

WHEREAS, Every Sheriff of Baltimore City, during the time said Act of 1874 remained in force and effect, retained as a part of and for his compensation the sum of four dollars per day for each day he attended in person or by deputy the law and criminal courts of Baltimore City; and

WHEREAS, The action of the Sheriffs as aforesaid was practically universally deemed proper and in conformity with the law of the State of Maryland until the recent decision of the Court of Appeals of Maryland in the case of William H. Green versus the State of Maryland, which held to a contrary construction; and

WHEREAS, Under the law of the State as set forth in the Code of 1888, Article 38, Section 2, the Court of Appeals of Maryland decided in the case of Sanner versus State of Maryland, in 83 Md. 648, that the State had no interest in informer's fees; and

WHEREAS, Every Sheriff of Baltimore City during the existence of said law, and up to the passage of the Act of 1912, Chapter 418, retained one-half of certain fines as and for the informers; and

WHEREAS, The action of the Sheriffs as aforesaid was practically universally deemed proper and in conformity with the law of the State of Maryland until the recent decision of the Court of Appeals of Maryland in the case of the State of Maryland versus William H. Green, 120 Md. 681, wherein the decision of Sanner versus State aforementioned was reversed; and

WHEREAS, Suit has been instituted by the State of Maryland against certain ex-Sheriffs of Baltimore City holding office since 1901, namely, William H. Green, Robert J. Padgett, George W. Padgett and George Warfield, although the practice and custom of retaining similar moneys had been invariably followed by every Sheriff prior thereto since 1874, and such custom had been permitted and concurred in by the State authorities; and

WHEREAS, The moneys so retained by them were retained in good faith and in a warranted belief as to the legality of such retention; and

WHEREAS, Judgment has been obtained by the State against William H. Green for the amount so retained by him with interest at the rate of six per cent. thereon from the year 1906; and

WHEREAS, The enforcement of the payment of the judgment against William H. Green and the prosecution of the claim of the