

pay so much as the said sales shall amount to, after deducting the aforesaid expences attending the same; saving the right of any creditor of the said Archibald Buchanan, by judgment obtained before the judgment rendered as aforesaid on behalf of this state against the said Nicholas Rogers and wife, the heir of the said Archibald; and saving also to the said Nicholas Rogers and wife the costs by them sustained in the suits against them by this state, if by law they are entitled to retain the said costs out of the value of the lands descended to the wife of the said Nicholas.

C H A P.
XXXVII.

VI. AND BE IT ENACTED, That the said trustees shall be allowed a commission of five *per cent.* for their trouble in executing the powers intrusted to them by virtue of this act.

Commission allowed.

C H A P. XXXVIII.

An ACT vesting certain powers in the commissioners of the tax of Anne-Arundel county. Lib. TBH. No. B. fol. 271.

Passed 26th of
May, 1787.

A Supplement November, 1787, ch. 28.

C H A P. XXXIX.

An ACT to repeal the fortieth section of the constitution and form of government. Lib. TBH. No. B. fol. 272.

This act was to take place on its being confirmed by the general assembly, after the next election of delegates, in the first session after such new election, according to the constitution and form of government; which was not done.

C H A P. XL.

An ACT for the payment of the journal of accounts. Lib. TBH. No. B. fol. 273.

WHEREAS it appears by the journal of accounts and list of debts of this session, wherein is included the journal and list of debts of last session, that there is now due from this state the sum of eleven thousand five hundred and ninety-six pounds two shillings and one penny three farthings current money;

Preamble.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That the treasurer of the western shore shall, and he is hereby authorized and required, to pay the several persons, their executors, administrators, assigns or orders, or to such of them as shall offer to receive the same, the several sums of current money allowed to them respectively, as they appear to be settled and ascertained by the journal of accounts aforesaid of this present session.

Treasurer to
pay, &c.

III, AND BE IT ENACTED, That all or any of the public creditors on the journal may have their election to receive a certificate or certificates from the treasurer of the western shore, signed by him, and expressing, in the whole of such certificates, the sum of current money due to such creditor or creditors respectively, which certificates shall be payable to the collectors of taxes due on any public assessment, or in the treasury for interest due, or composition on certificates; and any collector may pay any such certificates into the treasury as specie, without any oath concerning his receipt thereof; or if any of the said certificates shall not be so discounted, the treasurer of the western or eastern shore shall receive the said certificates and pay the money due thereon to the bearer out of any money in the treasury, not appropriated to congress; and the treasurer of the western shore shall, on the request of any person having an allowance on the said journal, and not taking a certificate as aforesaid, retain in his hands, of the money which shall first come into the treasury, not appropriated to congress, sufficient wherewith to satisfy such allowance, or the balance thereof, for which a certificate shall not have been given, and shall pay the same to the person to whom the same is due, or his order.

Creditors may
receive certifi-
cates, &c.

IV. AND BE IT ENACTED, That the resolution of the present session, directing the treasurer of the western shore to retain in his hands the monies, (except the two shillings and six-penny tax, and what is appropriated to congress,) which now are, or the first that may come into the treasury, and apply the same to the payment of the allowances of the members, clerks and officers, of the general assembly, jurymen and witnesses, shall be and is hereby repealed.

A resolution
repealed.

C H A P. XLI.

An ACT to empower the justices of Washington county to assess and levy a sum of money on the property of said county for the purpose of finishing the prison in Washington county. Lib. TBH. No. B. fol. 275.

S

C H A P.