

C H A P.
V.
Testamenta-
ry, &c.) sue
and recover,
giving Secu-
rity to refund,
&c.

Judgment
and Execu-
tion on Tes-
tamentary,
&c. Bonds
shall not be
delayed by
Chancery
Proceedings,
unless a final
Decree be
obtained.

Residue of any Testator's or Intestate's Estate, after the Expiration of Twelve Months from the Date of the Letters Testamentary, or Letters of Administration of such Deceased's Estate, to demand and sue for such their Legacies or Residuary Part of such Deceased's Estate as shall then appear to be their Due by such Accounts as shall then be made up by that Time, that then such Legacies or Residue shall be paid or recovered out of the full Estate, in the same Manner as if there were no Disbursements for Debts or Charges to be made thereout, such Residuary Legatees, or others; that Right have as aforesaid, giving Security to refund to such Executor or Administrator, according to the Directions of the Statute of the Twenty-second and Twenty-third of Charles the Second, Chap. 10. And that in case any Suit shall be brought on any Testamentary or Administration Bond, by any Orphan or other Legatee, for Default of Compliance with the Act for the better Administration of Justice in Probate of Wills, &c. or this present Act, it shall and may be lawful for such Suitors, and their Agents, Solicitors or Attorneys, and the several Courts of Law before whom such Suits shall happen to be brought, are hereby required to proceed to Judgment and Execution on such Bonds, without taking Notice of any Injunction, or other Chancery Proceeding, to stop, hinder, or delay the same, unless he shall obtain a final Decree, on full Hearing, or running out the Process for the Awarding of such a Writ.

^b Which directs §. 8, That no Distribution shall be made of the Goods of any Person dying Intestate, 'til one Year be fully expired, after the Intestate's Death; and that such, and every one, to whom any Distribution and Share shall be allotted, shall give Bond with sufficient Sureties in the Prerogative Court, &c. that if any Debt or Debts, truly owing by the Intestate, shall be afterwards sued for and recovered, or otherwise duly made to appear, that then, and in every such Case, he or she shall respectively refund and pay back to the Administrator, his or her rateable Part of that Debt or Debts, and of the Costs of Suit and Charges of the Administrator by reason of such Debt, out of the Part and Share so as aforesaid allotted to him or her, thereby to enable the said Administrator to pay and satisfy the said Debt or Debts, so discovered after the Distribution so made as aforesaid.

But the Party
aggrieved
may proceed
in Chancery.

III. Provided nevertheless, That in case any Party to such Suit shall conceive himself properly relievable in Equity on such Case, it shall and may be lawful for such Person to proceed in Chancery.

Examined and Compared with the Original Act, REVERDY GHISELIN,
THOMAS BACON.

C H A P. VI.

Passed 10th
May 1718.

An Act empowering a Committee to lay, assess and apportion the Public Levy, for this present Year One Thousand Seven Hundred and Eighteen. Lib. LL. N^o 4. fol. 388.

C H A P. VII.

Ditto. An Act for the Relief of several poor Prisoners therein mentioned. Lib. LL. N^o 4. fol. 390. PR.

C H A P. VIII.

Ditto. An Act declaring the Rights of Three Lots, originally laid out in Annapolis, for the Uses therein mentioned. Lib. LL. N^o 4. fol. 390.

N. B. Three Lots were originally laid out, one for the Benefit and Advantage of the Rector, one other for the Clerk of the Parish and Sexton, and the Third for the Clerk of the Vestry, and Mr. Commissary's Clerk. A House was soon after built upon one of them, for the Use of the Vestry: Which House and Lot (on the Petition and Application of the Rev^d Mr. James Wootton, then Rector of the Parish) was annexed to the Parson's Lot, for the Reception and Accommodation of a Minister for ever, as appears by an Ordinance in the Journal of the Lower House of Assembly, April 9th 1706. Ever since which Time, the said Lots so annexed by the said Ordinance, and the others aforementioned, have been peaceably possessed, without Molestation, and deemed to belong to the Rector of the Parish, except that Part of the Minister's Lot whereon the Prison is now (viz. 1718) built; until John Gresham, Esq; had made an Entry on two of the said Lots, viz. that laid out for the Clerk of the Vestry, and Commissary's Clerk, and that other laid out for the Clerk of the Parish and Sexton, with the Clerk of the Mayor's Court. It is therefore Enacted, That the said Three several Lots be and remain for ever to the several Uses as originally designed in laying out the said Lots, and the Ordinance made the 9th April 1706 as aforesaid: Any Pretence of their not being Built upon, or any Entry thereof by the said Gresham, or others, to the contrary notwithstanding. Except the Ground whereon the Prison stands, which is reserved to the Public.

A Supplementary Act made 1723, ch. 14.