

C H A P.
XXXVIII.

Caroline county, made at a session of assembly begun and held at the city of Annapolis the tenth day of April, seventeen hundred and eighty-seven, be and is hereby continued, and shall remain and be in full force for and during the term of three years, and to the end of the next session of assembly which shall happen thereafter.

C H A P. XXXIX.

Passed De-
cember 17.

An ACT for better securing the payment of imposts and duties imposed by law, and securing the persons of officers from violence in or for the execution of their offices.

Preamble.

WHEREAS goods, chargeable by law with imposts and duties, are often run, under the expectation that the payment will be evaded if such goods escape seizure, which may induce those who risk them to use violence for their preservation, when their artful contrivances fail to conceal them; and it is essential to good government that men should be under strong impressions of due punishment for violence committed on officers in or for the lawful execution of their offices:

An action
may be main-
tained, &c.

II. *Be it enacted, by the General Assembly of Maryland,* That an action may be maintained in the name of this state, wherein it shall be sufficient to declare for money had and received to the use of this state, for any imposts or duties on goods, wares or merchandise, hereafter imported or brought into this state, which shall not have been paid, or secured according to law; and the attorney-general, or other person prosecuting for the state, may waive any forfeiture or penalty concerning such goods, wares or merchandise, and examine the defendant himself as a witness in the suit; and any person or persons importing or bringing into this state any such goods, wares or merchandise, by land or by water, either personally, or by his or their servants, or others employed by him or them, or having such goods, wares or merchandise, consigned to him or them, or purchasing the same, knowing the imposts or duties were not paid, or secured according to law, shall be chargeable in such action; provided, that there shall be but one satisfaction of the duties or imposts on the same goods, wares or merchandise. Provided, the remedy given by this act shall not hinder any subsisting remedy, but shall be additional thereto, and that any action for the recovery of the said duties or imposts shall be commenced within three years next after the cause thereof shall have accrued.

Officer may
recover da-
mages for
battery, &c.

III. *And be it enacted,* That for any battery or assault hereafter committed on the person of any officer in or for the lawful execution of his office, or on the person of any other assisting him therein, such officer or person, on a suit in the general court of the shire where the offence was committed, if the damages assessed shall be five pounds or upwards, shall recover the damages assessed, and also double costs.

C H A P. XL.

This act was
neither en-
grossed, sign-
ed or sealed.

Preamble.

An ACT respecting the securities of public debtors.
WHEREAS the public have and may grant an indulgence to public debtors, by extending the time limited for payment, and it is reasonable that the securities of such debtors should not suffer thereby:

Security may
give notice,
&c.

II. *Be it enacted, by the General Assembly of Maryland,* That any security for any public debtor, or the executor or administrator of such security, after the

* IN COUNCIL, FEBRUARY 28, 1788.

THIS board being informed, by William Harwood, Esquire, clerk of the house of delegates, that a bill, entitled, An act respecting the securities of public debtors, passed both branches of the legislature last session, but being mislaid, was not engrossed, signed and sealed, by the governor, it is ORDERED, That the said bill be printed and published among the laws of said session, and that it stand in the order in which it was passed, and that it be lodged with the clerk of the general court, to be by him recorded; and further, that the printer note in the margin of said act, that the above circumstances of engrossing, signing and sealing, were not complied with, and that the clerk of the general court, in the margin of the record of the said act, make a similar note.

Extract from the minutes,

T. JOHNSON, jun. secretary.

time