

Repeal. SECTION 1. *Be it enacted by the General Assembly of Maryland,* That section forty-six of Article sixteen of the Code of Public General Laws of Maryland be and the same is hereby repealed and re-enacted, so as to read as follows :

Not necessary to obtain a judgment at law. 46. In no case of a proceeding in equity to vacate any conveyance or contract, or other act, as fraudulent against creditors, shall it be necessary for any creditor or plaintiff in the cause to have obtained a judgment at law on his demand, in order to the relief sought in the case, either in his own behalf or in the behalf of any other creditors who shall claim to participate in the benefit of the decree in the case ; but when the debt of such plaintiff shall not be admitted by the pleadings in the case, on the part of the defendant interested in contesting the same, the court shall, on application of any of the parties, send to any court of law an issue for determining the fact of such indebtedness, subject to the rules usually applied to issues out of chancery ; providing, this Act shall not apply to any case pending in court in this State.

Approved April 7, 1898.

CHAPTER 255.

AN ACT to repeal Section one hundred and thirty-two of Article seventy-five of the Code of Public General Laws of Maryland, title "Pleading, Practice and Process at Law," and to re-enact the same with amendments.

Repeal. SECTION 1. *Be it enacted by the General Assembly of Maryland,* That section one hundred and thirty-two of Article seventy-five of the Code of Public General Laws of Maryland, title "Pleading, Practice and Process at Law," be and the same is hereby repealed and re-enacted so as to read as follows :

Laws relative to persons being sued. 132. No person shall be sued out of the county in which he resides until the sheriff or coroner of the county in which he resides shall have returned a *non est* on a summons issued in such county ; provided, that nothing herein contained shall apply to any person who shall abscond from justice in the county where he lives, but such person may be sued in any county where he may be found ; and provided, further, that any person who resides in one county but carries on any regular business, or habitually engages in any avocation or employment in another county, may be sued in either county, whether before a justice of the peace or in a court of law or equity ; this section not to apply to ejectment, dower, replevin, *scire facias* on