.

*Be it enacted, by the General Assembly of Maryland,* That from and after the passage of this act, no tax shall be demanded or paid on account of having affixed to any paper, issuing out of the court of chancery of this state, the great seal thereof, any law to the contrary notwithstanding.