

CHAP. XIX.

apply to the two justices of the peace before whom the said bond was executed, or upon the death, removal or disqualification, of the said justices, or either of them, then to any other two justices of the peace of the county aforesaid, who may, if they deem the said application well founded, cause a notice, under their hands and seals, to be served upon the person or persons, their executors or administrators, for the rent due, by whom the said bond was given or left at his, her or their last place of abode, requiring him, her or them, within a fixed reasonable time thereafter, to enter into a new bond, with other security, to be approved of by said justices, and, upon neglect or failure to comply with the said requisition, then it shall and may be lawful for the said person, or his executors or administrators, to whom the said bond was executed, to sue immediately on the said bond, and to distress for the rent for which the same was given, in the same manner that he, she or they, might or could have done before the passage of this act.

In certain cases landlords may distress, &c.

IX. AND BE IT ENACTED, That if, after the repeal of the said act of congress, and of the several supplements thereto, and six months after the repeal of the same, the tenant or tenants, or any person claiming by, through or under him, her or them, shall hold and occupy the lands or tenements for the rent due for the occupation, whereof bond hath been given as aforesaid, that then and in that case the landlord or landlords, his, her or their executors or administrators, may proceed to distress for the same in the manner that he, she or they, might or could have done before the passage of this act.

Judgments may be entered by confession, without any writ, &c.

X. AND BE IT ENACTED, That during the continuance of the said act of congress, and the several supplements thereto, and for six months after the repeal thereof, it shall and may be lawful, in all cases of debt on bond, note or account, when the sum or amount claimed is or shall have been ascertained by such bond, note or account, as aforesaid, for any debtor and creditor, or any agent or attorney legally authorised by said creditor, to apply to the clerk of the county court in which the debtor shall reside, and the said clerk, upon application of the said parties, by and with their consent and direction, shall enter judgment against such debtor, by confession, for such sum of money as shall be ascertained as aforesaid, subject to such terms as may be agreed upon by the said parties, without any writ or other process being issued for the recovery of such sum or claim, and each judgment, so entered as aforesaid, shall have the same legal effect, to all intents and purposes, as any judgment entered in open court, during the sitting thereof.

Writ, &c. to be delivered up, &c.

XI. AND BE IT ENACTED, That at the time of entering up any judgment as aforesaid, the plaintiff, his or her agent or attorney, in all cases, shall deliver to the clerk the bond, note or account, as the case may be, on which the judgment shall have been entered as aforesaid, and the said clerk shall cause the same to be recorded in his office amongst the judgment records of said office; and in no case shall execution issue on any judgment confessed as aforesaid, until the expiration of six months after the repeal of the aforesaid act of congress, and its several supplements, and until after such further stay, if any, as shall or may have been agreed on by the creditor, his or her agent or attorney, and the debtor; and for all such services as aforesaid rendered by the clerk, it shall be lawful for him to receive the same fees as are prescribed by law in cases of a like nature in the county court.

Fees to justices.

XII. AND BE IT ENACTED, That the following fees shall be allowed to each of the said justices, for services performed under this act: For taking bond, twelve and a half cents; for issuing summon, six cents; for supersedeas, twelve and a half cents; for every certificate, six cents.

CHAP. XX.

Passed 20th of Dec. 1808.

A Supplement to the act, entitled, An act to lay out and open a road to and from the mill of Joshua Howard, on Sam's creek, in Frederick county.

Preamble.

WHEREAS Joshua Howard, by his petition to this general assembly hath set forth, that one of the commissioners appointed in the act to which this is a supplement, is dead, and the other two removed from this state without having carried the said law into effect, and prayed that other commissioners may be appointed to survey, lay out and open, the said road; therefore,

Commissioners appointed, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That John Messler, John Stoner, of Jacob, and Joshua Jones, or any two of them, be and they are hereby appointed commissioners to survey, lay out and open, the said road, agreeably to the provisions of said law.