

C H A P. XXXVI.

report the proceedings of the said convention, and any act agreed to therein, to the next session of the general assembly of this state.

C H A P. XXXVII.

Passed 26th of May, 1787.

An ACT to empower Sarah Buchanan, executrix of Archibald Buchanan, deceased, Alexander Cowan, Thomas Sim Lee, Daniel of Saint Thomas Jenifer and Benjamin Nicholson, to sell and dispose of certain lands for the purposes herein after mentioned. Lib. TBH. No. B. fol. 269.

Supplements November, 1792, ch. 50; 1797, ch. 86.

Preamble.

WHEREAS Sarah Buchanan hath, by her petition, represented to this general assembly, that her deceased husband Archibald Buchanan, died indebted in a considerable sum of money to the state of Maryland, payable in continental state and black state money, for the payment of which Alexander Cowan and John Taylor are jointly and severally bound to the state, as securities of the said Archibald Buchanan: And whereas judgments have been obtained in the general court of the western shore against a certain Nicholas Rogers and Eleanor his wife, the heir at law of the said Archibald, to bind and affect the real estate of the said Archibald, which said real estate has been seized and taken into possession by the sheriff of Baltimore county by virtue of writs of fieri facias, issued on the said judgments, returned to the general court of the western shore of the said state: And whereas Alexander Cowan, one of the said securities to the state of Maryland for the debts aforesaid of the said Archibald Buchanan, hath also solicited that some person should be authorized by the general assembly to sell and dispose of the real estate of the said Archibald Buchanan, or so much thereof as shall be sufficient, to pay and satisfy the said judgments of the state aforesaid, and this general assembly being willing to relieve, as far as the interest of the state will warrant, the said securities of the said Archibald Buchanan, have thought it reasonable to grant the prayer of the said petitions;

Persons authorized to sell, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That the said Sarah Buchanan, Alexander Cowan, Thomas Sim Lee, Daniel of Saint Thomas Jenifer and Benjamin Nicholson, or any three or more of them, be authorized to sell so much of the lands of the said Archibald Buchanan at public auction, after six weeks notice thereof in the Maryland Gazette and Baltimore Journal, for final settlement certificates, as will be sufficient, at the rate herein after expressed, to pay and satisfy the debts aforesaid of the said Archibald Buchanan, and all costs accruing on the said debts, and the expence and allowance of the commissioners attending the sale of the said lands, and after the sales aforesaid, to convey (a) the same to the purchaser or purchasers in fee, he or they having first complied with the terms of the sales aforesaid.

(a) By November, 1792, ch. 50, Thomas Sim Lee was empowered, when the purchase money was paid, to convey the said lands; and by 1797, ch. 86, which recited that he had declined so to do, the chancellor was empowered to convey the said lands.

And pay debts due the state, &c.

III. AND BE IT ENACTED, That the said Sarah Buchanan, Alexander Cowan, Thomas Sim Lee, Daniel of Saint Thomas Jenifer and Benjamin Nicholson, or any three or more of them, shall be allowed to pay and satisfy the said debts due to the state of Maryland from the aforesaid Archibald, in final settlement certificates, at the rate and in the manner that the balances of the purchase money on the sales of the Nottingham company's property for black state and continental state money may be paid in discharge of those contracts.

Proviso.

IV. PROVIDED ALWAYS, and it is hereby declared, That nothing in this act contained shall in any manner affect the right of dower, if any, of the said Sarah Buchanan, of, in and to, the several lands which may be sold in virtue of this act.

Persons appointed to enter into bond, &c.

V. AND BE IT ENACTED, That the said Sarah Buchanan, Alexander Cowan, Thomas Sim Lee, Daniel of Saint Thomas Jenifer and Benjamin Nicholson, or any three or more of them, before their entering on the execution of the powers given by this act, shall enter into bond, with such security, and in such penalty, as shall be approved by the chancellor, well and faithfully to execute the trusts reposed in them by this act, and to pay to the treasurer of the western shore the amount of the debts due from the said Archibald Buchanan to the state aforesaid, in final settlement certificates as aforesaid, if the said land shall sell for a sum sufficient for that purpose, after paying the expences attending the sale thereof, and if the said lands should not sell for a sum sufficient for that purpose, to pay