

sum of five shillings for every cord so bought, and which the said person shall refuse or neglect to have corded as aforesaid, or shall refuse or omit to request one or other of the said corders to cord pursuant to this act; which said forfeiture, when recovered, shall be laid out and expended in the manner prescribed by the act above mentioned.

C H A P. XL.

C H A P. XLI.

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

Passed December 22.

WHEREAS the acts of assembly of this state giving power to the chancellor to decree in certain cases against persons residing in other of the United States, and against persons residing beyond seas, have omitted to 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 whereas it is attended with great difficulty and expence to give such notice as the said acts require to persons resident in some one of the United States, or in parts beyond sea; therefore,

Preamble.

II. Be it enacted, by the General Assembly of Maryland, That in all cases where any person or persons, his or their heirs, devisees or representatives, are bound by any contract or agreement, and are nonresidents of this state, if any bill is filed against such person or persons, his or their heirs, devisees or representatives, nonresidents as aforesaid, to compel a specific performance of such contract or agreement, the chancellor shall and may, without the appearance of or hearing of the defendant or defendants, proceed to such decree as the justice and equity of the case may require; provided, that the complainant or petitioner shall give such notice of his or her application, in news-papers or otherwise, 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 any of the United States, to which this act is a supplement.

In certain cases chancellor may decree, &c.

III. And be it further enacted, by the General Assembly of Maryland, That in case any deed hath been, or hereafter shall be, executed, to the validity of which deed recording is necessary, and such deed hath not been, or shall not be, recorded agreeably to law, without any fraudulent intention of the party claiming under the same, the chancellor, upon petition of the party to whom the said deed was executed, or of his, her or their legal representative, or of any of them claiming the land or other thing conveyed, or intended to be conveyed, by such deed, and without the appearance or hearing of the defendant or defendants, shall have power to decree the recording of the said deed, in the county or general court records, within such time from the date of the decree as it ought originally to have been recorded from the date of the deed; and that the deed, when so recorded, shall have the same effect and consequence as if recorded agreeably to the twelfth section of the act, entitled, An act for enlarging the powers of the high court of chancery; provided, that the petitioner or petitioners shall give such notice of his, her or their application, as the chancellor shall direct.

May order deeds to be recorded, &c.

IV. And be it enacted, That if any person, having contracted for the sale of any lands, tenements or hereditaments, and not having conveyed the same, hath died, or shall die, without leaving an heir known of and capable of inheriting his real estate, it shall be lawful for the chancellor, upon a bill filed by the person entitled to the conveyance, and such notice being given in the public newspapers, or otherwise, as the chancellor shall direct, to decree that the legal title and estate shall be vested in the person entitled to such conveyance, according to the terms of the contract, and thereupon, and by virtue of such decree, such legal title and estate shall be transferred and vested accordingly; and if the person filing his bill as aforesaid shall not have paid the whole purchase money, the chancellor may order that such purchase money shall be paid, or secured in such manner as he shall think most safe and proper, for the benefit of the legal representative of the person dying as aforesaid.

And, by decree, vest the legal title, &c.

V. Provided