

C H A P.
XX.

Purchasers to
pay one fifth
of the pur-
chase money
in specie, &c.

II. *Be it enacted, by the general assembly of Maryland,* That if any purchaser will pay unto the treasurer of the western shore one fifth part of the purchase money in specie, on or before the twentieth day of July next, and the residue in bills of credit, to wit, one half thereof on or before the tenth day of August next, and the remainder on or before the tenth day of September next, he shall be entitled to the land by him purchased, but in case of neglect in the first payment in specie, by the time above limited, the commissioners shall expose the land again for sale on the terms in the law directed, and the purchaser, on compliance therewith, shall have the land, and be warranted and secured therein by the public; and if the first payment be made as above limited, and the second neglected, the first shall be forfeited; and if default in the last payment (the second being made) no conveyance shall be given by the commissioners, till the last payment be made with ten *per cent.* interest.

Purchasers
may file bills,
&c.

III. *And,* whereas it is not the intention of this general assembly to preclude the established courts of justice from determining on the said contracts, or the execution thereof; *Be it therefore enacted,* That in case any of the said purchasers shall determine to insist on a conveyance of the lands purchased, on the terms of making the first payment in certificates, on such purchaser filing his bill for that purpose in the court of chancery, on or before the tenth day of July next, the sale before directed shall not be made; or if the party shall choose, he may commence his actions for damages, and the state will, if any recovered, make good the same.

C H A P. XXI.

An ACT to direct the recording of a deed from John Starkey to Joshua Donaho, of Cæcil county.

C H A P. XXII.

An ACT to direct the granting letters testamentary, on a copy of a will proved, where the testator dies.

Preamble.

WHEREAS by the act to establish orphans courts in the several counties of this state, it was directed, that the will of any deceased person, having a mansion house, or place of known residence and abode, should be proved in the orphans court of the county where such mansion house, or place of residence or abode, shall have been; and it hath happened, and very frequently may happen, that the will of such deceased person may be proved in the county where he or she shall die, and not in the county where his or her mansion house or residence was:

Wills may be
proved in the
county where
testators die,
&c.

II. *Be it enacted, by the general assembly of Maryland,* That where any person shall die out of the county where such person's mansion house or residence was, the will may be proved in the orphans court of the county where the said person shall die, and that an attested copy of such will, under the seal of the orphans court of the county where proved, may be produced to the orphans court of the county where such deceased person's mansion house, or place of residence or abode, shall have been, and thereupon letters testamentary shall be granted by such court upon the said copy, and such letters shall be as valid in law as if granted by the orphans court of the county in which was the mansion house or residence of the deceased; and the time given to widows, to make their election whether they will stand to or renounce the provision in a will so made, shall be counted from the day the copy of such will shall be produced to such orphans courts as aforesaid; and any person, whose interest may be affected by any such will, shall have a right to contest the validity of the same, either in the orphans court of the county in which such will shall be proved, or in the orphans court to which such copy may be produced, in the same manner as if such will had been produced and offered to be proved in the orphans court of the county wherein such deceased person had residence.