

**CHAP. 64.** subject of demurrer to the indictment, inquisition or presentment, as the case may be.

Misdemeanor not to be merged in the felony.

**SEC. 3.** *And be it enacted,* That all indictments for offences forbidden by any statute or statutes, or for offences, the punishment of which is contained in the same clause of any statute, with the prohibition of the offence, may conclude as for offences at common law, and where any offence, which is a misdemeanor at common law, may have been or shall be made a felony by statute, the misdemeanor shall not be merged in the felony, but the indictment may contain counts for the said felony, and also for the misdemeanor.

In force.

**SEC. 4.** *And be it enacted,* That this act shall take effect from its passage.

## CHAPTER 64.

Passed March 17, 1852.

**AN ACT** to authorise the Sale of certain Real Estate in Dorchester county, purchased heretofore by Benjamin Jenifer, and conveyed to his wife, Hester Ann Jenifer, for life, with remainder to the Children of the said Benjamin.

Preamble.

WHEREAS, It has been represented to the General Assembly that Benjamin Jenifer, of Dorchester county, formerly a slave, did, while he was a slave, purchase certain real estate in said county, and cause the same to be conveyed to Hester Ann Jenifer, his wife, for life, with remainder to the children of the said Benjamin; and whereas, it is represented that the said Benjamin Jenifer and Hester Ann, his wife, are desirous to emigrate to Liberia, but are prevented from doing so by the fact that they are unable to sell the said real estate and make a valid title thereto; Therefore,

Circuit judge to pass a decree for the sale of the real estate.

**SECTION 1.** *Be it enacted by the General Assembly of Maryland,* That the Circuit Judge of the eighth judicial circuit, be, and he is hereby authorised and empowered, on the application of the said Benjamin Jenifer and Hester Ann, his wife, by their bill, to be filed, making the proper parties, according to the course of proceedings in the Equity courts of this State; and on proof, to the satisfaction of the said judge, that the sale of the said real estate will be for the interest and advantage of the parties concerned, to pass a decree for the sale of the said real