

1794.

## L A W S of M A R Y L A N D.

C H A P. LIX. the treasurer of the western shore, six hundred pounds; the treasurer of the eastern shore, one hundred and fifty pounds; the auditor, two hundred pounds; the clerk of the council, two hundred and fifty pounds; the clerk of the senate, fifty pounds; the clerk of the house of delegates, one hundred pounds; the printer to the state, four hundred and fifty pounds; the messenger to the council, fifty pounds.

Monies to be first applied, &c.

III. And be it enacted, That all monies which shall remain in the treasury, after discharging the journal of accounts, and all monies heretofore appropriated to the use of congress, which shall hereafter be received, and all unappropriated money which may come into the treasury, be first applied to the payment of the civil list for the ensuing year.

C H A P. LX.

Passed December 26.

A Further supplement to an act, entitled, An act for enlarging the power of the high court of chancery.

Preamble.

**W**HEREAS it frequently occurs, that persons residing out of this state, and beyond the reach of any of the process of the courts thereof, have lands, tenements or hereditaments, within this state, which they hold or claim by devise or descent, and the person or persons from whom they derive their title to the same have contracted debts within this state, or with some of the citizens thereof, for the payment of which the said real estate is or ought to be chargeable, and there is no remedy for the recovery of the said debts, which justice requires; therefore,

In cases where nonresidents are seized of lands, &c. chancellor may decree, &c.

II. Be it enacted, by the General Assembly of Maryland, That in all cases where any person or persons, nonresidents of this state, now is or are, or shall hereafter be, seized or possessed, or have any right or title to any lands, tenements or hereditaments, within this state, by devise or descent, and the person or persons from whom such title is or shall be derived has contracted, or may contract, any debt or debts within this state, or with any of the citizens thereof, the chancellor of this state, upon the application of any such creditor or creditors, and such notice thereof being given as he shall direct, shall have full power and authority, if the claim of such creditor or creditors shall be established, and it shall appear to the chancellor to be just and proper, upon consideration of all circumstances, that such debt or debts should be paid by a sale of such real estate so devised or descending, to order and decree the whole, or any part thereof, to be sold for the payment of such creditor or creditors, in such manner, and upon such terms, as the chancellor, in his discretion, shall think proper; and the chancellor in all such cases shall have the same power and authority as he hath in other cases by the act to which this is a supplement.

Where persons die seized without heirs, &c. chancellor may order and decree, &c.

III. And, whereas many persons die possessed of, or claim, land within this state, and have only an equitable title to the same, without leaving any known heir or devisee who can inherit the said land, whereby the creditors of such persons, in default of other assets, are without remedy for the recovery of such debts, Be it enacted, by the General Assembly of Maryland, That in case any person seized or possessed of any lands, tenements or hereditaments, in this state, or having an equitable right, title or interest therein, hath died, or shall die, without leaving any known heir or devisee capable of inheriting or taking the same, and without leaving a sufficient personal estate for the payment of his or her debts contracted within this state, or with any of the citizens thereof, the chancellor shall have full power and authority, upon the application of any such creditor or creditors, and such notice thereof being given as he shall direct, if the claim of such creditor or creditors shall be established to his satisfaction, to order and decree the whole of such real estate to be sold for payment of such creditor or creditors, in such manner, and upon such terms, as the chancellor in his discretion shall think proper, and after payment and satisfaction of such creditor or creditors, and the costs of such suit, to order and decree the surplus arising from such sale to be paid into the treasury for the use of the state; and the chancellor in all such cases shall have the same power and authority as he hath in other cases by the act to which this is a supplement.

IV. And