

CHAPTER 391.

AN ACT to reimburse to the county commissioners of Carroll county, money erroneously paid into the State treasury on account of marriage licenses, issued under chapter four hundred and ninety-seven, of the acts of assembly, eighteen hundred and eighty-six, by William N. Martin, clerk of the circuit court for Carroll county, Maryland.

WHEREAS, by a decision of the court of appeals of Maryland, in the case of the State *versus* Davis, vide seventy Maryland reports, page two hundred and thirty-seven, it was determined that all money from marriage licenses under chapter four hundred and ninety-seven, of the acts of eighteen hundred and eighty-six, was legally retainable by the clerks of the courts issuing the same; and, Preamble.

WHEREAS, under a misinterpretation of said law and until the above case was decided, said William N. Martin, clerk as aforesaid, did pay into the State treasury the following amounts, that is to say: for the year eighteen hundred and eighty-six, the sum of forty-five dollars and thirteen cents (\$45.13); for the year eighteen hundred and eighty-seven, the sum of one hundred dollars and seventy-two cents (\$100.72); for the year eighteen hundred and eighty-eight, the sum of one hundred and eighteen dollars and seventy-six cents (\$118.76), aggregating the sum of two hundred and sixty-four dollars and sixty-one cents (\$264.61); and, Preamble.

WHEREAS, said clerk should have returned said amounts to said State treasury as excess of fees in the several years to which they belong, he having received full compensation for the discharge of his duties and for the expenses of his office for said years as provided by law; and, Preamble.

WHEREAS, under an act of assembly passed at January session eighteen hundred and eighty-two, chapter one hundred and eighty-nine, the treasurer of the State of Maryland is authorized and directed to pay to the county commissioners of Carroll county in each and every year such excess of fees as may be paid into the treasury of the State after the first day of December, in the year eighteen hundred and eighty-one, by the clerk of the circuit court for Carroll county, being the amount of fees received by said clerk in excess of his compensation for the discharge of his duties and for the expenses of his office; therefore, Preamble.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the comptroller of the treasury is hereby authorized and directed to draw his warrant upon the State treasurer in favor of the county commissioners of Carroll county for said sum of two hundred and sixty-four dollars and sixty-one cents, agreeably to To pay