

C H A P. XLI.

heirs, devisees or representatives, nonresidents as aforesaid, to compel a specific performance of such contract or agreement, the chancellor shall and may, without the appearance of or hearing of the defendant or defendants, proceed to such decree as the justice and equity of the case may require; provided, that the complainant or petitioner shall give such notice of his or her application, in news-papers or otherwise, as the chancellor shall direct; and every such decree shall have the same operation, effect and consequences, as a decree in virtue of the act aforesaid against persons residing in any of the United States; to which this is a supplement.

May order deeds to be recorded, &c.

III. AND BE IT FURTHER ENACTED, by the General Assembly of Maryland, That in case any deed hath been, or hereafter shall be, executed, to the validity of which deed recording is necessary, and such deed hath not been, or shall not be, recorded agreeably to law, without any fraudulent intention of the party claiming under the same, the chancellor, upon petition of the party to whom the said deed was executed, or of his, her or their legal representative, or of any of them claiming the land or other thing conveyed, or intended to be conveyed, by such deed, and without the appearance or hearing of the defendant or defendants, shall have power to decree the recording of the said deed in the county or general court records, within such time from the date of the decree as it ought originally to have been recorded from the date of the deed; and that the deed, when so recorded, shall have the same effect and consequence as if recorded agreeably to the twelfth section of the act, entitled, An act for enlarging the powers of the high court of chancery; provided, that the petitioner or petitioners shall give such notice of his, her or their application, as the chancellor shall direct.

And, by decree, vest the legal title, &c.

IV. AND BE IT ENACTED, That if any person, having contracted for the sale of any lands, tenements or hereditaments, and not having conveyed the same, hath died, or shall die, without leaving an heir known of and capable of inheriting his real estate, it shall be lawful for the chancellor, upon a bill filed by the person entitled to the conveyance, and such notice being given in the public newspapers, or otherwise, as the chancellor shall direct, to decree that the legal title and estate shall be vested in the person entitled to such conveyance, according to the terms of the contract, and thereupon, and by virtue of such decree, such legal title and estate shall be transferred and vested accordingly; and if the person filing his bill as aforesaid shall not have paid the whole purchase money, the chancellor may order that such purchase money shall be paid, or secured in such manner as he shall think most safe and proper, for the benefit of the legal representative of the person dying as aforesaid.

Proviso.

V. PROVIDED ALWAYS, That if any person or persons against whom any decree shall be made by virtue of this act, his, her or their heirs, devisees or representatives, or any person claiming under them, shall appear in the court of chancery at any time not exceeding eighteen calendar months from the time of making such decree, and request a review of the same, the chancellor, upon a bill filed by such person or persons, shall proceed to an examination of the matters in dispute, and to a final decree according to the equity of the case, in the same manner as if the said person or persons, or those under whom they claim, had originally appeared before him.

C H A P. XLII.

Passed 22d of Dec. 1792.

A Supplement to the act, (a) entitled, An act to establish a market in Frederick-town, in Frederick county, and for the regulation of the said market. Lib. JG. No. 1. fol. 613.

(a) November, 1770, ch. 4.

Preamble.

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants of Frederick county, that the market law to which this is a supplement is defective, inasmuch as it does not assign at what hour the said market should begin, and there are no powers under the said original law, investing the clerk of said market with authority to seize provisions wanting sufficient weight, and to guard against persons forestalling and engrossing provisions brought or bringing to said market during the market-hours: And whereas the prayer of the said petition is reasonable and just; therefore,

Market-hours, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That the market-hours for said market shall be from sunrise to nine o'clock in the morning; and it shall be the duty of the clerk of said market, at the opening of the said market, to give notice thereof, by ringing a bell or giving some other signal; and if any person or persons shall sell or purchase any provisions before the market-hours