

**CHAP. 100.** and all sales of property taken by *feri facias* at the suit of the state, may be suspended by the governor and council from time to time, as they may think most to the advantage of the state, and may direct executions against the body of any state debtor to be entered "not called by consent."

8. Whereas many persons have made discoveries of British property, confiscated property, or property liable to confiscation, to the governor and council, the late intendant, and late agents of the state, and have made application to purchase the same upon the terms held out by law to the discoverers: And whereas there is no person invested with authority to estimate the value, or fix a reasonable price for the said property, and to compound with the person or persons making such discovery, or with the person or persons applying to purchase the same, **BE IT ENACTED**, That the governor and council be and they are hereby empowered to compound with all persons who have heretofore made discovery of British property, confiscated property, or property liable to confiscation, either to the governor and council, the late intendant, or any of the state agents, and to allow not exceeding one third of the value of such property to any person or persons having made such discovery, and who shall make application to the governor and council on or before the first day of May next, (a) to compound for and purchase the same, and the said governor and council are hereby authorised to dispose of such property to such applicants, and take bonds with good and sufficient security, to be approved of by the treasurer of the western shore, for the purchase money, bearing interest, payable to the state at the periods that may be agreed on.

May compound with persons who have made discovery of property liable to confiscation.

(a) Extended by 1803, ch. 109, to persons who had since this act made discoveries or should make discoveries of such property. See 1814, ch. 103, by which the provisions are extended to any such property which may be discovered and six months allowed to compound.

In case such person neglects to purchase, state's right may be disposed of to any other person.

9. **BE IT ENACTED**, That if such discoverers shall not make known to the governor and council the title of the state to the property aforesaid, on or before the first day of May next, or shall refuse or neglect, on or before that day, to agree for the purchase of the same, that then the governor and council shall be and they are hereby authorised to sell and dispose of the state's right to the said property to any person or persons applying to purchase the same, or may appoint a fit and proper person as aforesaid, who shall give bond as aforesaid, to sell the same at public sale in the manner as is herein before directed, without making such discoverers, who refuse or neglect as aforesaid, any compensation.

Persons purchasing may prosecute suit for recovery of said property.

Provisos.

10. **AND BE IT ENACTED**, That it shall and may be lawful for any person or persons purchasing as aforesaid any confiscated British property under the authority of this act, to prosecute any suit or suits, either in law or equity, in the name of the state, for recovery of said property for their use; *Provided* that the said state shall not be liable to pay any costs incurred in prosecution of said suits, but that the same shall be paid by the person or persons for whose use said suits shall be prosecuted; *And provided also*, that in all such sales, so to be made by the governor and council, or under their direction and appointment, it shall be made known, and it shall be a condition thereof, that they only sell the right of the state thereto, and that the state doth not guaranty the title to the same, or any part thereof, but that the purchase must be in all respects at the risk of the purchaser.