

entirely; as well those provisions for obtaining proof of debts in Great Britain, (c) as that section which subjected all lands to be taken in execution and sold for the payment of debts. (d) But the first section which gave a new mode of taking proof in Great Britain, then a part of the common empire, must have been renounced by our Declaration of Independence, by which all community of law and government between Great Britain and Maryland was severed. (e) In those of the colonies in which lands had been made liable to be taken in execution by their own laws, this statute was unnecessary; and, as indicated in its preamble, was not intended to apply to, and was therefore not adopted by them. (f) It was reluctantly, but finally submitted to in Jamaica. (g) In North Carolina, it was received and applied much in the same manner as in Maryland. (h) In South Carolina, Georgia and Jamaica, it was adopted and so applied as that, on the death of the debtor, his real estate was converted, with re-

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have amounted to wilful and corrupt perjury, every person so offending, and being thereof lawfully convicted, shall incur the same penalties and forfeitures as by the laws and statutes of this realm are provided against persons convicted of wilful and corrupt perjury.

'4. And be it further enacted by the authority aforesaid, That from and after the said twenty-ninth day of September, one thousand seven hundred and thirty-two, the houses, lands, negroes, and other hereditaments and real estates, situate or being within any of the said Plantations belonging to any person indebted, shall be liable to and chargeable with all just debts, duties and demands, of what nature or kind soever, owing by any such person to his majesty, or any of his subjects, and shall and may be assets for the satisfaction thereof, in like manner as real estates are by the law of England liable to the satisfaction of debts due by bond or other specialty, and shall be subject to the like remedies, proceedings and process, in any court of law or equity, in any of the said Plantations respectively, for seizing, extending, selling or disposing of any such houses, lands, negroes, and other hereditaments and real estates, towards the satisfaction of such debts, duties and demands, and in like manner as personal estates in any of the said Plantations respectively are seized, extended, sold or disposed of, for the satisfaction of debts.'

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Every honest man should by his will charge his real estate with the payment of his debts; he who omits it, is said to sin in his grave.—*Per Ld. Mansfield*; *Wyndham v. Chetwynd*, 1 Burr. 430.

A singular instance is mentioned of a fraud perpetrated by a bishop who invested his money in land to prevent his creditors from obtaining satisfaction after his death.—1 *Hallam Const. His. Eng.* 275, note 5.

(c) *Rawlings v. Stewart*, 1 Bland, 22, note.—(d) *Davidson v. Beatty*, 3 H. & McH. 608, 612.—*Chancery Proceedings, lib. W. K. No. 1, fol. 1.*—(e) *Lewis v. Bacon*, 3 Hen. & Mun. 89.—(f) *Graff v. Smith*, 1 Dall. 481; 4 Com. Dig. 228, 245; *Wilkinson v. Leland*, 2 Peters, 658; *Robinson v. Noel*, 2 Cas. Cha. 145; *Blankard v. Galdy*, 4 Mod. 226.—(g) 2 *Edwards' His. West Ind.* 366; 3 *ibid.* 214.—(h) *Baker v. Webb*, 1 Hayw. 62; *Winstead v. Winstead*, 1 Hayw. 243.