

CHAPTER 87.

Passed March 17, 1853. AN ACT for the benefit of Samuel T. Stonestreet, late Clerk of Montgomery County Court.

Preamble. WHEREAS, Samuel T. Stonestreet, late clerk of Montgomery county court, failed to place his fees in the hands of the sheriffs of the several counties of this State and the city of Baltimore, for collection, by the time specified by the act of January session, eighteen hundred and fifty-two, chapter one hundred and four ; Therefore,

Fees may be collected by sheriffs.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That all fees due to Samuel T. Stonestreet, late clerk of Montgomery county court, whose term of service expired by constitutional limitation, shall be received and collected by the sheriffs of the several counties of this State, and of the city of Baltimore, in the same manner as fees due such officers have been heretofore collected, and such sheriffs shall use and have the same means of enforcing payment of and collecting said fees, and be liable to the said Samuel T. Stonestreet, late clerk as aforesaid, on their official bonds given and approved at the time such fees are placed in their hands, in the manner now provided by the existing laws of this State ; *Provided,* that nothing in this act shall be so construed as to deprive the said Samuel T. Stonestreet from collecting said fees by warrant, suit or otherwise.

Proviso.

Fees due may be placed in hands of sheriffs.

SEC. 2. *And be it enacted,* That all fees due the said Samuel T. Stonestreet, late clerk as aforesaid, may be placed in the hands of the sheriffs of the several counties of this State and of the city of Baltimore, wherein the debtor or debtors reside at any time during the year eighteen hundred and fifty-three, and that such sberiffs shall account for and pay over the same within nine months from the time such fees shall be placed in their hands for collection as aforesaid ; and on failure to collect and pay over the same within the time required by this act, to the said Samuel T. Stonestreet, the official bonds given and approved, as aforesaid of such sheriffs, shall be liable to be put in suit at the instance and for the use of the said Samuel T. Stonestreet.

Failure to collect and pay over.

Sheriff not answerable for failure to collect.

SEC. 3. *And be it enacted,* That nothing in this act contained shall be construed to make any sheriff answerable for the failure to collect any fees, unless the same by the use of due diligence could have been collected.