

C H A P.
LXXIX.In certain
cases the chan-
cellor may de-
cree a specific
performance,
&c.

made to the chancellor by the parties entitled to a conveyance; but there is no legal provision for such a decree, as the circumstances of the case may require, upon application made by the representatives or persons interested in the estate of the person who makes a contract for the sale of his lands, **Be it enacted**, That if any person seized of any land, tenement or hereditament, hath made or shall make a contract for the sale and conveyance thereof, and hath died or shall die without performing his part of the agreement, having devised or left the said land, tenement or hereditament, to descend to a person under twenty-one years of age, or to an idiot, lunatic, or person *non compos mentis*, in any such case the chancellor, on application by bill or petition of any representative of the deceased, interested immediately in having such agreement specifically performed, and on hearing all parties concerned, shall have full power to decree a specific performance, and to direct a conveyance by trustee or guardian, or to decree otherwise, as justice and the established principles of chancery shall require; provided nevertheless, that in the case of an infant no decree shall be made for a specific performance in virtue of this act, unless it shall appear that the guardian or guardians of the infant have consented thereto, or unless the chancellor shall be satisfied that such infant or infants will not be in any manner injured thereby.

C H A P. LXXX.

Passed De-
cember 30.

An ACT to prohibit members of congress, or persons in office under the United States, from being eligible as members of the legislature or council, or holding offices in this state.

No member
of congress,
&c. shall have
a seat in the
general assem-
bly, &c.

BE it enacted, *by the General Assembly of Maryland*, That no member of congress, or person holding an office of trust or profit under the United States, shall be capable of having a seat in the general assembly, or being an elector of the senate, or holding any office of trust or profit under this state; and if any member of the general assembly, elector of the senate, or person holding an office of trust or profit under this state, shall take his seat in congress, or accept of an office of trust or profit under the United States, or being elected to congress, or appointed to an office of trust or profit under the United States, not make his resignation of his seat in congress, or of his office, as the case may be, within thirty days after notice of his election or appointment to office as aforesaid, his seat in the legislature of this state, or as elector of the senate, or of his office held under this state as aforesaid, shall be void: Provided, that no person who is now, or may be at the time when this act becomes part of the constitution, a member both of congress and of the legislature of this state, or who now holds, or may hold at the time when this act becomes part of the constitution, an office as aforesaid, both under this state and the United States, shall be affected by this act, if, within fifteen days after the same shall become part of the constitution, he shall resign his seat in congress, or his office held under the United States. And if this act shall be confirmed by the general assembly after the next election of delegates, in the first session after such new election, according to the constitution and form of government, that in such case this alteration and amendment of the constitution and form of government shall constitute and be valid as part thereof, and every thing therein contained repugnant to or inconsistent with this alteration and amendment shall be repealed and abolished.

C H A P. LXXXI.

Passed De-
cember 29.

Preamble.

An ACT for erecting a bridge over Patowmack river.

WHEREAS it is represented to this general assembly, by Samuel Blodget, Robert Peter, William Deakins, junior, James M. Lingan and Uriah Forrest, that they, together with others, are desirous of forming a company for the purpose of erecting a bridge over the river Patowmack at or near George-town: And whereas this general assembly approve the measure, which, if effected, will tend to facilitate the communication, and contribute to the convenience, of the citizens of the United States,

Books to be
opened, &c.

II. **Be it enacted**, *by the General Assembly of Maryland*, That it shall and may be lawful for the said Samuel Blodget, Robert Peter, William Deakins, junior,
James