

person or property of such party or parties for the recovery of the same, in the same manner as if he, she or they, had been entered by a rule of court the security for such costs of suit; provided, that nothing in this act shall be construed to alter the present existing laws of this state relative to the payment of costs by executors or administrators.

CHAPTER 60.

A further SUPPLEMENT to an ACT,* entitled, An act for enlarging the *1785, ch power of the High Court of Chancery. 72.

See notes to the original act, ante page 208.

WHEREAS it frequently occurs, that persons residing out of Preamble. this state, and beyond the reach of any of the process of the courts thereof, have lands, tenements or hereditaments, within this state, which they hold or claim by devise or descent, and the person or persons from whom they derive their title to the same have contracted debts within this state, or with some of the citizens thereof, for the payment of which the said real estate is or ought to be chargeable, and there is no remedy for the recovery of the said debts, which justice requires; therefore,

SEC. 2. *Be it enacted, by the General Assembly of Maryland,* In certain cases chan- That in all cases where any person or persons, non-residents of cellor may decree, &c. this state, now is or are, or shall hereafter be, seized or possessed, or have any right or title to any lands, tenements or hereditaments, within this state, by devise or descent, and the person or persons from whom such title is or shall be derived, has contracted, or may contract, any debt or debts within this state, or with any of the citizens thereof, the chancellor of this state, upon the application of any such creditor or creditors, and such notice thereof being given as he shall direct, shall have full power and authority, if the claim of such creditor or creditors shall be established, and it shall appear to the chancellor to be just and proper, upon consideration of all circumstances, that such debt or debts should be paid by a sale of such real estate so devised or descending, to order and decree the whole, or any part thereof, to be sold for the payment of such creditor or creditors, in such manner, and upon such terms, as the chancellor, in his discretion, shall think proper; and the chancellor in all such cases shall have the same power and authority as he hath in other cases by the act to which this is a supplement.

SEC. 3. *And,* whereas many persons die possessed of, or claim, land within this state, and have only an equitable title to the same, without leaving any known heir or devisee, who can inherit the said land, whereby the creditors of such persons, in default of other assets, are without remedy for the recovery of such debts, *Be it enacted, by the General Assembly of Maryland,* Where persons die seized, &c. chancellor may order and decree, &c. That in case any person seized or possessed of any lands,