

him: In none of these sections is there the most distant allusion to any liability on the collector for the tax of June, seventeen hundred and eighty. The sixty-fourth section does, indeed, speak of that tax, but no farther than to change the time, and perhaps the mode, of payment, and to substitute the valuation of property prescribed by the act of October, seventeen hundred and eighty, in the place of that directed by the other law.

The committee further report, that one of the bonds upon which the petitioners are said to be bound for the tax of June, seventeen hundred and eighty, is given in the words of, and in the manner prescribed by, the act of October, seventeen hundred and eighty. It is clearly a bond under that law, and none other, and hence the committee think the extent of its obligation worthy being reconsidered.

By the act of November session, seventeen hundred and eighty-one, chap. 4, entitled, An act to raise the supplies for the year seventeen hundred and eighty-two, a rate of forty-five shillings was imposed; (which was afterwards reduced to thirty shillings by an act, entitled, An additional supplement to the act to raise the supplies for the year seventeen hundred and eighty-two, passed April session, seventeen hundred and eighty-two, chap. 54.) on every hundred pounds worth of property, the provisions and directions of which are precisely the same with those of the act of October, seventeen hundred and eighty, chap. 25, except as to immaterial minutiae, and except also that the former contains no regulation as to the tax of June, seventeen hundred and eighty, chap. 8, similar to that in the sixty-fourth section of the latter. The same doubts arise as to the responsibility of the petitioners for the tax of June, seventeen hundred and eighty, on the bond given by them under this act, as on the bond already mentioned.

The committee therefore are of opinion that a resolution ought to pass, authorising and requesting the chancellor, the judges of the court of appeals, and the judges of the general court, to consider and give their opinions upon the question of law arising on the construction of the acts of assembly applicable to the case of the petitioners, and also authorising the chancellor, if the opinion should be in favour of the petitioners, to change his decree accordingly.

The committee take the liberty of adding, that as this is the case of securities, unfortunately involved by a mere act of friendship, the legislature ought not to exact from them more than the extent of their engagement will warrant.

All which is submitted to the honourable house.

By order,

N. PINKNEY, clk.

Which was read.

Petitions from Sarah Daffiell, of Queen-Anne's county, and Frederick Devilbiss, of Baltimore county, severally praying acts of insolvency, were preferred, read, and referred to the committee on petitions of a similar nature.

A petition from Humphry Belt, and others, of Prince-George's county, praying time to complete the collection of taxes in said county, and to be allowed interest on the arrearages, was preferred, read, and referred to Mr. Clark, Mr. Gantt and Mr. Barnes, to consider and report thereon.

Mr. Carroll, from the committee, brings in and delivers to Mr. Speaker the following report:

THE committee to whom was referred the petition and counter petition of William Davis, of Baltimore-town, report, they have examined the principles of the petitioner, and the allegations of the counter petitioners, and find, that Mr. Davis applied to the late chancellor of this state for relief from his debts, but, upon being charged with defrauding his creditors (of which he was convicted in the county court of Baltimore) the releasement he prayed for was withheld.

Your committee are in possession of a letter from one of the trustees appointed by the late chancellor of Maryland, to which they beg leave to refer the house.

The committee are therefore of opinion the prayer of the petitioner ought not to be granted; but the petitioner wishes to be heard before the house.

All which is submitted to the honourable house.

By order,

N. PINKNEY, clk.

Which was read.

The report on the petition of Richard Waters, was read the second time and concurred with.

The report on the petition of Ennalls Martin, was read the second time and concurred with.

Mr. Kerr delivers to Mr. Speaker the following resolution:

Whereas it is represented to this general assembly, by the petition of Doctor Ennalls Martin, of Talbot county, that the petitioner was appointed a surgeon's mate in the hospital of the United States, and it appears from the certificate of William Shippen, junior, late director-general of the medical hospital, that the petitioner did serve in that capacity from the 12th of May, 1777, till the 20th of February, 1780: And whereas by a supplement to the act to settle and adjust the accounts of the troops of this state in the service of the United States, passed May session, 1781, chap. 35, sect. 7, it is enacted, That whereas inhabitants of this state, of the medical department, not attached to the line or quota of troops of any state, are not included in the act to settle and adjust the accounts of the troops, and are recommended by congress to be provided for by this state; that the commissioners shall settle and adjust the accounts of such officers of the medical department, according to the scale of depreciation by this and the former act; therefore, RESOLVED, That the auditor-general be and he is hereby authorised and directed to settle with, and grant a certificate for depreciation of pay to, Doctor Ennalls Martin, late surgeon's mate in the medical hospital of the United States, on the same terms and in the same manner that depreciation of pay hath been heretofore granted to officers and soldiers of the Maryland line, and that the same be charged to the United States.

Which was read the first and second time, assented to, and sent to the senate by the clerk.

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