

ver costs, unless the judge shall certify that there was good cause, &c. I have met with no case, shewing that this part of the statute was practised under, although I have some reason to believe that it was. See *Espinasse* 424.

The 2d section gives costs to the defendant on demurrer or affirmance, and is considered proper to be incorporated, &c. See the note on 4 James 1, Ch. 3.

The 3d and 4th sections as to costs in actions of waste and trespass, do not appear to have extended,

The 6th and 7th sections as to the death of a party, are considered to have extended, and as proper to be incorporated. See the note on 17 Charles 2, Ch. 8.

The 8th section empowering a plaintiff to assign as many breaches as he pleases on bonds for non-performance of agreements, &c. has certainly been in force, and is proper to be continued. It is in reference to this part that this statute is mentioned in the act of 1729, Ch. 25. It is also mentioned in the letter from S. Chase, which has been referred to.

**CHAP. 27.** An act for the more effectual relief of creditors in cases of escapes, and for preventing abuses in prisons and pretended privileged places. (Part.)

The first 5 sections do not appear to have been applicable to the province. The 7th, under which a prisoner escaping might be retaken, &c. has been in force, and is proper to be continued.

This statute (as to the 7th section) is mentioned in the letter from S. Chase, which has been referred to.

As to the 6th section, respecting the plea of retaking on such pursuit, although I have met with no case to shew its extention, it appears to be proper to be incorporated with the statutes as to escapes.

**CHAP. 31.** An act for the easier obtaining partition of lands in coparcenary, joint tenancy, and tenancy in common. (Part.)

This statute appears to have been in force, and as proper to be continued, except those parts relating to the sheriffs. See 2 *Harris'* entries 714, writ of *pone*.



9 and 10 *William* 3.—A. D. 1698.

**CHAP. 17.** An act for the better payment of inland bills of exchange.

This statute (as well as that of Anne, respecting promissary notes) has always been practised under in the province and in the state. The act of 1785, Ch. 38, ascertaining what shall be recovered on protested bills of exchange, &c. does not seem to interfere with this statute. The 2d section of that act relates to *inland* bills, or orders drawn by persons in other states on persons in this state; which must have been on the ground of the respective persons being citizens of the same *general* government. Inland bills are such as pass between parties residing in the same country, but there is nothing in the act respecting such bills drawn by one person on another, both in Maryland. This statute is therefore considered proper to be incorporated, &c.