DELEGATES, DECEMBER 9, 1793. the bill to declare and explain es therein mentioned, with the

Maryland Gazette, Baltimo Herald, for the confideration and explain the law in certain , was read the second time.

vote of reference, be to

That the faid bill be referred to bly? The yeas and nays being borough, appeared as follow: MATIVE.

SSIEURS J. Bond, Montgomery, McMechen. ington, Swearingen, Van Lear, Hughes, Johnson,

Simkins.

SSIEURS

orthington, Bowie. borough, Douglass, Lookerman, 100d, Driver, Oneale, R. Wootton. ond, Tomlinion. 27.

ved in the affirmative. ct from the minutes. Wm. HARWOOD, clk. Et to declare and explain the law

les therein mentioned. represented to this general ase statute of limitation, past in f the reign of James the first, having lately received a conwhat has been hitherto general. reas doubts are now entertaincitizens of this state, whether heirs, are comprehended withsaid statute, which was passed iting and prescribing the time tion for the recovery of lands, ents, should be brought: And ed policy dictate that all purand fanctioned by a long and re especially such purchases as ossession retained under what med to be the law of the land nd established: And whereas

re informed and verily believe, ention of this legislature many his state (whose ancestors have paid for divers tracts of land their posterity) will shortly be exations and ruinous law fuits ormant entails: For declaring fuch cases, and for the purpose

by the General Assembly of Maryry person or persons claiming or hereditaments, within this thereto as the iffue or iffues, or tenants in tail, or as a tewhether general or special, ole to be barred by the statute James the first, chapter the er statutes and acts for limitnich any entry shall be made ll be brought for the recovery , or hereditaments, uled and to every intent and purpole ample manner as any perion or interest, in and to any lands, its, in fee simple, or otherwie, le to be harred by any of the led always, that all the lavings said statute in favour of 10sons insane and beyond lea, served to all issues, heirs and nat description, in the lame e construction as they are reheirs in fee simple, and not er manner: Provided neverforce or effect, as to any

f this state. nty. December 20, 1793. given to all persons having VIELIAM MERRITT, 01 deceased, that they bring ip, court, their respective claims, of, on or before the first day der that such part of the real Merritt may be fold, by the inted truffee for that purpose, harge the faid claims. CROMWELL, Trufter.

may now be actually pend-

RICK and SAMUEL

seven bundred and ninety-four.

ninety-five.

the several collectors of the respective counties within it shall be lawful for the said agent, and he is hereby this act, one and a half per cent. this state, appointed since the first day of January, se- authorised, under the direction of the governor and And be it enacted, That the said agent, before he said treasurers accordingly.

bonds to the state, with sufficient security, and give ment of the interest, and equal annual payments of bond. terest, and equal annual payments of the principal.

to superintend the collection of all monies due to the state for duties, fines, penalties, forfeitures and amerciaments, and forfeited recognizances, and for ordinary, retailers and marriage licences, and to require payment, and (if necessary) sue for and recover the same; and the faid agent may allow for insolvencies, and take the advice of the attorney general.

And be it enasted, That wherever there shall be occasion to expose to sale the property of any collector, or his securities, by virtue of any execution already issued, or to be directed for this purpose, the agent shall cause public notice to be given of such sale, and shall attend the same, and if it shall appear that there is danger of losing any part of the debt due to the state, and not otherwise, shall purchase any property so exposed to sale for the use of the state, in payment, or part payment, as the case may be, of the arrearages due by the collectors whose property may be so purchased; and any property so purchased for the use of the state, the said agent may again expose to public auction on the most advantageous terms for the use of the state, and if the same be sold on credit, the said agent shall take bond, with good and sufficient security, to be approved of by the treasurer of the western shore, from the purchasers of such property; and all bonds by him to taken thall be depolited, with an accurate list thereof subscribed by him, into the treafury of the western shore, and shall be a lien upon the real property of fuch purchasers and their securities from the respective dates, or so much thereof as is mentioned in the schedule thereto annexed.

