

said, the chancellor shall have full power and discretion to decree against such executor or administrator, as equity and good conscience shall to the chancellor seem to require.

CHAP. 75.

NOVEMBER SESSION, 1794.

CHAP. LIV.

An Act for the amendment of the Law in certain cases. Lib. JG. No. 2. fol. 233. Passed 25th of Dec. 1794.

1. BE IT ENACTED, by the General Assembly of Maryland, That in case any sheriff or coroner shall be called upon by order of any court of record within this state, or of the high court of chancery, to make return of any writ of execution, and shall fail or omit to make return thereof within the time limited by rule of court made for that purpose, it shall and may be lawful to and for the judges aforesaid to cause judgment to be entered up, in the name of the plaintiff or plaintiffs, against such sheriff or coroner, for the amount of the debt or damages, and costs, recovered from the person or persons against whose body, goods, chattels, land or tenements, such execution shall have issued, which judgment shall have the same effect, operation and validity, as any judgment rendered upon any verdict of a jury.

Judgment may be entered against any sheriff, &c.

By 1795, ch. 23, the same proceedings shall be had on executions sent from one county to another under the act of October, 1777, ch. 12.

4. 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.

Court may make an order, &c.

CHAP. LX.

A Further Supplement to an act, entitled, An act for enlarging the power of the High Court of Chancery.* Lib. JG. No. 2, fol. 243. Passed Dec 26 1794
* 1785, ch. 72

WHEREAS it frequently occurs, that persons residing out of 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,

Preamble

2. BE IT ENACTED, by the General Assembly of Maryland, That in all cases where any person or persons, nonresidents of 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

In certain cases chancellor may decree, &c.