

come entitled to the original cause of action, or judgment, as the case may be, as fully as the plaintiff or plaintiffs themselves was or were, and may issue any execution in his own name, or in the name of the original plaintiff or plaintiffs, upon such judgment, for his own use, or prosecute such action to judgment and execution for his own use, and shall be entitled to every other benefit and advantage from such judgment, or cause of action, and suit thereon depending, that the original plaintiff or plaintiffs might or could have had therefrom." Page 3; after the word "name" in the 9th line, insert "And be it enacted, That upon motion made to either of the said courts for an order upon the sheriff or coroner to make return of any writ of execution, or any original writ, as aforesaid, the said court shall and they are hereby directed to make such order of course, unless such sheriff or coroner shall upon oath, or otherwise, satisfy the said court that the said writ was not received by him, or to the best of his knowledge by any of his deputies." Page 3, 12th line, strike out the words "to issue." Page 4, at the end of the 6th line insert the words "is or." Page 4, at the end of the first clause in said page insert "and if any elisor shall refuse to execute such process, or shall die, or otherwise become incapable of executing the same, it shall and may be lawful, upon application of the plaintiff, his or her agent or attorney, for such judge or justice to certify the same to the clerk who issued the said writ, and to nominate and appoint some other elisor, to whom the said clerk is hereby authorized and required to direct the same writ, who shall thereupon have all the powers and authorities, and in all respects stand in the same situation, as if he had been originally named in, and the said writ had been originally directed to, him." Page 4, 8th line, strike out the word "is" and insert "was in his life-time." Same page, 12th line, after the word "devise" insert "from the person or persons so indebted." Page 4, strike out from the word "courts" in the 17th line to the word "bond" in the 21st line, and insert "at the session next succeeding the election of such sheriff, or at a special court to be called by the chief justice, or by either of the associate justices, for that particular purpose." Last line of the 4th page, strike out "A B, C D and E F." Page 5, 7th line, strike out "A B." Page 6, 3d line, strike out the words "on defaults and final amerancements." Fourth line of the same page, after the word "him" insert "as sheriff." Ninth line of the same page, strike out the words "within one month" and insert "immediately." In the 12th line of the 6th page, after the word "state" insert "and the clerk of the several county courts of this state are hereby required, after recording the same, to transmit an attested copy of said bond to the clerks of the general court of the respective shores of this state, to be lodged with them for safe custody." Page 6, strike out from the word "enacted" in the 13th line to the end of the section, and insert "that in every suit which shall or may hereafter be ordered or directed on any administration, testamentary, inspector's, collector's, or sheriff's bond, the clerk shall, and he is hereby directed, before the issuing of the writ, to endorse thereon the name or names of the party or parties at whose instance, and for whose use, the said suit was instituted; and in case the said action shall or may be struck off, discontinued or nonprossed, or in case there be a judgment on verdict in favour of the defendant, the party or parties, at whose instance the action was instituted, shall be answerable for the legal costs of suit, and may be proceeded against, by attachment against the person or property of such party or parties, for the recovery of the same, in the same manner as if he, she or they, had been entered by a rule of court the security for such costs of suit."

Which were read the first and second time by especial order and concurred with, and the said bill was read a second time and passed with the said amendments.

The resolutions relative to the statute laws of Great-Britain, was read the second time and dissented to.

The resolution respecting Robert Goldsborough, was read the second time and dissented to.

On motion Robert Smith, Esquire, brings in and delivers to the president the following resolution:

BY THE SENATE, DECEMBER 20, 1794.

Whereas by the third section of the declaration of rights it is declared, among other things, that the inhabitants of Maryland are entitled to the benefit of such of the English statutes as existed at the time of their first emigration, and which by experience have been found applicable to their local and other circumstances, and of such others as have been since made in England or Great-Britain, and have been introduced, used and practised, by the courts of law or equity: And whereas it is not generally known by the people of this state which of the English statutes, existing at the time of the first emigration of their ancestors, have, by experience, been found applicable to their local and other circumstances, nor is it generally known to the citizens of this state what statutes, made since such emigration, have been introduced, used and practised, by the courts of law or equity in this state: And whereas in a free government all legislative acts, which respect the lives, liberties and estates of the people, ought to be published, and a knowledge of them diffused generally through the state; RESOLVED, That the chancellor, the judges of the general court, and the attorney-general, be and they are hereby appointed and requested to take into their consideration the subject above recited, and make report to the general assembly of such of the English statutes as existed at the time of the first emigration of the people of Maryland, and which, before the fourth day of July, 1776, by experience, had been found applicable to their local and other circumstances, and of such others as had, since such emigration, been made in England or Great-Britain, and had been introduced, used or practised, by the courts of law or equity in this state, that order may be taken therein.

By order,

N. PINKNEY, clk.

Which was read the first and second time by especial order and assented to.

The senate adjourns until 4 o'clock.