

C H A P.
XXXVII.

justice of the peace of Queen-Anne's county, that he, the said James O'Bryon, junior, as administrator of the said Thomas O'Bryon, hath nor, directly or indirectly, received any part or parcel of the money or tobacco which was due and payable to the said Thomas O'Bryon, as sheriff and collector of Queen-Anne's county, nor any security or satisfaction for the same, more than he has credited in the said books.

Commission allowed.

IV. AND BE IT ENACTED, That the said securities, and the survivors of them, shall have the same commission on the collection aforesaid as the said sheriff would have been entitled to; and that all arrearages collected in virtue of this act shall be applied in the following manner, viz. All fees due to the said Thomas O'Bryon, in his own right, for services by him performed in his public capacity, shall be applied, in equal proportions, to the discharge of debts due from him, both in his private and public capacities; that portion subject to his private debts shall be paid into the hands of his administrator, and that portion subject to the debts due from him in his public capacity shall be applied to the discharge of those debts, in proportion to the sums due to him for his services in each year, and collected as aforesaid; and all sums of money or tobacco put into the said Thomas O'Bryon's hands for collection, agreeably to the laws of this state, shall be fairly applied to the discharge of the sums due by the securities for the respective years in which the said arrearages ought by law to have been collected.

Not to take away remedies, &c.

V. AND BE IT ENACTED, That nothing in this act contained shall be construed to take away or deprive the respective debtors for taxes, other public dues and officers fees, of the same remedies which they had against the original sheriff and collector, in cases where nothing is alleged to be due, or the distress or execution is illegally conducted, but the same shall exist in full force and virtue against the said securities, and each of them.

C H A P. XXXVIII.

Passed 20th of
Jan. 1798.

An ACT to secure the collection of the duties imposed upon marriage licences Lib. JG. No. 2. fol. 623.

Clerks not to issue licences contrary to this act, &c.

BE IT ENACTED, by the General Assembly of Maryland, That from and after the first day of May next, it shall not be lawful for the clerk of any county within this state to issue any licence of marriage to any person or persons whatsoever, except in the manner herein after directed by this act; and if any clerk of any county shall, from and after the said first day of May next, issue any licence of marriage contrary to the provisions of this act, every such clerk shall forfeit and pay the sum of fifty dollars for every offence.

Licences to be printed, &c.

II. AND BE IT ENACTED, That with all convenient speed after the passage of this act, the governor and council shall cause to be printed blank marriage licences, pursuant to the form already prescribed by law, and shall cause to be delivered a suitable number of the said forms to the respective treasurers of the western and eastern shores, before the said first day of May next, and the clerks of the several counties shall, on or before the said day, and on or before the same day in every year thereafter, make application to the treasurer of their respective shore for a sufficient number of the said blank marriage licences, according to the quantity of licences which 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 said treasurer for each respective shore first counter signing the said several blank licences with his proper name of office, and taking a receipt from each clerk for the number of licences so delivered; and from and after the said first 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.

Clerks to return a list, &c.

III. AND BE IT ENACTED, That the said respective clerks shall, on or before the first day of May, in the year seventeen hundred and ninety-nine, 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 twenty-five shillings current money for each and every licence which shall have been before delivered to him in blank, 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