

C H A P.  
LXV.

of appeals hereafter, as the case may be, and it shall be made returnable to the place, and at the time, herein prescribed for holding the court for said county, and shall be tested in the name of the late presiding judge of the respective court, or in the name of the chief judge of the court of appeals, as the case may be, and shall be of the same effect, and be valid in law, to every legal intent, and be proceeded upon in like manner, as writs of *scire facias*, which issued, or shall issue from the county courts, on judgments obtained therein in similar cases have heretofore issued from said courts respectively, any law to the contrary notwithstanding.

XXX. AND BE IT ENACTED, That it shall be the duty of the said late clerks respectively, or case of death or refusal to act, such person or persons as the governor and council shall appoint, forthwith carefully and diligently to select and assort all the original papers now on the files of the general court of the respective shores in the several actions, and the evidences and plots relating thereto on the several dockets, (except the appeal and error dockets,) wherein judgments have not been obtained, and also the transcripts and original papers now on the files of the late court of appeals, appeals brought from the late eastern shore general court, and to make out a fair list of the suits which they respectively belong, and the several docket entries in such suits, with a taxation of the plaintiff's and defendant's costs which have accrued in each, to wait the final event of the cause, and carefully to pack up the same original and other papers belonging to the suits of each respective county, and also the original and other papers and records belonging to any appeal from the eastern shore, as aforesaid transferred, in a separate box or package, and the said boxes and packages, in which the said lists shall also be respectively enclosed, shall be immediately forwarded, under the direction of the governor and council, to the clerks of the respective counties, and to the clerk of the court of appeals for the eastern shore, who are hereby respectively required and directed to file the said original papers, and to docket the said suits upon the dockets in his said office, to which they shall respectively belong, and they shall be there recorded, and the same proceedings shall be thereupon had in said suits as if they had been originally brought in the respective county courts, or in the court of appeals for the eastern shore, as the case may be, any law to the contrary notwithstanding.

XXXI. AND BE IT ENACTED, That the said late clerks respectively, until the clerks of the court of appeals shall be respectively appointed, and shall qualify as aforesaid, shall generally do, execute and discharge, all and every the duties, matters and things, which have heretofore been required by law to be done, executed and discharged, by the clerks of said courts respectively, and shall be of the same force and validity, to every legal intent, any law to the contrary notwithstanding, and shall be entitled to receive for their services the same fees as a clerk of the general court was entitled to receive for like services, to be made out, collected and paid, in the manner now prescribed by law, and shall receive, as a compensation for the other duties prescribed by this act, such sum as the governor and council shall allow.

XXXII. AND BE IT ENACTED, That in all instances whatever, where a difference of time exists in the general court and the county court, for the doing of the same or similar matters or things, that the time prescribed for the county court shall prevail.

XXXIII. AND BE IT ENACTED, That every act and thing that has been done by any county court, as it existed before the said thirtieth day of November, or that has been or shall be done under an writ, summons, commission or other process, of every nature and kind whatever, which have issued, which shall issue on or before the first meeting of the county courts, as organized or established under the constitution amended, and this act, shall have the same effect and operation, to every intent and purpose whatever, as they would have had if the court in which the same was done, or from which the same issued, or shall be issued as aforesaid, had not been changed or abolished, any law to the contrary notwithstanding.

XXXIV. AND BE IT ENACTED, That every recognizance of special bail taken, or to be taken before the promulgation of this act, shall be returned to the county court of the county in which the defendant or defendant resided at the time of taking the same, and on the day herein limited for the first sitting of the said county court, and shall be as good, valid and effectual, to every intent and purpose, as if the same had been returned to the court to which the same was made returnable in case the general court and county courts had not been abolished.

XXXV. AND BE IT ENACTED, That every bail bond taken, or to be taken before the promulgation of this act, shall be valid and effectual in law, to compel the appearance of any defendant arrested by mesne process at the first sitting in virtue of this act of the county court of the county in which the said defendant resided at the time of the said arrest; and every such bail bond may be avoided.