

may be probably necessary for the use of their respective counties, agreeably to the average of the lists returned to the treasurer, for the two preceding years, and thereupon the said respective treasurers shall forthwith deliver to the several clerks of the said counties the number of blank marriage licences which may be necessary, according to the estimate aforesaid, for the space of one year, the treasurer for each respective shore first countersigning the said blank licences, with his proper name of office, and taking a receipt from each clerk for the number of licences so delivered; and after the said 1st day of May next, the said respective clerks shall grant to all and every person and persons who shall apply for the same one of the said licences, properly filled up and signed by them, and sealed with the seal of their respective offices—*ibid.* § 2.

39. The said respective clerks shall, on or before the 1st day of May 1799, and on or before the same day in every year thereafter, return to the treasurer of their respective shore, a list of all the marriage licences granted by them during the preceding year; and each and every of the said clerks shall forthwith pay to the said treasurer the sum of 25s. current money for each and every licence which shall have been before delivered to him in blanks, unless the said respective clerks shall entitle themselves to an allowance, by producing such of the said blank licences as the said clerks may not have granted; and if any of the said licences shall be returned in blank to the said treasurer, then the said respective clerks shall only pay the sum of 25s. for each and every of the said blank licences as shall not be so returned on the settlement of their account as aforesaid.—*ibid.* § 3.

40. If any of the said clerks shall not annually apply to the treasurer of their respective shore for blank marriage licences, on or before the said 1st day of May, in the manner directed by this act, every such clerk shall forfeit 100 dollars for every offence—*ibid.* § 4.

41. If any of the said clerks, so having received blank marriage licences as herein before directed, shall refuse or neglect to return to the treasurer of their respective shore, on or before the 1st day of May annually, a list of all the marriage licences granted by them respectively during the preceding year, and account for and pay to the said treasurer 25s. current money for each and every licence by them so granted, the said treasurer shall forthwith charge the clerk or clerks so neglecting or refusing, with the whole amount of blank licences which shall have been before delivered, to such clerk or clerks, at the said rate of 25s. for every of the said blank licences, and shall immediately thereafter prosecute a suit at law against such clerk or clerks for the same, in which it shall be sufficient to declare for so much money had and received for the use of the state, and the receipt of such clerk shall be competent evidence to entitle the state to a recovery, and a trial shall be had at the appearance term, unless the court shall be fully satisfied that the defendant ought in justice to have an imparlance.—*ibid.* § 5.