

cited, and make report to the general assembly of such of the English statutes as existed at the time of the first emigration of the people of Maryland, and which, before the fourth day of July, 1776, by experience, had been found applicable to their local and other circumstances, and of such others as had, since such emigration, been made in England or Great-Britain, and had been introduced, used or practised, by the courts of law or equity in this state, that order may be taken therein.

By order,

N. PINKNEY, clk.

Which was read the first time and ordered to lie on the table.

Mr. Nutter, from the committee, brings in and delivers to Mr. Speaker a bill, entitled, An act for resurveying and laying out anew Salisbury-town, in Somerset county, and for other purposes; which was read the first time and ordered to lie on the table.

The report on the petition of Brooke Beall, was read the second time, and the resolution therein contained assented to, and sent to the senate by the clerk.

The bill further extending the time for making returns of certain certificates and plots, was read the second time, and passed. Sent to the senate by the clerk.

The further consideration of the bill relating to public roads in this state, and to repeal the acts of assembly therein mentioned, and the order of the day respecting the bill to declare and explain the law in certain cases, are postponed till to-morrow morning.

The house adjourns till to-morrow morning 9 o'clock.

## S U N D A Y, December 21, 1794.

THE house met. Present the same members as on yesterday. The proceedings of yesterday were read.

The clerk of the senate delivers the resolution in favour of Samuel Worthington, endorsed; "By the senate, December 5, 1794: Read the first time and ordered to lie on the table.

"By order,

N. PINKNEY, clk.

"By the senate, December 20, 1794: Read the second time and assented to.

"By order,

N. PINKNEY, clk."

The bill for the amendment of the law in certain cases, endorsed; "By the senate, November 27, 1794: Read the first time and ordered to lie on the table.

"By order,

N. PINKNEY, clk.

"By the senate, December 20, 1794: Read the second time and will pass with the proposed amendments.

"By order,

N. PINKNEY, clk."

Amendments proposed. Page 1, strike out from the word "of" in the 3d line to the word "to" in the 4th line, and insert "any court of record within this state, or of the high court of chancery." After the word "debt" in the 9th line insert "or damages." Strike out the proviso attached to the first enacting clause. Page 2, 9th line, after the word "purpose" insert "and in all cases where any sheriff or coroner, being called upon by order of the general court, or any county court, to bring before them any defendant or defendants before arrested by such sheriff or coroner upon any original writ or mesne process, according to the tenor of his return." Page 2, 11th line, after the word "damages" insert "and costs." Strike out the proviso attached to the 2d enacting clause, and insert "And be it enacted, That in all cases where any sheriff or coroner shall pay and satisfy to the plaintiff or plaintiffs any judgment rendered against him in virtue of this act as aforesaid, or any judgment rendered against him for a default upon any execution, such sheriff or coroner shall thereupon immediately become entitled to the original cause of action, or judgment, as the case may be, as fully as the plaintiff or plaintiffs themselves was or were, and may issue any execution in his own name, or in the name of the original plaintiff or plaintiffs, upon such judgment, for his own use, or prosecute such action to judgment and execution for his own use, and shall be entitled to every other benefit and advantage from such judgment, or cause of action, and suit thereon depending, that the original plaintiff or plaintiffs might or could have had therefrom." Page 3, after the word "name" in the 9th line, insert "And be it enacted, That upon motion made to either of the said courts for an order upon the sheriff or coroner to make return of any writ of execution, or any original writ, as aforesaid, the said court shall and they are hereby directed to make such order of course, unless such sheriff or coroner shall upon oath, or otherwise, satisfy the said court that the said writ was not received by him, or to the best of his knowledge by any of his deputies." Page 3, 12th line, strike out the words "to issue." Page 4, at the end of the 6th line insert the words "is or." Page 4, at the end of the first clause in said page insert "and if any elisor shall refuse to execute such process, or shall die, or otherwise become incapable of executing the same, it shall and may be lawful, upon application of the plaintiff, his or her agent or attorney, for such judge or justice to certify the same to the clerk who issued the said writ, and to nominate and appoint some other elisor, to whom the said clerk is hereby authorized and required to direct the same writ, who shall thereupon have all the powers and authorities, and in all respects stand in the same situation, as if he had been originally named in, and the said writ had been originally directed to, him." Page 4, 8th line, strike out the word "is" and insert "was in his life-time." Same page, 12th line, after the word "devise" insert "from the person or persons so indebted." Page 4, strike out from the word "courts" in the 17th line to the word "bond" in the 21st line, and insert "at the session next succeeding the election of such sheriff, or at a special court to be called by the chief justice, or by either of the associate justices, for that particular purpose." Last line of the 4th page, strike out "A B, C D and E F." Page 5, 7th line, strike