

Dec. Ses. 1823

Property—
legal capacity.

Proviso.

2. *And be it enacted*, That the said William Harding shall, from the passage of this act, be, and he is hereby altogether deprived of all and every interest, authority, power, and control in, over and to the person of Elizabeth Harding, his wife, as fully as if she had never been married; and that the said Elizabeth Harding be, and she is hereby declared capable to have, hold, take, receive, sue for, and recover by compromise, suit or suits in law or equity, all species of property in as full and ample a manner as if she were a feme sole, and had never been married, and to hold, use and enjoy the same for her own use and benefit, and the same to dispose of according to her will and pleasure, without molestation, interference, hindrance or consent of her said husband, in the same manner she could or might have done were she a feme sole: *Provided*, nothing in this act contained shall be so construed as to invalidate any act or acts which the said William Harding may have lawfully done, respecting any property obtained by virtue of his marriage with the said Elizabeth Harding before the passage of this act.

CHAPTER 105.

Passed Feb 5, 1824.
Preamble.

An act to provide for the completion of certain records of the Orphans' court of Somerset county.

WHEREAS, it is represented to this General Assembly by the petition of the Orphans' court of Somerset county, that sundry wills, inventories, lists of sperate and desparate debts, accounts of sales, administration accounts, distributions of estates, orders for and distribution of negroes, and returns of sales of negroes, guardian's bonds, valuations of the real estates of orphans, accounts of guardians, releases or acquittances to executors, administrators and guardians, orders of reference and indentures of apprenticeship were left unrecorded by George Handy, late register of wills of Somerset county aforesaid, but which by law were required to be recorded by him—Therefore,

Record in 6 months.

Sec. 1. *Be it enacted by the General Assembly of Maryland*, That if the executor or executrix, administrator or administratrix, of the said George Handy shall not within six months from and after the passage of this act, record or cause to be recorded, in the manner prescribed by law, all of the aforesaid papers, that it shall and may be lawful for the Register of Wills of the county aforesaid to record the same, or such part thereof as it was the duty of the said George Handy to have recorded, and which shall remain un-recorded at the termination of six months from and after the passage of this act.

Compensation and proceedings.

2. *And be it enacted*, That upon the completion of the said records by the said Register, it shall be the duty of the Orphans' court of the county aforesaid to view and examine the said records, and to fix and ascertain the amount to which the said Register shall be entitled, for completing the said records, which shall be the amount that the said George Handy would have been entitled to claim for recording the said papers, had they been duly recorded during his life time, and to certify the same under their official seal; and thereupon the said Register shall be entitled to ask, demand, sue for, have and receive of and from the executor or executrix, administrator or administratrix, as the case may be, of the said George Handy the amount so certified to be due to him, and that if the personal estate of the said George Handy be insufficient to pay and discharge the said amount, then and in that case, the said Register shall be, and he is hereby authorised and empowered to institute a suit or suits in the name of the state against the security or securities of the said George Handy on the