

Daniel Conn, Samuel Sterrett and George Warner, be and they are hereby appointed commissioners to superintend the erection of a penitentiary for the reception of the criminals condemned, or who may be condemned under the laws of this state, and that the said commissioners, or a majority of them, be and they are hereby authorised and directed to agree on a site for the said buildings, and to propose a plan to be submitted to the executive of this state, and when approved of by them, to contract for and superintend the execution of the same; and for the purpose of defraying the expense thereof, the amount of the proceeds of the fines, forfeitures, licences, and amerciaments, to be collected within the city and county of Baltimore, except such as are now raised and appropriated to the use of that city, be and they are hereby appropriated; and the said commissioners, or a majority of them, are hereby authorised to receive the same, to be accounted for annually, with the expenditure thereof, to the legislature, and to borrow money, if necessary, on the credit of the said taxes; provided, that the whole sum of money to be raised in virtue of this resolution shall not exceed the sum of twenty thousand dollars.

No. 16.

WHEREAS the contract entered into between the state, by its agent Randolph Brandt Latimer, of the one part, and James Williams and Uriah Forrest, of the other part, hath been vacated by a decree of the court of chancery, passed on the eighth day of January, eighteen hundred and five, in a cause wherein the said James Williams, Uriah Forrest and Benjamin Stoddert, were complainants, and the state of Maryland, or Luther Martin, the attorney-general, defendants, and the bonds given for the purchase money ordered by the authority of the said court to be delivered up: And whereas a certain sum hath been paid into the treasury under the said contract: And whereas the aforesaid Uriah Forrest hath passed his bond to the state of Maryland, dated on the twenty-seventh day of August, seventeen hundred and ninety-nine, conditioned for the payment of the sum of six hundred and thirteen pounds, eleven shillings and six pence current money, and the said James Williams and John Guyer have passed their bonds to the said state, dated on or about the first day of June, seventeen hundred and ninety-nine, conditioned for the payment of eight hundred and thirty-four pounds twelve shillings and six pence current money, and the said petitioner being willing that the aforesaid money, so paid into the treasury under the contract aforesaid, should, in the first place, be applied to the discharge of the said two last mentioned bonds, as of the time on which the said money was paid into the treasury, and it being a matter of judicial cognizance, whether any and what sum the state ought to refund to the petitioner, or the other parties to the contract herein first before stated; therefore,

RESOLVED, That the court of chancery determine in the case aforesaid according to the principles of equity, whether any and what sum is to be refunded to the complainants, or any of them; and if the said court shall determine that any money shall be refunded by the state, then the same shall be applied, in the first place, to the payment of the bond given by Uriah Forrest as aforesaid, secondly, in payment of the bond given by James Williams and John Guyer as aforesaid, as of such times respectively as the said court

Chancery court
to determine what
sum shall be re-
funded James
Williams, Uriah
Forrest, and Ben-
jamin Stoddert.