

of record in the case before filing the same. Until the said copies have been served, as above mentioned, no party to the suit shall be considered in default of any rule of the court. This Act shall not apply to suit instituted by the consent of all parties to the case, nor to proceedings instituted to foreclose mortgages.

SEC. 2. *And be it enacted*, That this Act shall take effect from the date of its passage.

Approved April 12, 1904.

CHAPTER 625.

AN ACT to appropriate a sum of money to pay Noah C. Sterling for the loss of the vessel, "Martha E. Freeman."

WHEREAS, On the ninth day of March, 1886, whilst the schooner or vessel called the "Martha E. Freeman," then owned by Noah C. Sterling, a citizen of the State of Maryland, and commanded by Gilbert Carman, also a citizen of said State, was lawfully engaged in taking or catching oysters in the waters of the Tangier sound, within the State of Maryland, about a mile north of the boundary line between the State of Maryland and Virginia, one of the oyster police steamers of the State of Virginia, with Captain Foster, of said State, in command, steamed into the waters of the State of Maryland, and overhauled and took in charge the schooner "Martha E. Freeman," the property of the said Noah C. Sterling; and

WHEREAS, The said schooner, "Martha E. Freeman," was unlawfully seized by the aforesaid oyster police steamer and conveyed from the waters of Maryland into the waters of Virginia, and was afterwards sold under condemnation proceedings in the State of Virginia; and

WHEREAS, By said unlawful seizure, condemnation and sale, the said schooner and her cargo became a total loss to the owner; therefore,

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That the Comptroller of the Treasury of the State of Maryland be and he is hereby authorized and directed to draw his warrant upon the Treasurer of the State of Maryland in favor of Noah C. Sterling for the sum of seven hundred and fifty dollars for pay and indemnity for the loss sustained by the said owner, as disclosed by the preamble of this Act.