

C H A P.
LXXX.

struments of writing with penalty, shall be considered in law as the true debt, and shall be so pleaded by and allowed to executors, administrators, and others.

Court may in-
quire into cir-
cumstances, &c.

XIV. AND BE IT ENACTED, That in all cases of replevins hereafter to be issued and executed, the court to which such replevins are returned; respectively, shall have full power and authority, upon a motion being made by the defendant for a return of the property taken in consequence of such replevins, to inquire into the circumstances and manner of the defendant's obtaining possession of such property, and if it shall appear that such possession was forcibly or fraudulently obtained, or that the possession first being in the plaintiff was got or retained by the defendant without proper authority or right derived from the plaintiff, then the court may refuse to order a return to the defendant until a judgment is given in the action.

C H A P. LXXXI.

An ACT respecting surplus lands. Lib. TBH. No. B. fol 48.

Passed 11th of
March, 1786.
No caution mo-
ney shall be re-
quired, &c.

BE IT ENACTED, by the General Assembly of Maryland, That no caution or composition money shall be required for any surplus land on any certificate now or hereafter to be returned on resurvey of any tract or part of a tract of land granted before the first day of January, seventeen hundred and seventy-seven.

By a supplement, April, 1787, ch. 43, no surplus land of one tract shall be applied to make up the deficiency of any other in the same warrant, on any certificate of land granted before the 1st of January, 1787.

C H A P. LXXXII.

An ACT to establish a supplementary fund to raise the sum of money required of this state by the resolve of congress of the eighteenth of April, seventeen hundred and eighty-three. Lib. TBH. No. B. fol. 48.

Passed 12th of
March, 1786.

This act was to take place and commence as soon as twelve states, including this state, should pass such laws as congress should accept as a substantial compliance with that part of the said resolve which relates to establishing permanent funds for the payment of fifteen hundred thousand dollars annually; which was not done.

C H A P. LXXXIII.

An ACT to raise the supplies for the year seventeen hundred and eighty-six. Lib. TBH. No. B. fol. 50.

A tax imposed,
&c.

BE IT ENACTED, by the General Assembly of Maryland, That a tax or assessment of seven shillings and six-pence current money shall be and is hereby laid and imposed for every hundred pounds worth of property within this state, and in the same proportion for every greater or less sum, as the said property shall be valued agreeably to an act for the valuation of personal property within this state, * and an act to ascertain the value of the land in the several counties of this state for the purpose of laying the public assessment, † passed this present session of assembly, and the said assessment shall be paid, collected and received, in the manner herein after directed.

* Chapter 41.
† Chapter 53.Duty of com-
missioners.

II. AND BE IT ENACTED, That the commissioners of the tax, or the major part of them, of the several counties, shall meet at the usual place of holding their respective county courts between the nineteenth and twenty-ninth day of June next, and then and there appoint some discreet person of reputation, and having property within the state to one thousand pounds current money, to be collector of the public assessment in their county; and the commissioners of the tax for Baltimore-town shall meet at some convenient place within the said town at the time aforesaid, and then and there appoint some person of reputation, and having property within the said town or its precincts to one thousand pounds current money, to be collector of the public tax in the said town and its precincts; and every collector who shall accept the trust shall enter into bond with good and sufficient securities, such as the said commissioners, or the major part of them, shall approve, in double the sum to be collected, with condition, that he shall well and faithfully execute and perform the several duties required of him as collector of the tax of ——— county, or Baltimore-town, according to this act, and the commissioners, or some two or more of them, shall witness the execution of such bond, and immediately thereafter transmit the same to the clerk of the county court, who shall record the same, and transmit the original to the clerk of the general court of his respective shore, who shall also forthwith record the same, and immediately thereafter deliver the original bond to the register of the chancery court, to be by him safely kept in the chancery office; and an attested copy of either of the said records shall be as good evidence in law as if the said bond was actually produced and proved in court; and any person appointed a collector, who shall, after notice of his appointment, neglect to appear, not having a reasonable excuse in the judgment of the commissioners, or appearing shall re-
fuse