

therein contained, as in his discretion may appear most advisable to preserve and secure the peace and good government of this state.

By 1832, ch. 155, no nolle prosequi to be granted, but upon condition to pay costs which may have accrued.

By 1802, ch. 92, the valuation of the slave, whose judgment shall be commuted, is to be set by the court passing the sentence, and to be paid by the treasurer.

CHAPTER 88.

AN ACT relative to the proceedings in the Court of Chancery and in the Land Office.

A supplement, 1796, ch. 6.

See notes to 1785, ch. 72, ante page 208.

SEC. 1. *Be it enacted, by the General Assembly of Maryland,* That in any case whatever, where a bill shall be filed in the court of chancery against any person or persons not residing within the state, the chancellor may direct such notice of the said bill, and of the object thereof, by advertisement in newspapers, or otherwise, as to him shall seem proper, warning the defendant or defendants to appear in the said court in person, or by a solicitor, on or before some day to be fixed, not less than four months* distant from the time of the first advertisement, or other notice, to shew cause why a decree should not be passed as prayed by the bill; and in case the defendant or defendants shall not so appear within the time limited, either the bill, at the discretion of the chancellor, may be taken pro confesso, and he shall proceed to decree in the same manner as if the defendant or defendants had admitted, by answer, the facts stated in the bill, or a commission shall, on application of the complainant or complainants, be issued for taking depositions on his or their part, and on return of the said commission, the chancellor may proceed to decree according to the facts proved, and the established principles and practice in equity; provided nevertheless, that if the said defendant or defendants shall appear to the bill in person, or by a solicitor, at any time before a decree shall be passed, there shall in all respects be the same proceedings before a decree, as if the defendant or defendants had appeared regularly on the return of a subpœna; and provided also, that if any person, against whom a decree shall be made, in virtue of this act, his or her heir or heirs, devisee, or representative, shall appear in the chancery court at any time within eighteen calendar months from the date of the decree, and require a review of the same, the chancellor, upon a bill filed by such person, his heir or heirs, devisee or representative, shall proceed to an examination of the matters in dispute, and to a final decree, in the

In certain cases chancellor may direct notice, &c.