

1777.

L A W S of M A R Y L A N D.

C H A P.
XV.

entitle himself to execution, shall move the court in which such judgment hath been or shall be obtained, for leave to issue such execution, and the court so moved, shall and may, in their discretion, upon consideration of particular distress to the family of the defendant, consequent on such execution, stay the same for a time not more than six months.

Proviso, in
respect to per-
sons enlisted,
&c.

IV. And, provided also, That this act, nor any thing therein contained, shall be taken or construed to contravene, or in any manner repeal, that part of the act to promote the recruiting service, which relates to debtors or tenants who have enlisted or shall enlist in any of the battalions or artillery companies of this state.

Rents may be
distrained for,
&c.

V. And be it further enacted, That it shall and may be lawful, after the said first day of July, for any person or persons to distrain for rent to him, her or them due, and for any magistrate to issue his warrant or warrants, in the same manner as might or could have been done if the said resolves, or either of them, had never been made.

Actions, &c.
depending on
26 July,
1775, may
be heard, &c.

VI. And be it further enacted, *by the authority aforesaid*, That all civil actions, pleas, process and proceedings, which were depending in any of the courts of law or equity in this state, on the twenty-sixth day of July seventeen hundred and seventy-five, and which have not already been heard or determined, shall be reinstated, put and considered, at the session of the respective courts in which such actions were then depending, in the same state and condition as they were in on the said twenty-sixth day of July, 1775; and that it shall and may be lawful for the chancellor, judges or justices, appointed by the general assembly, or the authority of this state, to hear, try and determine, at their respective courts which shall be held next after the said first day of July, all actions, suits, pleas, process and proceedings, (not already heard and determined) which were depending in such courts respectively in this state, on the said 26th day of July, 1775, (or which have been since commenced and not yet determined) and proceed to final judgment or decree thereon, or the said chancellor, judges or justices, may, in their discretion, continue the said actions, suits, pleas, process and proceedings, to any other court, until they can or may be tried, heard and determined, with justice and convenience to the parties.

From July
26, 1775, to
July 1, 1777,
not to be con-
sidered as
part of the
time limited
for bringing
of suits, &c.

VII. And be it further enacted, *by the authority aforesaid*, That all that space of time from the said 26th day of July, 1775, to the said first day of July, 1777, shall not be reckoned, estimated or considered, as part of the time limited by law for bringing or prosecuting any action or suit which was restricted or prohibited from being brought by any of the said resolves, or shall any part of the time from the said 26th of July, 1775, to the last day of August next, be taken or estimated in the year and day limited by law for issuing executions on judgments; and that if the act of limitations hath or shall be pleaded in any of the cases aforesaid, it shall and may be lawful for the plaintiff or plaintiffs to give the special matter and this act in evidence on a general replication.

Warrants,
&c. issued
under the for-
mer govern-
ment, to be
in force un-
der the pre-
sent, &c.

VIII. And, that justice may not be delayed, or individuals suffer by a change of government, Be it enacted, That all writs, warrants or other process, issued out of the several offices of this state, or by any magistrate, during the continuance of the former government, and all land warrants granted and issuing out of the land-office before the appointment and qualification of the registers of the land-office under the present government, shall continue and be in force for the same time, and shall be executed by the proper officers appointed under the present government, in the same manner as if the former government had continued, and all officers who shall have in their possession any such writs, warrants, or other process, or any such land warrants, or any records, books or papers, are hereby directed and required to deliver them to the proper officers, immediately after their qualification to act under the present government, or as soon as they shall be thereunto required.

IX. And