

Deo.Ses.1823

them, or by any other person by him, them or either of them authorised, an account of official services within the period expressed, to the best of their knowledge, which affidavit or affirmation shall be attached to each of the said copies and signed by such clerk or register, and each of the assistant clerks or register, and attested by such justice of the peace; and any clerk or register or other person knowingly swearing or affirming falsely, and being thereof convicted in due course of law, shall suffer as in the case of wilful and corrupt perjury.

3. *And be it enacted*, That it shall be the duty of the Treasurers of the Western and Eastern Shore, immediately upon the receipt of the said accounts to examine the same, and whenever the amount of monies stated in them to have been received shall exceed the rate of fifteen hundred dollars per annum, to charge the said officers twenty-five per cent on the amount of such access as had and received to and for the use of the state of Maryland.

Twenty-five per cent.

4. *And be it enacted*, That it shall be the duty of each of the clerks and registers aforesaid, within sixty days after the expiration of each half year, to pay to the Treasurer of the Shore on which they respectively reside, the sums of money wherewith they are by this act respectively chargeable.

Payment in sixty days.

5. *And be it enacted*, That in case of the death, resignation or removal from office of any clerk or register, who by virtue of this act shall or may be accountable to the state for the surplus fees of office, it shall be the duty of his successor in office to receive all such fees as may be due on account of services performed by his predecessor or his assistants, and to keep, or cause to be kept, an accurate account of the same, verified and attested as herein before directed, and make semi-annual returns of the same to the Treasurer of the Western or Eastern Shore as the case may be, and to pay within sixty days thereafter the proportion or per centage of the state to the Treasurer of the Shore on which he may reside, and the residue to the predecessor or to his legal representatives, attorney or assignees, as the case may be.

Case of vacancy, &c.

6. *And be it enacted*, That the person or persons respectively for whom any clerk or register shall receive fees in virtue of this act, shall have remedy against such clerk or register and his securities on the office bond of such clerk or register, by action in the name of this state for the use of such person or persons.

Remedy.

7. *And be it enacted*, That any clerk or register wilfully refusing or neglecting to obey and comply with any of the provisions of this act, shall forfeit and pay the state of Maryland the sum of three thousand dollars.

Penalty for neglect.

8. *And be it enacted*, That it shall be the duty of the respective County Courts of this state, upon motion of the Attorney General in person or by deputy on behalf of the state of Maryland, to receive proof of such neglect or disobedience of any clerk or register residing within such county, and if the same be proven, thereupon immediately to cause judgement to be entered for the aforesaid forfeiture against such clerk or register: *Provided*, that ten days previous notice shall have been given of such motion to such clerk or register, or left in writing at his usual place of abode: *And provided also*, that if demanded by such clerk or register, or his, or their council, the court shall forthwith order a jury to be empannelled to ascertain the fact of such neglect or disobedience.

Summary process.

Proviso's.

9. *And be it enacted*. That the summary process authorised and the penalties imposed by this act, shall not be in any manner taken,

Liability.