

rected by the act for regulating attachments, and limiting the extent of them; on attachments to be issued by virtue thereof: CHAP. VIII.

This section is repealed by June, 1773, ch. 3.

IV. PROVIDED ALWAYS, That when any creditor shall produce any bond, bill, protested bill of exchange, promissory note, or other obligation, writing or instrument, under the hand and seal, or hand, of such runaway or absconding person, such creditor shall make oath, or affirmation (if a Quaker,) that the whole debt, or part thereof, mentioning particularly what part, (if any payment hath been or shall be made of any part,) remains really and bona fide due and owing to such creditor or creditors; and that if the debt shall be due upon account, or book debt, that then the creditor shall prove such account, and how much thereof shall be due as aforesaid, which account and probat shall be lodged with the respective clerks before any attachment shall issue.

This section is repealed by June, 1773, ch. 13.

V. AND, whereas it has often happened that several persons have heretofore secretly made over unto their creditors, or pretended creditors, or given their own children or others, sundry goods and chattels, and yet kept the same in their own possession, whereby they have been believed to be the proprietors of such goods and chattels, and thereby procure to themselves credit for considerable sums of money, and quantities of tobacco, to the great prejudice of several inhabitants of this province and others, BE IT THEREFORE ENACTED, by the authority, advice and consent aforesaid, That from and after the end of this session, no goods or chattels, whereof the vendor, mortgagor or donor, shall remain in possession, shall pass, alter or change, or any property thereof be transferred to any purchaser, mortgagee or donee, unless the same be by writing, and acknowledged before one provincial justice, or one justice of the county where such seller, mortgagor or donor shall reside, and be within twenty days recorded in the records of the same county.

No goods, &c. shall pass, &c.

VI. PROVIDED ALWAYS, That nothing in this act shall extend, or be construed to extend, to make void any such sale, mortgage or gift, against such seller, mortgagor or donor, his executors, administrators or assigns only, or any claiming under him, her or them.

Proviso.

CHAP. IX.

An ACT to confirm a deed of bargain and sale from Stephen Yoakley to Thomas Colmore. Lib. L. No. 5. fol. 270. A Private Act.

Passed 8th of August, 1729.

CHAP. X.

An ACT for the assessment of so much tobacco on the inhabitants of All-Hallow's parish, in Anne-Arundel county, as will build them a new parish church. Lib. L. No. 5. fol. 271.

CHAP. XI.

An ACT for the further assessment of forty thousand pounds of tobacco on the inhabitants of St. Anne's parish, in Anne-Arundel county, towards enlarging and repairing the church in the city of Annapolis, and building a chapel of ease in the said parish, and for the payment of a fourth part of the charge by a public assessment on the whole province, for the enlargement and reparation of the said church. Lib. L. No. 5. fol. 272.

CHAP. XII.

An ACT for erecting a town on the north side of Patapsco, in Baltimore county, and for laying out in lots sixty acres of land in and about the place where one John Flemming now lives. Lib. L. No. 5. fol. 274.

N. B. By this act, 1. Certain commissioners were appointed, and empowered to purchase (by agreement, or valuation of a jury,) sixty acres of land, on the tract whereon John Flemming now lives, commonly known by the name of Cole's Harbour, and to lay out the same, in the most convenient manner, into sixty equal lots, to be erected into a town. 2. The land being laid out, surveyed, marked, staked out and divided into convenient streets, lanes, &c. and the lots marked, numbered, &c. the owner of the land to have the first choice for one lot; after which the remaining lots to be taken up by others; none to take up more than one lot during the first four months, nor any but inhabitants of the county within six months after laying out; after which, vacant lots may be taken up by any other persons; and the takers up of lots to pay the owner of the land the valuation of the 60 acres, proportionably to their lots, which shall give such purchasers, their heirs and assigns, an absolute estate, in fee-simple, in the said lots, they complying with the requisites in this act mentioned. 3. The surveyor to return a plot of the town to the county clerk, to be by him kept among the county records. 4. In case the taker up of any lot or lots neglect to build thereon within eighteen months a house that shall cover 400 square feet, then may any other person enter upon such lot or lots so not built upon, paying the commissioners, or person by them thereunto appointed, the sum first set and assessed upon such lot, for the public use and benefit of the town, provided such second taker up do build, and finish, within 18 months after such his entry made, such house as in this act is before limited and appointed to be built by the first taker up, which house so built shall give as good estate to such second taker up as is by this act settled upon the first taker up and builder. 5. If any lots remain untaken up during seven years from the publication of this act, then shall the owner of the land (after such time expired,) be possessed and interested in such lots as in his first and former estate. 6. The town to be called Baltimore-town. 7. The commissioners to employ a sufficient clerk,