

Upon the whole therefore it appears,

1. That estates in tail *generally*, created subsequent to the commencement of the Act, i. e. since 1st January 1788, were taken out of the operation of the Statute by the Act of 1786, ch. 45.
2. That all estates in tail general, created since the commencement of the Act of 1820, ch. 191, i. e. since 14th Feb. 1821, are by force of that Act converted into estates in fee simple. And therefore
- *3. That at present estates in tail special are the only estates tail which **96** can be created in Maryland.
4. That all estates tail, whether general or special, now subsisting may be barred by any form of conveyance which would be legally operative to pass an estate in fee simple.

CAP. II.

A Recordare to remove a Plaintiff. Pledges to prosecute a suit. Second Deliverance.

III. It is provided, that Sheriffs or Bailiffs from henceforth shall not only receive of the Plaintiffs Pledges for the pursuing of the Suit, before they make Deliverance of the Distress, but also for the Return of the Beasts, if Return be awarded. (2) And if any take Pledges otherwise, he shall answer for the Price of the Beasts, and the Lord that distraineth shall have his Recovery by Writ, that he shall restore unto him so many Beasts or Cattel; (3) and if the Bailiff be not able to restore, his Superiour shall restore. (4) And forasmuch as it hapneth sometime, that after the Return of the Beasts is awarded unto the Distrainor,

Provisum est quod vic' aut ballivi de cetero non recipiant a conquerentibus solummodo pleg' de prosequendo antequam deliberationem faciant de averiis set etiam de averiis retornandis si adjudicetur returnum. Et si quis alio modo pleg' receperit respondeat ipse de pretio averiorum & habeat dominus distringens recuperare per breve quod reddat ei tot averia vel tot catalla & si non habeat ballivus unde reddat reddat superior suis. Et quia aliquando contingit quod postquam adjudicatum fuerit distringenti returnum averiorum & sic districtus postquam averia sic retornata iterum replegiaverit cum viderit distringentem comparen-