

C H A P.
XV.

ceiver, collector, or others so concerned as aforesaid, and make and deliver to them, upon their respective oaths, true and perfect copies, and extracts thereof, for the purpose of settling and adjusting all accounts, claims and demands, relative to the arrearages aforesaid, and to enable the said Robert Peter, John Murdock, William Deakins, junior, Bernard Oneale, Edward Burgefs, Walter Smith and Richard Thompson, or a majority of them, to make a full and perfect collection of the said public assessment arising in the year aforesaid, and still remaining due in the county aforesaid.

IV. AND BE IT ENACTED, That upon the neglect or refusal of any deputy, agent, receiver, collector, or person so appointed or acting as such during the year aforesaid, or afterwards, under the said John Hayman Nichols, or in his name, or by virtue of his authority, to fulfil and comply with the directions of this act, the commissioners of the tax for Montgomery county be and they are hereby empowered, on hearing, (or default to appear on notice,) to adjust the accounts standing between the said John Hayman Nichols as collector aforesaid, and all and every his said deputies, agents, receivers, collectors, or persons acting as such during the year aforesaid, or since, and may order the balance to be paid to the said Robert Peter, John Murdock, William Deakins, junior, Bernard Oneale, Edward Burgefs, Walter Smith and Richard Thompson, or a majority of them, either immediately, or by a short day to be limited, and may carry such order into effect by their warrant directed to the sheriff to levy the sum due, in the same manner as by *feri facias*, on the lands, goods or chattels, of the said deputy, agent, receiver or collector, or person acting as such during the year aforesaid, or since, under the said John Hayman Nichols, or by virtue of his authority, or otherwise, or take his or their body in execution, as on a *capias ad satisfaciendum*, in satisfaction thereof.

Upon neglect, &c commissioners may adjust accounts, &c.

V. AND BE IT ENACTED, That the said Robert Peter, John Murdock, William Deakins, junior, Bernard Oneale, Edward Burgefs, Walter Smith and Richard Thompson, or a majority of them, shall have and be allowed the same commissions upon the collection of the residue of said taxes, where the said John Hayman Nichols has not already been allowed commission on the settlement of his accounts by the commissioners of the tax for the county aforesaid, for their trouble and expence of making the same, to which the said John Hayman Nichols was or would have been entitled to as collector by the laws of this state, had he made the collection thereof.

Commission allowed.

VI. AND BE IT ENACTED, That the commissioners of the tax for the county aforesaid be authorized and empowered, upon application of the said Robert Peter, John Murdock, William Deakins, junior, Bernard Oneale, Edward Burgefs, Walter Smith and Richard Thompson, or a majority of them, to settle and adjust their accounts, and, if necessary, to make them such allowance thereon as may appear just and reasonable, for paupers or insolvents, and give them a certificate thereof, containing the amount of such allowance; provided, that the said commissioners shall not allow the said collectors any deduction as aforesaid, except only in such cases where it shall appear to them that the said John Hayman Nichols, or the collectors, have used all lawful means for levying and collecting the same.

Commissioners may settle accounts, &c.

VII. AND BE IT ENACTED, That the said public dues and taxes remaining due as aforesaid in the said county, shall, when collected, be to the only use and benefit of the said counter securities, so far as may be necessary for their indemnity.

Taxes to be to the use of counter securities.

VIII. PROVIDED ALWAYS, AND BE IT ENACTED, That if the said Robert Peter, John Murdock, William Deakins, junior, Bernard Oneale, Edward Burgefs, Walter Smith and Richard Thompson, shall not give bond to this state, with good and undoubted security, (to be approved of by the treasurer of the western shore,) on or before the first day of February next, for the payment of the balance that shall appear due to this state from the said Nichols as collector aforesaid, in current money, or in such kinds of certificates (and under such restrictions) as the said John Hayman Nichols would have been entitled to pay, one half thereof, with interest, on or before the tenth day of August next, and the other half, with interest, on or before the tenth day of August, seventeen hundred and eighty-nine, then every clause, matter and thing, herein before contained, shall be null and void, nor shall the same be in force, or confer any of the powers or authorities therein mentioned, or have any effect or operation, until the said Robert Peter, John Murdock, William Deakins, junior, Bernard Oneale, Edward Burgefs, Walter Smith and Richard Thompson, shall have given bond and security as aforesaid, and the same shall have been approved of as aforesaid.

Proviso.

IX. AND BE IT ENACTED, That if the said Robert Peter, John Murdock, William Deakins, junior, Bernard Oneale, Edward Burgefs, Walter Smith and Richard Thompson, shall give bond

On giving bond, process to be void, &c.