

an ACT to allow further time for collecting the balances due Thomas O'Bryon, late sheriff and collector of Queen-Anne's county, deceased.

Passed January 10.

WHEREAS by an act of assembly, passed at November session, seventeen hundred and ninety-six, Matthew Hawkins, James O'Bryon, David Lindsey, William Clayton, Edward Wright, John King Downes, Henry Pratt, Robert Waters and William Diamond, securities of Thomas O'Bryon, a former sheriff of Queen-Anne's county, were authorised to collect, on or before the first day of January, seventeen hundred and ninety-eight, all balances due to the said Thomas O'Bryon as sheriff and collector of the said county: And whereas it is represented to this general assembly, that owing to the late arrival of the laws, and some differences with the administrator as to the right of the said securities to collect the fees due to the sheriff in his own right for services by him performed, they were unable to collect the aforesaid balances; and the said administrator, by his petition to this legislature, having signified his consent that the right of collecting the fees so due to the said sheriff for services by him performed should be given to the securities, with a power to apply the same in just and fair proportions to the discharge of debts due from him in his private and public capacities; therefore,

Preamble.

II. Be it enacted, by the General Assembly of Maryland, That Matthew Hawkins, James O'Bryon, executor of James, David Lindsey, William Clayton, Edward Wright, John K. Downes, Henry Pratt, Robert Waters and William Diamond, securities of Thomas O'Bryon aforesaid, or a majority of them, or the survivors of them, be and they are hereby authorised and empowered to collect, on or before the first day of January, seventeen hundred and ninety-nine, all balances owing as aforesaid to the said deceased sheriff and collector for the years seventeen hundred and ninety-two, seventeen hundred and ninety-three, and seventeen hundred and ninety-four, in manner following, to wit: That the aforesaid securities, or such person or persons as shall be deputed by them, or a majority of them, or the survivors of them, in the collection aforesaid, shall, at least thirty days before execution or distress of property for the arrearages aforesaid, deliver to the person charged, or leave at his or her last place of abode, an account, stating the taxes and the amount of fees due to the state and the officers respectively, or such part thereof as may be claimed as due, and the said securities, or a majority of them, or their agent, shall, if they be thereto required by the person so charged, make oath, before a justice of the peace, that the said account was taken fairly and truly from the books or papers of the said Thomas O'Bryon, and that it doth not appear from the said books or papers, or by any memorandum of the said Thomas O'Bryon, that any part or parcel of the charges contained in such account hath been paid, or otherwise secured or satisfied; and the person or persons owing such taxes and officers fees shall neglect or refuse to pay the same, it shall and may be lawful for the said securities, or a majority of them, or the survivors of them, to collect the same by execution or distress of property of the person or persons so refusing or neglecting, and to sell and dispose thereof, at public auction, at the expiration of ten days, exclusive of the day of seizure and day of sale, on giving ten days notice, by advertisement at the public places of the neighbourhood, and at the court-house door of the county, of the day and hour of sale.

Securities to collect, &c.

And be it enacted, That all the books, memorandums and entries, of the said sheriff and his deputies, in which his accounts as sheriff and collector were entered and kept, shall be delivered by James O'Bryon, junior, his administrator, to the said securities, or a majority of them, on demand, and shall be deposited in the hands of John Caradine, or such person as the securities may direct, to be freely inspected and examined, without cost or charges, by any person or persons who shall apply for that purpose, in order to ascertain any accounts that may have been made upon his, her or their account; and the said James O'Bryon, junior, before he shall deliver the said books, memorandums and

Books, &c. to be delivered, &c.