

heirs, or where the heirs at law, or any of them, are aliens, or unknown, or non-residents of this state, doubts are entertained whether in such cases creditors can have remedy at law ;

In certain cases actions may be maintained, &c.

SEC. 2. *Be it enacted by the General Assembly of Maryland,* That in all and every case where any person hath died, or shall die, seized of lands, tenements or hereditaments, and shall have devised, or shall devise the same in any lawful manner whatsoever, not leaving any heir or heirs, or leaving any heir or heirs at law not being citizens or residents of this state, in all and every such case it shall and may be lawful for any creditor or creditors of every such devisor to have and maintain his, her or their action and actions against the devisee or devisees to whom such lands, tenements or hereditaments, may be devised, without joining the heir or heirs at law in any such action or actions ; and such creditor or creditors shall and may have remedy by virtue of this act against such devisee or devisees alone, and against the lands, tenements and hereditaments, so devised, in such like cases, and under such circumstances, as such creditor or creditors might or could have remedy under the said statute where the heir or heirs at law could or should be joined in such action or actions, according to the directions of the said statute.

CHAPTER 114.

AN ACT relative to proceedings in the Court of Chancery and Land Offices, and to the real estates of persons dying intestate.

Preamble.
* 1780, ch.
46.

WHEREAS the late act to direct descents* hath rendered it in many cases difficult, on account of the great number of heirs, to obtain such decree against heirs as might be obtained against the ancestor if alive,

On any bill filed, chancellor may pass an order, &c.

SEC. 2. *Be it enacted, by the General Assembly of Maryland,* That on any bill in the court of chancery filed, or to be filed, against the heirs of any person deceased, the chancellor, at his discretion, may, on the appearance of such person or persons as would have been sole heir or only heirs in case the said act had not been made, pass an order, to be published in some convenient newspaper at least three weeks successively, giving notice of the substance and object of the bill, and appointing a day, not less than four months subsequent to the publication, for each of the heirs to appear and shew cause wherefore a decree should not pass, as prayed ; and on proof to the chancellor's satisfaction of the due publication, the suit may be carried on between the complainant and the defendant appearing as aforesaid, and any other heirs or heir appearing in consequence of the notice, and there may be the same decree, and it shall have the same effect, as if the heirs of the person deceased had ap-