

C H A P.
XCVII.

according as they, or a majority of the subscribers present, (convened for that purpose by one month's previous notice in one of the Baltimore gazettes, and in the Frederick, George-town and Easton papers,) shall agree upon; provided always, that they shall not do any act contrary to the laws of this state; and they shall be obliged to pay the sufferers for the losses or damages by fire, on the property which they insured in said insurance company, according to the terms they shall agree upon, after regular proof that the loss actually happened by fire; and if it can be proved that the owner of the property insured did cause the loss or damage wilfully, with a view of fraud, directly or indirectly, in that case he, she or they, shall not be paid, but prosecuted according to law, and if the insured have been already paid, he, she or they, shall be compelled to return what has been paid to him, her or them, with interest.

If the funds should not be sufficient, a re-partition to be made, &c.

II. AND BE IT ENACTED, That if the funds of the premiums paid on entering should not be sufficient, a repartition among the whole of the members of this mutual insurance company, that is, among those who have insured their property to be mutually concerned, shall be made, and each shall pay, on demand of the cashier, his, her or their quota, according to the sum insured, and the rate of hazard at which the building wherein the goods or furniture insured are, or the goods themselves stand agreeable to the rate of the premiums; these quotas shall always be so rated as to raise and keep up a fund, so that the interest thereof may be deemed by the president and directors, (to be elected by the said company,) sufficient to pay the annual losses and expences, but no farther payment shall be made, unless the funds are reduced so as to be less than one *per centum* of the whole amount insured, unless a majority of them should agree otherwise; when such quotas are found necessary, the president is to publish in the public news-papers how much the quota is of each rate of hazard per every hundred dollars, whereupon the insured shall pay the same immediately to the cashier in whose office the property is insured; whensoever any person or persons shall neglect to pay such quotas, the assurance to him made shall cease and discontinue from the day on which they became due until paid; and the company aforesaid shall have the same remedy against delinquent members or persons, to compel them to pay the premiums, on those quotas, (if they should be found necessary by the president and directors which they may elect,) as the president and directors of the bank of Maryland have against delinquent persons; as there may be persons who would not wish to join the mutual concern, this mutual insurance company shall be at liberty to insure the property of such persons, on such terms and conditions as they may agree upon.

C H A P. XCVIII.

Passed Jan. 19.

An ACT authorising Nicholas Watkins, one of the collectors of Anne-Arundel county, to complete his collections.

Preamble.

WHEREAS Nicholas Watkins, one of the late collectors of Anne-Arundel county, hath set forth by his petition to this general assembly, that there is still due to him as collector a considerable sum of money, which he has been unable to collect because of indisposition, and prays that a longer time may allowed him to complete the collection of the same;

N. Watkins to collect, &c.

II. BE IT ENACTED, by the *General Assembly of Maryland*, That the said Nicholas Watkins be and he is hereby authorized to collect all balances due him as collector for the last year at any time before the first day of September next, in the same manner as he could or might have done whilst he was collector, any law to the contrary notwithstanding.

Proviso.

III. PROVIDED ALWAYS, AND BE IT ENACTED, That the said Nicholas Watkins, before he proceeds to execute or distrain the property of any person or persons for taxes, shall, at least ten days before such execution or distress, deliver to the person chargeable with the same an account, written in words at full length, of all the taxes demanded of him, her or them, with an affidavit annexed to the same, that he hath not, to the best of his knowledge, received any part thereof, nor any thing in security or satisfaction for the same, more than the credits given; and provided also, that the said Nicholas Watkins, before he derives any benefit from or under this act, shall lodge his collection books in the clerk's office of Anne-Arundel county court, to be there open to the inspection of all persons interested in the same.

C H A P. XCIX.

Passed Jan. 19.

An ACT to authorise an exchange of lands between John Eversfield and the other representatives of Matthew Eversfield, late of Prince-George's county.

Preamble.

WHEREAS it is represented to this general assembly, by the petition of Susannah Eversfield, executrix of Matthew Eversfield, and Thomas Mundell, John Eversfield and Anne Eleanor Eversfield, that the said Matthew Eversfield left eleven children, to wit: Virilinda Mundell, wife of the said Thomas Mundell, the said John Eversfield and Anne Eleanor Eversfield, each above the age of twenty-one years, and Eleanor Eversfield, Priscilla Eversfield, Susannah Eversfield, Charles Eversfield, Thomas Eversfield, Mary Eversfield, Elizabeth Eversfield and Edward Eversfield, all minors; That the said Matthew Eversfield made a will a few years before his death, but subsequent to the date of said will he contracted with a certain Edward Botelar for the purchase of part of a tract of land called Essex Lodge, and two other tracts of land called Joseph's Good Luck and Harry's Lot, all lying in the county aforesaid, and containing in the whole five hundred and twenty-eight and one half acres, of which the said Matthew Eversfield died intestate, but that no conveyance of said land was ever made to the said Matthew Eversfield; that the said John Eversfield is seized as tenant in tail of sundry tracts or parcels of tracts of land, containing one thousand and sixty-seven acres, and as devisee of the said Matthew Eversfield he holds fifty-one acres and three quarters of an acre adjoining the land entailed: And whereas it is stated, that an exchange of said lands between the said John Eversfield and the other representatives of the said Matthew Eversfield, would operate to the advantage of the minors, and the petitioners have prayed that a law might pass authorising the same; and the prayer thereof appearing reasonable, therefore,

II. Be