And be it enacted, That the faid agent shall have power to dispose of all confiscated British property that remains unfold, except the property of admitted lenings, of the city of London, and of Thomas Digges, formerly of Maryland, but now residing in Europe, and take bonds to the state, with sufficient security, and give time for payment, not exceeding three years from the first day of December, seventeen hundred and ninety three, always requiring annual payment of the interest, and equal annual payments of the prin-

and, whereas there are still some balances due to this state upon fales of confiscated property unbonded for, and it appears to this general assembly that in some cales the purchasers are unable to make payment, and the property is becoming daily of less walue, Be it enacted, That the faid agent, with the approbation of the governor and council, be authorifed to release any of the laid purchasers who are unable to pay from their purchales, and take back the property for the use of the state; and the said agent, with the approbation of the governor and council, may make composition with the laid purchasers for the use of the said property, and take bonds for the same to the state, with sufficient fecurity, and give time for payment, not excceding three years from the first day of December, leventeen hundred and ninety-three, always requiring eredit and terms, provided, that in no case that the fair and full account of his feveral proceedings under

appoint an agent for the year one thousand state refund any part of the principal or interest paid the authority of this act, to the general assembly at

by fuch purchasers.

this act.

dition of his bond, and fundry resolves of the ge- oath aforesaid. neral assembly, the faid agent shall cause process to credit any money that the party is not chargeable with the for the whole principal and interest then due, or by law; and for his information of the law he may. Mall proceed on any execution already issued and served and suspended as aforesaid, as occasion may re-

And be it enasted, That the faid agent be authorised to superintend the collection of all balances due on bonds taken for taxes due before the first of January seventeen hundred and eighty-three; and the said agent shall also superintend the collection of all balances due on bonds installed, or otherwise, for the emillions of paper money of seventeen hundred and fixty-nine and seventeen hundred and seventy-three.

And be it enacted, That no process shall issue against any of the public debtors, unless by the direction of the faid agent.

And be it enacted, That the faid agent shall have power to fix such days for the sale of property, taken by fieri facias at the suit of the state, as he may think proper, always taking care to give at least twenty days notice thereof; and the faid agent shall also have power to suspend the sales, from time to time, as he may think most to the advantage of the state.

And be it enacted, That the faid agent shall pay into the treasury, in specie, the amount of all specie by him received in the discharge of the duties of this act.

and be it enacted, That in all cases where bonds shall be taken in virtue of this act, the bonds shall be

furer of the western shore. general court of the western shore at the expence of muary, 1793, would have been a sufficient caution to respectively, transmit to the clerk of the general court had, by the 10th day of February next, I shall be of the eastern shore, in the same manner that papers under the disagreeable necessity of not only comon public service are transmitted, a copy of such bonds mencing fuits, or issuing execution, as the case may and schedules, certified as aforesaid by the clerk of the require, but of proceeding against them, as the law general court of the western shore, to be recorded in prescribes, for neglect of duty. The several sheriffs. out the faid agent shall dispose of in the same man- a copy of the faid tecord, certified as aforesaid by the soil day of February next, for such balances as rehe is before authorised to dispose of conficated the said clerk of the general court of the eastern shore, main then unpaid. property unfold, and to take bonds in the lame shall be good evidence as aforesaid. RANDOLPH B. LATIMER, Agent

er for the purchase money, and on the same - And be it enabled, That the said agent shall render a - for the State of Maryland.

their next session, and shall be allowed for his services E IT ENACTED, by the general of- And be it enacted, That the governor and council be the following commissions, to wit: For all payments sembly of Maryland, That Randolph authorised, if they shall think it necessary, to require made to either of the treasurers on bonds for conficated Brandt Latimer be agent of this state, new bond and security from any debtor who has not property, one per cent. for all bonds with security. to execute the trust and power re- installed, and to limit a time within which such new taken by the laid agent on resales of conficated propoled in him by virtue of this act, bond and security shall be given, and if the same be perty in virtue of this act, two and a half per cent. from the first day of January, one not given within the time so limitted, they shall direct for all monies collected on open account, not incluthousand seven hundred and ninety-four, until the the said agent to cause process to issue on the bonds of ding fines, forfeitures and amerciaments, ordinary, refirst day of January, one thousand seven hundred and such debtors, and their securities, or to proceed on trilers, marriage, hawkers and pedlars licences, which any execution already issued and served and suspended, have become due since the first day of January, seven-And be it enacted, That the said agent superintend as the case may require, for the whole principal and teen hundred and ninety-one, six per cent. and for all the collection of all arrearages and balances due from interest due from such debtors; and in all such cases, other monies or bonds, paid in or taken in virtue of

