

CHAP. 198. ated, than she had in the real property of the said Robert T. Spence before the passage of this act; but that the said stock or fund shall go in such manner, and to such persons, and for the same uses, as the property so sold would have gone or been used, had the same not have been sold or leased; *Provided*, nothing in this act contained shall be construed to deprive the said Mary C. Spence of any power of appointment which she may have by virtue of any deed, will, or instrument of writing, executed by her late husband, or in any other manner whatever

Proviso

Authorized to convey ground for use of a church

3. *And* whereas the said Robert T. Spence agreed, in his lifetime, to convey one acre of ground to certain persons for the use and benefit of a church to be thereon erected, which said church was erected, but no deed was executed by said Spence of the said ground; therefore, *Be it further enacted*, That the said Mary C. Spence be, and she is hereby empowered and authorized, to convey the ground aforesaid in pursuance of such contract or agreement.

CHAP. CXCIX.

Passed Mar 10 1827

An Act relating to the Courts of Equity in this State.

Proceedings in case of absence of defendants, &c.

*Be it enacted by the General Assembly of Maryland*, That in all cases where a bill of interpleader shall hereafter be filed in the high court of chancery, or in any of the county courts sitting as a court of chancery, and it shall appear by the bill, or other proceedings, that one or more of the defendants in the bill named are absent out of this state, that then it shall be the duty of the chancellor, or the county court, as the case may be, on receiving the answer or answers of the defendant or defendants who are in the state, to order that notice be given by publication, in the usual manner, to the absent defendant or defendants, of the object and substance of the bill, and of the answer or answers of the defendant or defendants in the state, and appoint some day, not less than six months from the time of the publication of said order, for said absent defendant or defendants to appear and answer said bill; and if said absent defendant or defendants shall not answer said bill, on oath, on or before the day limited for him, her or them, to appear and answer the same, that then and in such case the answer or answers filed by the defendant or defendants in the state, shall be taken and deemed to be the answer or answers of such absent defendant or defendants; and that the chancellor or judges of the county court, as the case may be, shall proceed to decree in said cause in the same manner as if said absent defendant or defendants had appeared and answered said bill on or before the day limited for the same in manner aforesaid, and that said decree shall be as valid, and have the same effect, as if said absent defendant or defendants had answered to said bill within the time limited by said order.

CHAP. CC.

Passed Mar 10 1827 An Act regulating Writs of Error, and granting Appeals to the Court of Appeals.

No execution on any judgment, &c. to be stayed unless bond is given

1. *Be it enacted by the General Assembly of Maryland*, That no execution upon any judgment or decree in any county