

XIX. AND BE IT ENACTED, That the said agent, with the approbation of the governor and council, the auditor-general and treasurer of the western shore, given in writing, be and he is hereby authorized, with such surplus money in the treasury as can prudently be spared under a view of the existing and probable demands upon the public funds, to purchase, for the benefit of the state, on the best possible terms, not exceeding twenty shillings in the pound, stock of the United States bearing an immediate interest of six per cent. to be transferred to the state's trustee; and the said agent shall, immediately after such purchases, cause the said stock to be transferred to the trustee of the state, and shall report to the general assembly, at their next session, a precise and accurate statement of the money so expended, of the stock therewith bought, and the times when, the persons from whom, and the prices at which, the purchases were made; and the treasurer of the western shore shall, in his annual report, specify the sums of money drawn out of the treasury for the purposes aforesaid, and the amount of stock therewith purchased and transferred to the trustee; and the said agent shall be entitled to receive, as a compensation for his services, a commission of one per cent. on all money by him paid in the purchase of stock as aforesaid, and no more.

C H A P.  
LXXXVII:  
Agent to purchase stock, &c.

XX. AND BE IT ENACTED, That the said agent, before he enters upon the execution of the duties of this act, shall give bond to the state, before the governor and the council, in the penalty of twenty thousand pounds current money, with such security as the governor and council shall approve, for the faithful performance of the said duties, which bond shall be lodged with the treasurer of the western shore; and shall also take an oath, before the chancellor, that he will well and faithfully discharge the duties of agent, under the act, entitled, An act to appoint an agent for the year one thousand seven hundred and ninety-six, to the best of his skill and judgment; the certificate of which oath shall be annexed to, or endorsed on, the said bond.

And give bond, &c.

XXI. AND BE IT ENACTED, That if the said agent shall not accept his appointment, or if, after acceptance, he shall not give bond and take the oath aforesaid before the first day of February next, or shall die, the governor and the council are hereby authorized and requested to appoint a fit and proper person in his place, who shall have and execute all the authorities and powers vested in the said Randolph Brandt Latimer by this act, such person first giving security and taking the oath aforesaid.

How a vacancy is to be filled.

C H A P. LXXXVIII.

An ACT relative to the proceedings in the court of chancery and in the land-office. Lib. JG. No. 2. fol: 399.

Passed 24th of Dec. 1795.

A Supplement 1796, ch. 6.

BE IT ENACTED, by the General Assembly of Maryland, That in any case whatever, where a bill shall be filed in the court of chancery against any person or persons not residing within the state, the chancellor may direct such notice of the said bill, and of the object thereof, by advertisement in news-papers, or otherwise, as to him shall seem proper, warning the defendant or defendants to appear in the said court in person, or by a solicitor, on or before some day to be fixed, not less than four months distant from the time of the first advertisement, or other notice, to shew cause why a decree should not be passed as prayed by the bill; and in case the defendant or defendants shall not so appear within the time limited, either the bill, at the discretion of the chancellor, may be taken *pro confesso*, and he shall proceed to decree in the same manner as if the defendant or defendants had admitted, by answer, the facts stated in the bill, or a commission shall, on application of the complainant or complainants, be issued for taking depositions on his or their part, and on return of the said commission, the chancellor may proceed to decree according to the facts proved, and the established principles and practice in equity; provided nevertheless, that if the said defendant or defendants shall appear to the bill in person, or by a solicitor, at any time before a decree shall be passed, there shall in all respects be the same proceedings before a decree, as if the defendant or defendants had appeared regularly on the return of a subpoena; and provided also, that if any person, against whom a decree shall be made, in virtue of this act, his or her heir or heirs, devisee or representative, shall appear in the chancery court at any time within eighteen calendar months from the date of the decree; and require a review of the same, the chancellor, upon a bill filed by such person, his heir or heirs, devisee or representative, shall proceed to an examination of the matters in dispute, and to a final decree, in the same manner as if the said person had originally appeared before him,

In certain cases chancellor may direct notice, &c.