

C H A P.  
LVIII. LIX.

hour, or conceal, any deserter, knowing him to be such, and shall be thereof convicted before either of the judges of the general court, or any two justices of the peace, such person, so thereof convicted (unless he shall be the father of such deserter) if above sixteen and under forty-five years of age, and able bodied and fit for the service, shall, upon such conviction, be considered as an enlisted regular soldier for the term of three years, and may be taken as such by any officer of the Maryland line; and if any free male person, convicted as aforesaid, shall be the father of such deserter, or of or above forty-five years of age, or unfit for the service, he shall furnish an able bodied recruit for the war, and deliver him to the lieutenant of his county within ten days after conviction, and in case of neglect shall be liable to pay the sum of twenty-two pounds ten shillings current money to the lieutenant of his county, who shall issue his warrant to the sheriff to levy the same in the manner herein before directed; and if any female, the mistress of any family, shall entertain, harbour, or conceal, any deserter, knowing him to be such, and shall be thereof convicted as aforesaid, she shall furnish and deliver an able bodied recruit as aforesaid, or be liable to the payment of the same penalty as aforesaid, to be levied as aforesaid; and if any person liable to such penalty for not procuring a recruit as aforesaid, shall be unable to pay the same, the lieutenant of the county may commit such person, for any time not exceeding six months, to the workhouse or the gaol of his county, there to be kept to hard labour.

Suits to be  
brought with-  
in 6 months,  
&c.

XII. And be it enacted, That if any suit or action shall be brought or prosecuted against any person or persons, for any thing done in pursuance of this act, the action or suit shall be commenced within six months after the fact committed, and not afterwards; and the defendant or defendants, in any such action or suit, may plead the general issue, and give this act and the special matter in evidence, and that the same was done in pursuance and by authority of this act; and if it shall appear so to be done, or if any such action or suit shall be brought after the time limited for bringing the same, then the jury shall find for the defendant or defendants; or if the plaintiff or plaintiffs shall become nonsuit, or suffer a discontinuance of his, her, or their action, or if a verdict shall pass against the plaintiff or plaintiffs, or upon demurrer judgment shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have such remedy for the same, as any defendant or defendants hath or have for costs of suit in other cases at law.

C H A P. LIX.

An ACT for the sale of certain confiscated British property.

Preamble.

W H E R E A S this general assembly are anxiously solicitous to raise some specie, in aid of the taxes, to enable congress to pay the officers and soldiers of the southern army:

Certain pro-  
perty to be  
sold, &c.

II. Be it enacted, by the General Assembly of Maryland, That the commissioners appointed to preserve confiscated British property, be authorised and required (under the direction of the intendant) immediately to offer the following property for sale, by publishing the same in the Maryland gazette and Baltimore journal for four successive weeks,