venteen hundred and eighty-three; and the said agent council, if they shall think it to the advantage of the enters upon the execution of the duties of this act. is hereby authorised and required to call upon the state, to take back the said property and dispose of the shall give bond to the state, before the governor and treasurers of the respective shores for an accurate state- same on a credit of three years from the first day of the council, in the penalty of twenty thousand pounds. ment of all arrearages and balances due from such December, seventeen hundred and ninety-three, al- current money, with such security as the governor collectors; and such account shall be surnished by the ways requiring annual payment of interest, and and council shall approve, for the faithful performance equal annual payments of the principal; and in all of the said duties, which bond shall be lodged with And be it enacted, That the said agent be authorised such cases where judgments may have been obtained, the treasurer of the western shore, and shall also take to superintend the collection of all balances due to the and where execution may have issue, it an oath before the chancellor, that he will well and state on the auditor's books; and the said agent shall and may be lawful for the said agent, and he is saithfully discharge the duties of agent, under the act. have power to require payment of, and if necessary to hereby required to dispose of all the property of the entitled, " An act to appoint an agent for the year sue for and recover the same; and the said agent, with debtors thus circumstanced, on a like credit of three one thousand seven hundred and ninety-sour," to the the approbation of the governor and council, may years from the first day of December, seventeen hun- best of his skill and judgment; the certificate of which make composition with any such debtors, and take dred and ninety-three, always requiring annual pay- oath shall be annexed to, or endorsed on, the said

time for payment, not exceeding three years from the the principal. And the faid agent shall not first day of December, seventeen hundred and ninety- the legislature at their next meeting, a list of all per- accept his appointment, or if after acceptance he shall three, always requiring annual payment of the in- sons from whom property shall be taken back by vir- not give bond and take the oath aforesaid before the tue of this act, together with the amount of the first day of February next, or shall die, the governor And be it enacted, That the said agent be authorised former sales, and also of the sales made in virtue of and the council are hereby authorised and requested to appoint a fit and proper person in his place, who And be it enacted, That if any bond debtor to the shall have and execute all the authorities and powers state, for confiscated property purchased, or otherwise, vested in the said Randolph Brandt Latimer by this shall neglect to make payment, agreeably to the con- act, such person first giving security and taking the

In COUNCIL, January 6, 1794. ORDERED, That the act to appoint an agent for the year one thousand seven hundred and ninety-four, be inserted in Mr. Green's, Mr. Angel's and Mr. Cowan's papers, fix weeks.

ORDERED, That all debtors to this state for the purchase of confiscated British property, and others who might have installed their debts under the act of assembly passed November session, 1790, entitled. An act respecting the creditors and debtors of this state. and who neglected to comply with the terms of the said act, be and they are hereby required to instal all such debts on or before the first day of May next.

ORDERED, That the agent be and he is hereby required, immediately after the said first day of May next, to cause process to issue on the bonds of such debtors as shall neglect to instal within the time above limitted, and their fecurities, or to proceed on any execution already issued and served and suspended, or otherwise, as the case may require, for the recovery of the whole principal and interest due from such

JOHN KILTY, elk.

NOTICE.

THE debtors to the state of Maryland who have a lien on all the real property of the obligors from the not availed themselves of the benefit of the different date thereof, or on so much of the said real property as instalment laws, will be pleased to pay particular atthe governor and the council shall think sufficient, to be tention to the above notice given by the executive; particularly mentioned in a schedule to be annexed to by installing their debts they not only have a credit of the said bond, in which case it shall be a lien on the three years from the first day of December last, paying property contained in such schedule, and no more, one third annually, but also a considerable advantage such bond and schedule to be lodged with the trea- in the purchase of paper, which will answer their purpose for payment equal with specie.

And be it enacted, That all bonds taken in virtue of Those debtors who have installed their debts, and this act shall express the county in which the obligors whose instalments became due on the first of Septemrespectively reside, and the treasurer of the western ber and December last, are respectfully informed that shore shall, within one month after he receives them, process will issue against every delinquent immediately respectively cause them, with the schedules annexed to after the 10th day of February next. It was hoped them, to be recorded in the office of the clerk of the that the notice given by the agent on the 8th of lathe obligors; and a copy of the faid record, certified the feveral county clerks to induce them to make their under the hand and official seal of the said clerk, shall payments for licences on the first of November anbe as good evidence in any court of law or equity in mually, and their returns of fines, forfeitures, &c. &c. this state as the original bond would be if it was pro- put into the hands of the several sheriffs for collection; duced; and if any of the obligors in any fuch bonds there is no excuse for delay of payment by the clerks. reside on the eastern shore, the said treasurer shall, because the money is received by them in court, and within fix months from the time he receives the same unless complete returns are made, and full payments an annual payment of the interest, and equal annual the office of the carriers who are in arrears, are also informed that proceedings Payments of the principal; and any property taken shore, at the expense of the obligors, and in such case will be had against them immediately after the said?

Annapolis, January 6, 1794.