

taken, under and by virtue of the said duplicate, shall appear thereto, and have the like proceedings against them in the said county court, in the same manner as if they were residents of the county in which the said original writ hath issued or shall issue; and such sheriff shall also be liable to be amerced upon such duplicate in the same manner as upon all other original writs; *Provided*, that if there be any one or more of the heirs or devisees of any deceased person residing in the county in which the said person was resident at the time of his death, or in which his real estate, or some part thereof, was situated, then and in such case the *capias ad respondendum* shall issue forth out of the county court of the county in which the deceased died, or in which his real estate, or some part thereof, is situated.

SEC. 4. *And be it enacted*, That the defendant in any suit or action now depending, or which may hereafter be brought in any county court of this state, shall die pending such suit or action, and his executor or administrator shall reside in a different county than that in which suit or action may be depending, and it shall and may be necessary to make such executor or administrator a party to such suit or action, it shall and may be lawful for the clerk of the county court of the county in which such suit or action shall be depending, to issue a summons, directed to the sheriff of the county in which the executor or administrator of the deceased defendant may reside, returnable to the county court from which the same issued, and the sheriff of the county to whom any such summons shall be directed and delivered, shall serve the same, and make return thereof to the court from which it issued, and the same proceedings shall and may be thereon had as is provided by the first section of the act passed in seventeen hundred and eighty-five, chapter eighty.

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#### CHAPTER 178.

AN ACT to repeal so much of the Laws of this State as requires Property Qualification in Jurors.

*Be it enacted, by the General Assembly of Maryland*, That so much of the laws of this state as requires a property qualification of fifty acres of land in his county, or property in this state above the value of three hundred pounds current money, in persons summoned as jurors, be and the same is hereby repealed.

See February, 1777, ch. 15, sec. 10.

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#### CHAPTER 181.

A further additional SUPPLEMENT to the ACT,\* entitled, an Act to direct Descents.

Repealed by 1820, ch. 83.

Proviso.

Death of defendants while actions are pending.

Laws requiring property qualifications in jurors repealed.

\* 1786, ch. 45.