retains possession thereof—in which case, the conveyance shall be in writing, and acknowledged, and shall take effect when deposited for record, as in the case of real property.

Sec. 7. *Be it enacted and ordained*, That a wife shall be entitled to dower in all real estate, of which her husband may, at any time, be possessed, during their marriage, in case of her surviving him; and no deed, executed by him, shall have effect to deprive her of such dower, unless she signs the same, and acknowledges, out of the presence of her husband, before the person taking his acknowledgment, that she voluntarily executes it. Sales and conveyances of personal estate may be made, at any time, without the consent of the wife, by the husband alone.

Sec. 8. *Be it enacted and ordained*, That in case any person, possessed of property, real or personal, in the said territory, shall die intestate (without having made a will) or without, in his or her will, having appointed an administrator, until further enactment and ordinance upon the subject, an administrator and two appraisers shall be appointed, in writing, by the agent, which administrator shall give bond,—with security to be approved by the agent, for the faithful discharge of his office of administrator,—to be deposited with and preserved by the register: but no administrator shall take possession of the property of the deceased person, before an inventory thereof shall be made, and the property appraised by the appraisers in writing; which inventory and appraisement shall be affirmed to, before a justice of the peace, and returned to the register, with the justice's certificate of the affirmation endorsed thereon, to be carefully preserved and recorded in a book kept for that purpose; and such administrator may, at all times, be called upon by the parties interested, or any of them, for an account of his administration; be liable to have his appointment revoked, at the pleasure of the agent,—and, together with his securities, be responsible, in his and their persons and property, for the faithful discharge of his office of administrator. A commission, not to exceed ten per cent. may, at the discretion of the agent, be allowed to the administrator, upon the amount that shall actually come into his hands, of the intestate's estate.

Sec. 9. *Be it enacted and ordained*, That the real estate of a deceased person shall not be resorted to for the payment of his debts, until the personal estate shall be exhausted. Creditors shall be allowed four months, after administration granted, in which to present their claims, authenticated by their oath or affirmation,

against the estate of a deceased person. The family of the deceased person, should there be any family, may occupy and use the real estate, without committing any acts to injure it, until the division thereof, unless it is ascertained by the administrator, that the real estate must be resorted to, to pay the debts of the deceased, in which case he may take possession of and sell it at the end of the said four months. It shall be in the discretion of the administrator of a deceased person to pay any claim, presented after the said four months have expired, if he shall deem the same just. At the expiration of six months, after administration granted, the creditors shall be entitled to the payment of their claims, and the heirs to the division of the estate.

Sec. 10. *Be it enacted and ordained*, That where the estate of a deceased person does not admit of partition among those interested, without loss and injury to some of them, the same may be sold, after proper notice, at public sale, to the highest bidder, by the administrator, and the proceeds, after deducting expenses, divided among the parties interested, according to their respective rights.

Sec. 11. *Be it enacted and ordained*, That the agent shall also, in like manner appoint guardians for the persons and property of minors, who have lost both parents, which guardians shall give bond with security, to be approved by the agent, for the faithful discharge of their office, in the care and honest disposition of the property of the minors, that may come into their hands. Guardians' bonds shall be deposited with the register, as in the case of administration bonds. The relation of a guardian to the person of his ward shall be the same, as near as may be, as that of a parent to a child; provided, that the guardian shall not be answerable, pecuniarily beyond the estate of the ward, for the maintenance of the ward.

Sec. 12. *Be it enacted and ordained*, That there shall be appointed from time to time, by the Maryland State Colonization Society, an agent, with the title of Governor, whose commission shall continue in force for the term of two years, unless sooner revoked, by the society. He shall reside in the territory, while in the exercise of his office, and shall represent there the state society, and be invested with all its powers, subject to the Constitution of the territory, and the ordinances and decisions of the state society.

Sec. 13. *Be it enacted and ordained*, That there may be appointed from time to time, by the state society, an assistant agent, subordinate to the agent, whose commission shall continue in force

Maryland Historical Society

The Maryland State Colonization Society Papers

XIII. Colonization Pamphlets

1. The Declaration of Rights,
The Constitution of the
State of Md. in Liberia
(rough draft, engrossed copy, printed copy)