

those old state debts, when the money has actually been paid into the treasury, but where the exertions of the agent have been arrested by the interposition of the legislature, and that interposition has prevented the payment into the treasury of such monies the agent is in justice entitled to receive his commissions. For although the state may grant indulgencies as respects her own claims, yet such indulgencies ought not to affect the rights of her agents without their own consent. The late state agent, has, it is true, generally consented to the indulgencies heretofore granted, and has stated to your committee, that if the state has suffered by having granted indulgencies since he was first appointed agent in 1822, that he is willing to bear his share of any loss that may be incurred, and only asks a commission on such debts as may be ultimately recovered, but if further indulgencies are to be granted, it would not be right nor proper, that the late agent should thereby suffer any loss. The committee therefore are of opinion, that if further indulgence is still to be granted to the old state debtors, that this should be done only on condition, that they should pay a part of the principal and interest due, and they also unanimously recommend the adoption of the following preamble and resolution:

Whereas, from the repeated indulgencies granted by the legislature to certain state debtors, who became indebted to the state before the year 1822, the payment into the treasury of the monies due, has been delayed, and the commissions which the state's agent would have received, has thereby been withheld, under the provisions of the existing laws he is only entitled to receive a commission on those old state debts, when the money has been actually paid into the treasury; Therefore,

Resolved, That the treasurer of the western shore, in settling the account of the late state's agent for the western shore, allow him the legal commission which he would have received, had not indulgencies been granted by the legislature to those state debtors, whose debts became due before the 21st of February 1822, when the act appointing agents was passed, and to pay to the said agent, or to his order, one half of the amount of the said commissions, and the other half when the said debts are paid into the treasury.

Respectfully submitted,

By order, Jacob S. Smith, Com. Clk.

Which was read the first, and, by a special order, the second time. The report was concurred in, and the preamble and resolution therein contained, were assented to.

Mr. Turner, from the committee therein mentioned, deliver-