

1748. MAY.

CHARLES LORD BALTIMORE.

C H A P. VII.

ords from the public offices; wherein among other things, it is enacted, "that for the future no clerk or register within this province, (except parish registers,) shall at any time hereafter take, remove, or carry out of their respective public offices, or cause or suffer, any person or persons to take, remove, or carry out of their respective public offices, any books, papers or other records, to their own houses, or to any other place, upon any pretence whatsoever, and the same to keep, or cause or suffer to be kept, out of their respective public offices, at any time between the hours of eleven at night and six in the morning, under penalty of ten pounds current money for every offence, one moiety thereof to the informer, or to him or her that shall sue for the same; the other moiety to be applied to the use of the school of the county wherein the offence shall be committed, to be recovered in any court of record in this province by action of debt, bill of indictment, plaint or information, wherein no essoin, protection or wagen of law, or more than one imparlance, shall be allowed." And whereas several of the county clerks within this province, in behalf of themselves and others of the said county clerks, have humbly represented to this present general assembly, that by the above recited act, they, and all other the county clerks aforesaid, are laid under such hardships that it is not practicable for them to execute that duty, inasmuch as a great part of their business must of necessity be done in the winter season, and that their dwellings are at some distance from their several and respective court-houses; this present general assembly having taken the said representation into consideration, and being well satisfied of the truth of the facts mentioned therein, are willing and desirous to remove the hardships complained of;

Clerks may remove certain books, &c.

II. BE IT THEREFORE ENACTED, by the right honourable the Lord Proprietary, by and with the advice and consent of his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same, That from and after the tenth day of July next, it shall and may be lawful to and for the several and respective county clerks within this province, to take, remove, or carry out of their respective public offices, the last recording book for judgments by them kept in their several and respective public offices, together with the four last courts dockets and papers, next preceding the time of such taking out; and the same to keep at their own houses, or any other place more suitable to their conveniency within the county, for and during such time as to them, or any of them, shall seem necessary, without being liable to incur the penalty in the above recited act mentioned, any thing therein contained to the contrary thereof in anywise notwithstanding.

By September, 1770, ch. 10, the county clerks are directed to bring with them, on every office day, the four last courts dockets and papers next preceding every such day of attendance, under the penalty of thirty shillings.

And attend at the court-houses, &c.

III. AND BE IT FURTHER ENACTED, by the authority aforesaid, That the several and respective county clerks within this province shall be and they are hereby obliged to attend at their several and respective county court-houses one or more days in every week, to be appointed and published by the several county courts next after the commencement of this act, and to remain there, either by themselves or deputy, from nine of the clock in the forenoon until sunset, and then and there give all possible dispatch to the necessary business of such person or persons as shall apply to them for the same; and that every county clerk who shall neglect or delay to perform his duty herein, shall forfeit and pay the sum of six hundred pounds of tobacco, one half whereof to the use of the county school, and the other half to him, her or them, that shall sue for the same, to be recovered before a single magistrate of the county where such forfeiture shall happen, as in case of small debts.

Provido.

IV. PROVIDED ALWAYS, AND BE IT ENACTED, That nothing in this act shall extend, or be construed to extend, to prevent any clerk from being chargeable for any misfeasance or neglect in his office, in the same manner as if this act had never been made.

Duration.

V. This act to continue for three years, and to the end of the next session of assembly which shall happen after the end of the said three years.

Farther continued by 1751, ch. 8, 1754, ch. 13, 1757, ch. 23, 1762, ch. 13, 1765, ch. 16, June, 1773, ch. 2, October, 1780, ch. 12, November, 1787, ch. 38, 1795, ch. 83; revived and continued till the end of the session, (and all acts done under it confirmed,) 1798, ch. 10, and by 1798, ch. 71, enacted into a permanent law.

Passed 11th of June, 1748.

C H A P. VII.

An ACT empowering the justices of Queen Anne's county to levy on the taxable persons of Christ Church parish, in the said county, the sum of thirty-seven thousand one hundred pounds of tobacco, for repairing and enlarging their parish church. Lib. B.L.C. fol. 440.

C H A P. IX.

An ACT relating to that part of King and Queen parish which lies in Charles county, and was lately severed by the death of the reverend Mr. John Donaldson. Lib. B.L.C. fol. 441.

C H A P.