

Passed January 19, 1805.

An ACT to authorise the sale of certain lots of land lying westward of Fort Cumberland.

Preamble.

WHEREAS certain of the aforesaid lots remain unapplied and undisposed of, and are yet the property of the state; and it being better that some order should be taken respecting them, so that they may be sold, and the money arising therefrom brought into the treasury; therefore,

Land may be taken up, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That all the land included in any lot or lots westward of Fort Cumberland, which was laid off into lots under the authority of this state, that have not been sold or otherwise disposed of by the state, be and the same is, after the first day of September next, hereby made liable to be taken up and secured as vacant land in said county may be taken up and secured.

Passed January 19, 1805.

An ACT to continue an act, entitled, An act to incorporate the Maryland insurance company, passed at November session, seventeen hundred and ninety-five.

Preamble.

WHEREAS it is represented to this general assembly, by the petition of the Maryland insurance company, that their charter of incorporation is about to expire, and they pray an extension of the same; and the said prayer appearing reasonable, therefore,

An act continued.

II. BE IT ENACTED, by the General Assembly of Maryland, That the act, entitled, An act to incorporate the Maryland insurance company, passed at November session, seventeen hundred and ninety-five, be and the same is hereby continued until the first day of February, eighteen hundred and twenty, and until the end of the next session of assembly that may happen thereafter.

Passed January 19, 1805.

A Further supplement to the act, entitled, An act to enlarge the powers of the high court of chancery.

Preamble.

WHEREAS the acts of assembly of this state giving power to the chancellor to decree in certain cases against persons residing out of the jurisdiction of the state of Maryland, do not extend the said power to cases where the party or parties against whom relief is or may be wanted have or shall remove out of this state to parts unknown, and it cannot be ascertained whether the said party be dead or living, or if dead, who are the legal representatives of such person or persons; therefore,

Chancellor may, in cases of nonresidents, take the bill *pro confesso*, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That in all cases where any person or persons are bound by any contract or agreement, and are not residents of this state, or to be found therein, and it cannot be ascertained whether the said party or parties be dead or living, and if dead, who are the legal representatives of such person or persons, or whether they have left any, if a bill is filed against such person or persons, to compel a specific performance of such contract or agreement, the chancellor may, without the appearance of the absent parties, at discretion, either take the bill *pro confesso*, or issue a commission for taking depositions, which commission may be executed *ex parte*, on the non appearance of the defendant or defendants in person, or by solicitor or agent, and on the taking *pro confesso*, or return of the commission, the chancellor may proceed to such decree as the justice and equity of the case may require; provided, that the complainant or petitioner shall give at least six months notice of his or her application, in such news-papers as the chancellor shall direct; and every such decree shall have the same operation, effect and consequences, as a decree in virtue of the act aforesaid against persons residing in the state of Maryland who had appeared, and such decree passed in the said court; provided always, that if any person or persons against whom any decree shall be made by virtue of this act, his or their heirs, devisees or representatives, or any person claiming under them, shall appear in the court of chancery at any time, not exceeding eighteen calendar months from the time of making such decree, and request a review of the same, the chancellor, upon a bill filed by such person or persons, shall proceed to an examination of the matters in dispute, and to a final decree according to the equity of the case, in the same manner as if the said person or persons, or those under whom they claim, had originally appeared before him; and provided also, that such defendant or defendants may, at any time before a decree shall have been passed, appear in court, and be admitted to defend the cause, on filing a good and sufficient answer, plea or demurrer, to the bill.