

1785.

L A W S O F M A R Y L A N D.

C H A P. LXXIX.

Passed March 11.

An ACT for the relief of John Stevens, of Dorchester county, late collector of the tax.

Preamble.

WHEREAS it has been represented to this general assembly, by the petition of John Stevens, late collector of Dorchester county, that the commissioners of the said county, from a misconception of the act for establishing funds to secure the punctual payment of the principal and interest of the state debt, did not include, in the assessment to be paid by each person, the additional tax of two shillings and six-pence, imposed by the act aforesaid, by means whereof the said John Stevens is liable to be sued upon his bond, and to pay heavy penalties for not collecting the tax aforesaid, which appears to this general assembly unreasonable and unjust; therefore,

No process shall issue, &c.

II. Be it enacted, by the General Assembly of Maryland, That no process shall issue upon the bond of the said John Stevens for not collecting the said tax of two shillings and six-pence aforesaid, and that he be and hereby is indemnified and saved harmless from any penalties incurred by not having made the collection aforesaid.

Commissioners to add the s/6, &c.

III. And be it enacted, That the commissioners of the county aforesaid are hereby authorized and directed, after rating what each person is to pay according to the valuation of his property for the last year, to add in the assessment to be paid by each person for the year seventeen hundred and eighty-six the two shillings and six-pence aforesaid; and the collector for the said year for the county aforesaid, shall collect and pay the said tax at the same time and under the same penalties he is bound to collect and pay other public money.

C H A P. LXXX.

Passed March 11.

An ACT to alter and amend the law in certain cases.

No action shall abate by the death of either party, &c.

BE it enacted, by the General Assembly of Maryland, That no action brought or to be brought, in any court of law in this state, shall abate by the death of either of the parties to such action, but upon the death of any defendant, in a case where the action by such death would have abated before this act, the action shall be continued, and the heir, devisee, executor or administrator, of the defendant, as the case may require, or other person interested on the part of the defendant, may appear to such action, and in case the action be brought to recover possession of any lands, tenements or hereditaments, and the proper person to defend doth not appear at the court at which the death is suggested, the plaintiff may issue a summon, returnable to the next court, directed to the heir or devisee of the deceased, or tenant in possession, or other proper person to defend in such action, as the case may require, or in case the action be brought to recover personal chattels, debt or damages, and the executor, administrator, or other proper person to defend, doth not appear to such action at the court at which the death is suggested, the plaintiff may issue a summon, returnable to the next court, directed to the executor or administrator of the deceased, or other proper person to defend such action, to appear; and upon any summon, issued as aforesaid, being served, the person or persons summoned shall appear to such action, either in person, or by attorney, and if it shall appear to the court that a summon to appear and defend, taken out as aforesaid, hath been served upon the proper person or persons to defend such suit, and that such person or persons neglect or refuse to appear, the court may and shall issue an attachment of contempt against such person or persons, and compel him, her or them, to appear to such suit, and if any person, being summoned

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