

1747.

MAY.

CHARLES LORD BALTIMORE.

C H A P. XXIII.

riffs, coroner or coroners, or other officer or officers, as the case shall or may require, are hereby empowered and directed to execute the same in common form, as such writs or executions usually have been, should or ought to be executed.

Bonds not to be affected, &c.

IV. AND, whereas the credit of the office of the commissioners or trustees aforesaid hath been and ought to be supported, IT IS HEREBY ENACTED, That no bond or bonds taken or to be taken in the said office by the commissioners or trustees aforesaid, in virtue or by directions of the recited act aforesaid, shall be affected by any act for limitation of actions within this province, but that such bond or bonds so taken or to be taken by the said commissioners or trustees, shall remain, and be good and effectual in law, during the continuance of the act, entitled, An act for emitting and making current ninety thousand pounds current money of Maryland in bills of credit, any law, statute, usage or custom to the contrary notwithstanding.

In section 3d there is a recital of the act of 1733, ch. 6, which act being expired, that and the 4th section have ceased to have any operation.

Fees to be charged on what is due.

V. AND BE IT ENACTED, That from and after the end of this session of assembly, it shall not be lawful for any sheriff or coroner to charge to, or take from, any person or persons within this province, any other or greater execution fee than such as shall arise on what shall be really due on such bond or bonds.

One fee only to be charged, &c.

VI. AND, for prevention of exorbitant fees being taken by attorneys practising in any courts of record within this province, and of clerks from multiplying suits in the county courts, BE IT LIKEWISE ENACTED AND DECLARED, That from and after the end of this session of assembly, it shall not be lawful for any attorney practising within this province to charge or take more than one fee for or upon any bond or bonds whatsoever, although there shall or may be one or more surety or sureties in such bond or bonds, for suing or bringing the same to judgment and execution, or for defence of the same action, rating such fee or fees from the real balance due and owing upon the sum mentioned in the condition of such bond or bonds.

One writ, &c. to be issued, &c.

VII. AND BE IT FURTHER ENACTED, by the authority aforesaid, That from and after the end of this session of assembly, it shall not be lawful for any county clerk within this province to issue or make out any more than one writ or declaration on such bond or bonds, wherein the principal and surety or sureties reside in one and the same county, but that in all such cases one action only shall be founded on such bond or bonds, which suit shall not abate during the life of any one of the defendants, and the clerks fees arising thereon shall be chargeable accordingly, and not otherwise.

Proviso.

VIII. PROVIDED ALWAYS, That in all actions hereafter to be commenced in the provincial court on such bond or bonds, where the principal and surety or sureties therein reside in different counties, in such case separate process shall and may issue thereon; but that where any two of the parties to such bond or bonds reside in one and the same county, one writ only shall issue to such county, including both defendants names therein, and all fees arising thereon shall be chargeable as one suit only, and not otherwise.

Proviso.

IX. PROVIDED ALWAYS, That nothing herein contained shall extend, or be construed to extend, to any action or suit where the plaintiff shall give directions to any attorney or attorneys to commence several actions, or where a titling or filings shall be sent to the said office or offices for the suing of several writs on one and the same bond.

C H A P. XXIV.

Passed 17th of July, 1747. 1742. 22.

An ACT repealing an act of assembly, entitled, An act to enable the rector, vestrymen and churchwardens for the time being, of St. Anne's parish, in Anne-Arundel county, to lease certain lots in the city of Annapolis, in manner and to the uses therein mentioned, and to enable the said rector, vestrymen and churchwardens, to lease certain lots of land within the said city of Annapolis. Lib.

BLC. fol. 425.

Preamble.

WHEREAS the rector, vestrymen and churchwardens of St. Anne's parish, in Anne-Arundel county, have, by their humble petition to this general assembly, set forth, that by an act of assembly,