

proceedings for the purpose of deciding the cause on its merits, as if the said heir had regularly appeared to a summons.—1797, c. 114, § 2.

44. In case a *subpœna* to a bill in chancery shall be regularly returned *non est* by the sheriff of any county within the state where the defendant shall be known, or generally supposed to reside, and the chancellor shall be satisfied, by the affidavit of some indifferent person or persons, of the said known or supposed residence and of the defendant's having avoided, or kept out of the way of the sheriff, or evaded the service of the *subpœna*, the chancellor, on motion, may direct publication to be given in some newspaper convenient to the known or supposed residence of the defendant, at least 3 weeks successively, of the filing of the bill, and of its substance and object, and of the same day by him fixed; not less than 4 months subsequent to the publication, for the defendant's appearance in court, either in person or by solicitor; and on the defendant's failing to appear, and on satisfactory proof of the notice published, the chancellor, on motion, may proceed in the same manner as is prescribed by law in the case of a bill filed against a non-resident, provided, that the said defendant have the same privilege, as is herein before given to an absent heir, to appear, either before or after a decree; and every part of the provision herein contained, respecting the proceedings on appearance of such heir, shall be construed to extend to such evading defendant.—*ibid.* § 3.

See *Appeals*, 18, 19.—*Appeals Court of*, 7.—*Attachment*, 18.—*Chancellor*.—*County courts*, 33, 34, 35.—*Depositions*, 9.—*Mortgages*, 2.

CHARITABLE MARINE SOCIETY OF BALTIMORE.

1. CERTAIN persons therein named, and others that now are or may hereafter become subscribers and contributors to the corporation herein erected, and may be admitted into the said corporation agreeable to the rules and by-laws of the same, and their successors, are hereby declared to be one community, corporation, and body politic, for ever, by the name of the Charitable Marine Society of Baltimore, and by the same name they and their successors shall have perpetual succession, and shall at all times hereafter be persons able and capable in law to purchase, take, have, and enjoy, to them and their successors, in fee or less estate or estates, any lands, tenements, rents, annuities, chattels, bank stock, registered debt, or other public securities within this state, by the gift, bargains, sale or devise, of any person or persons, bodies politic or corporate, capable to make the same, and the same at their pleasure to alien, sell, transfer or lease, in such manner as they may judge most conducive to the benevolent and charitable uses of said society; but the said corporation