

with confession or verdict, shall suffer the same pains and penalties as in case of corrupt and wilful perjury.

C H A P. XX.

This act was repealed by 1785, ch. 46, except the clause which repealed the act of 1715, ch. 29, provided that all debts and accounts before proved agreeably to this act, or which might be so proved on or before the first of November the next, viz. 1786, should be good and sufficient as if this law had not been repealed; and that all accounts for any sum not exceeding thirty pounds current money in one year, and proved agreeably to this act, might be given in evidence as before the passing this act; till January the first, 1789, and that after that time any account not exceeding ten pounds in any year, might be so proved and received, so that as to such accounts it is still in force.

C H A P. XXI.

An ACT for the preservation of the breed of wild deer. Lib. L. No. 5. fol. 301. Repealed 1730, ch. 17.

Passed 8th of August, 1729.

C H A P. XXII.

An ACT reviving and continuing an act, entitled, * An act to restrain the ill practices of attornies, and to prevent their taking money fees, and ascertaining what fees shall be allowed to the practitioners in the law, who shall attend the circuit courts, made at a session of assembly, begun and held at the city of Annapolis the 15th day of March, anno domini 1725. Lib. L. No. 5. fol. 302. Dissent.

* 1725, ch. 22.

C H A P. XXIII.

An ACT for the relief of Thomas Worley, Hezekiah Clarke and Benjamin Freeman, prisoners in Anne-Arundel county gaol. Lib. L. No. 5. fol. 303. A Private Act.

C H A P. XXIV.

An additional and supplementary act to the several acts for the administration of justice in testamentary affairs. Lib. L. No. 5. fol. 305.

An explanatory act 1735, ch. 17.

WHEREAS it is necessary, as well to explain several doubtful clauses in the acts heretofore made for the administration of justice in testamentary affairs, as to make additions to supply some defects therein;

Preamble.

II. BE IT THEREFORE ENACTED, by the right honourable the Lord Proprietary, by and with the advice and consent of his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same, That no negro, or other slave, shall be sold by any executor or administrator, or reserved for his or her own use, for the payment of any debt due or owing to any executor or administrator, nor shall any negro, or other slave, be taken in execution for any debt due from any testator or intestate, so long as there shall be other goods, which were of such testator or intestate, sufficient to satisfy such execution, the executor or administrator shewing such other goods, which the sheriff or other officer is hereby required to demand.

No slave to be sold, &c.

III. AND BE IT FURTHER ENACTED, by the authority, advice and consent aforesaid, That the justices of the several county courts shall, every court, as well by giving the same in charge to the grand juries, as by such other ways and means as the truth may be best discovered, inquire, "whether any executor or administrator hath received and not accounted for any debts due to the deceased, or neglected or omitted to receive or recover any debt or debts so due," and to call such executors or administrators before them; and if, upon examination and hearing of such executor or administrator in his or her own defence, it shall sufficiently appear that such executor or administrator hath received, and not accounted for, or neglected to receive or recover any such debt or debts, that the justices shall order their clerk to enter the particulars thereof on record, which shall be allowed and received in evidence in any suit to be commenced by the guardian, during the minority of the orphan, or by the orphan at full age, or by any creditor against the executor or administrator, or by the ward against the guardian.

Justices to inquire, &c.

IV. AND BE IT FURTHER ENACTED, That the commissary-general shall be obliged to send lists of the sperate and desperate debts to the county courts, in the same manner as balances are already directed to be transmitted, the better to enable the county justices to make the inquiries required by this act to be made.

Lists to be sent.

V. AND BE IT ENACTED, That the justices of assize shall give it in charge to the respective grand juries, to inquire "whether the justices of the county courts duly execute what is required of them by this and other acts relating to testamentary affairs, &c."

Duty of justices.