

C H A P. XXVIII. annually by the collector of Montgomery county to such person as the levy court of said county shall and may direct.

C H A P. XXIX.

Passed December 30.

An ACT to authorise and empower the justices of the levy court of Kent county to assess and levy a sum of money on the inhabitants of said county for the purpose therein mentioned.

Preamble.

WHEREAS it is represented to this general assembly, that the court-house in Kent county stands in need of repairs and alterations, so that the public records of said county may be kept secure; therefore,

Justices to levy money, &c.

II. *Be it enacted, by the General Assembly of Maryland,* That the justices of the peace of Kent county, or any five of them, shall be and they are hereby empowered and directed to assess and levy, at such time or times as they may think proper, on the assessable property of Kent county aforesaid, any sum of current money, not exceeding four hundred pounds, together with the collector's compensation of six *per cent.* for collecting the same; which said monies, so to be assessed and levied, shall be collected by the collector of Kent county for the time being from the inhabitants of said county, and others having property therein, in the same manner as other public levies and county assessments are by law collected.

Commissioners appointed, &c.

III. *And be it enacted,* That Messieurs Benjamin Chambers, John Wethered and John Nicholson, or any two of them, shall be and they are hereby appointed commissioners, to superintend the making of such repairs, alterations, additions or improvements, to the court-house in Kent county, as may be thought necessary for the purpose of safe keeping and securing the public records of said county, and to contract for materials, and agree with workmen, for the purpose of completing the same.

Who are to call on the collector, &c.

IV. *And be it enacted,* That the said commissioners, or any two of them, be and they are hereby authorised to call on the collector of said county to pay the sum so levied, after the time allowed by law to him to collect the same, which the said commissioners, or any two of them, are hereby authorised to receive, and give acquittance therefor, and apply the same, or so much thereof as may be necessary, towards the repairs, alterations, additions or improvements, to the said court-house.

And lay before the justices a fair account, &c.

V. *And be it enacted,* That the said commissioners, or any two of them, shall lay before the justices of the peace of the county aforesaid, at the levy court annually, a fair and distinct account of all monies by them received and expended for the purpose aforesaid, and the surplus, if any, after completing the work as aforesaid, shall be applied towards defraying the county charges; and if the said commissioners, or any two of them, as the case may be, shall refuse or neglect to render such account, or upon such account being had and rendered shall neglect or refuse to pay over the balance in their hands to such person or persons, and to such uses, as the said justices of Kent county shall order and direct; that the said commissioners, or any two of them, as the case may be, or either of them, shall be liable to be sued in the said county court, in the name of the state of Maryland, in an action for money had and received to the use of the state, in which action proof of the receipt of the money by the defendant shall be sufficient to support the said action; and such sum of money recovered in the said action or actions shall and may be received by the justices of the said county, and applied by them in manner herein before directed.

How vacancies are to be filled.

VI. *And be it enacted,* That if any of the said commissioners shall die, remove out of the county, or refuse to act, the residue shall immediately thereafter proceed to appoint another to fill up the vacancy.