

sitting either in the county where the stroke shall be given, or in the county where the death shall happen, and judgment shall be given, and execution had, in the same manner as if the stroke and death both happened on the same shore, or in the county where the said justices of oyer and terminer shall sit.—1789, c. 22, § 2.

2. If a mortal stroke shall be given on the said waters of the Chesapeake, and the party so stricken shall die thereof within a twelve-month and a day, or if a mortal stroke shall be given in any part of this state, and the party so stricken shall die thereof within a twelve-month and a day on the said waters of the Chesapeake, in such case the party giving such mortal stroke, and all aiders, abettors, comforters, and accessaries thereof and thereto, shall and may be indicted, arraigned and tried in the general court of either shore, or before justices of oyer and terminer, sitting in any county on either shore, and judgment shall thereon be given, and execution had, in the same manner as if the stroke and death had both happened on either shore.—*ibid.* § 3.

3. If a mortal stroke shall be given on the waters of any river or creek dividing any counties of this state, and the party so stricken shall, within a twelve-month and a day, die thereof, either on the waters of any such river or creek, or on land in this state, or if a mortal stroke shall be given on land in this state, and the party so stricken shall, within a twelve-month and a day die thereof on the waters of any river or creek dividing any counties of this state, in such cases the party giving such mortal stroke, and all aiders, abettors, comforters, and accessaries thereof and thereto, shall and may be indicted, arraigned and tried, either in the general court of the shore where the stroke shall be given or of the shore where the death shall happen, or before justices of oyer and terminer sitting in either of the counties divided by the waters of the rivers or creeks as aforesaid, and judgment shall be given, and execution had, in the same manner as if the stroke and death had both happened on shore, and in the body of any county of this state.—*ibid.* § 4.

MORTGAGES.

1. **O**N the actual loan of money by any foreigner to any citizen of this state, on an interest or premium not exceeding 6 *per cent.* by the year, any mortgage made for the security of the principal lent, and the interest agreed to be paid therefor, acknowledged and recorded, as mortgages and deeds are to prevent frauds directed by law to be acknowledged and recorded, shall be good and valid, and shall stand and be a security, according to the purport and intent thereof, for a compliance on the part of the mortgagor, his heirs, executors and administrators, with the terms and conditions of such mortgages, and although there should be no covenant or express agreement in such mortgage for the payment of such principal money and interest, the mortgagor, his heirs, &c. shall be bound to