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[BY AUTHORITY.]

CHAPTER 208.

AN FURTHER supplement to the act entitled, an act for the general valuation & assessment of property in this State, and to provide a tax to pay the debts of the State, passed at March session, eighteen hundred and forty one, chapter twenty three.

Section 1. Be it enacted by the General Assembly of Maryland, tha; in the several counties of this State, Howard District, and the city of Baltimore, wherein collectors of the taxes now imposed, or to be imposed by Law, shall not have been appointed, or having been appointed, have failed or refused to qualify and discharge the duties of their appointments, as required by law, it shall and may be lawful for the Governor, and he is hereby authorised and required on the first day of May next, or as soon thereafter as conveniently may be; to appoint a collector or collectors for such county, district or city, as the case may be; and the collector or collectors, so to be appointed, shall give bond, to be executed by him or them, with their sureties, and approved by the Governor, or some Judge of the County Court, for which the collector or collectors may be appointed, and recorded, as required by the original act, a copy of which bond, certified by the clerk, in whose office the same may be recorded, shall be by him forthwith transmitted to the Treasurer and the Governor of this State; & the collectors so to be appointed, shall have all the powers capacities and privileges, which are possessed or enjoyed by collectors appointed under the original act, or its supplements.

Sect. 2 And be it enacted, that if, in any county in this State the city of Baltimore, or Howard district, a collector or collectors shall not have been appointed and qualified by the first day of June next then and in that case, it shall and may be lawful for the Treasurer to appoint an agent or agents in such county, district or city, giving the preference in such appointment, to the Sheriff of such county or district, with power to receive from the several inhabitants of such county district or city, all sums of money due for taxes under the original act or its supplements, and to give effectual and valid receipts therefor; and it shall be the duty of such agents to pay all sums received by them for taxes into the Treasury on the first Monday in September, December, March and June, in each year after the passage of this act: and each and every agent, before he acts as such, shall give bond to the State of Maryland with good and sufficient sureties to be approved by the Treasurer, and in a penalty to be by him prescribed with condition that the said agent shall, well and faithfully, execute his office, and the several duties required, and to be required of him by law, and that he shall, well & faithfully, account for and pay over to the Treasurer the several sums of money, which he shall receive or be answerable for by law at such time as the law shall direct, which bond shall be recorded in the office of the clerk of the county for which such agent may be appointed.

Sect. 3. And be it enacted that it shall be the duty of the clerks of the Levy Courts, the Commissioners of the tax, and the Appeal Tax Court of Baltimore, (as the case may be,) to furnish the several agents so to be appointed, as aforesaid by the Treasurer, with a list or statement of the taxable inhabitants within the limits, for which they may be respectively appointed, and the whole amount of tax due from each taxable.

Sect. 4. And be it enacted, that the compensation of said agents shall be a commission of three per centum on all monies paid by them respectively into the Treasury.

Sect. 5. And be it enacted, that whenever, and so soon as a collector or collectors for any county, in which an agent or agents may be appointed, either by the Levy Courts or Commissioners, or the Mayor and City Council of Baltimore, or the Governor, under the provisions of this act, and shall qualify, as such, the power of the agent or agents, in such county, district or city, shall cease, and the money then in his hands shall be paid by him into the treasury; and on failure, his bond shall be put in suit: provided, that at any time before a collector is appointed, as aforesaid, the agent may become such, by giving bond himself with surety or sureties to be approved, as aforesaid, as collector.

Sect. 6. And be it enacted, that all the taxes now due and in arrear to the State, under the provisions of the act, to which this is a further supplement, or any of its supplements, or which may hereafter become due under them or any future act, shall be and they are hereby declared liens on the real estate of the party so indebted.

Sect. 7. And be it enacted, that whenever sales of either real or personal property shall be made by any ministerial officer, under judicial process, or otherwise, all sums due, and in arrear for taxes from the party, whose property is so sold, shall be first paid and satisfied; and it shall be the duty of the officer, or persons selling to pay the same to the collector of the county, if there be one, or to the agent of the State, (if there be an agent,) or to the Treasurer, (if there is neither collector, or agent in such county,) and in case the money is paid to the collector or agent, it shall be his duty to pay the same over to the Treasurer.

Sect. 8. And be it enacted, that in those counties, Howard district, or city, in which there may be no collector, it shall be the duty of the clerk's to the Levy Courts, or Commissioners, or the Appeal Tax Court of Baltimore, to place annually in the hands of the deputy of the Attorney General for such county, district or city, a list of all persons, who may be in arrear for taxes for more than one year, and the amount due from each; and the said deputy of the Attorney General shall cause a copy of the same to be stuck up at the Court House door, and, at least four of the most public places of the county, for at least twenty days prior to the first day of the term of the Court of the county, for which he may be the deputy, as aforesaid: and the said Court at any time, during said term may, and shall upon the motion of the said deputy, cause a rule to be laid upon the respective parties mentioned in the list to show cause within the first two days of the next succeeding Term, why judgment should not be entered up against them, for the amount of taxes in arrear with interest; and upon their failing to show cause, judgment shall be entered accordingly; upon which execution may issue to the Sheriff as in other cases, and it shall be the duty of the said Sheriff without delay to pay the money over, collected upon such executions, to the Treasurer; and, on failure his bond shall be put in suit.

Sect. 9. And be it enacted, that in those counties, in which collectors may not be appointed and qualified, as aforesaid, in order to enable the clerks of the Levy Courts, and of the Commissioners, & of the Appeal Tax Courts, to comply with the requisitions of the preceeding section, it shall be the duty of the respective agents appointed by the Treasurer, as aforesaid, to make returns to the said clerks of all sums of money received by them from the taxable inhabitants of the county, showing the amount paid by each, which returns shall be made thirty days at least before the commencement of each Term of the County Court of the county, for which the agents respectively may be appointed.

Sect. 10. And be it enacted, that the fees of the clerks of the County Courts and of the deputies of the Attorney General, for all services rendered by them, under this act, shall not exceed in each case the sum of fifty cents to each, which sum shall be taxed in the costs of the judgment, and collected as similar costs in other cases are collected.

Sect. 11. And be it enacted, that it shall be the duty of executors, administrators and guardians to pay all taxes due and in arrear from their testators, or intestates, or upon the property in their hands, as guardians, as preferred debts, and to the exclusion of all others, except the necessary funeral expenses: and on failure their bonds shall be put in suit for the use of the State, or other proceedings had against them as are authorised by law, and a recovery had for the whole amount of taxes due, with interest thereon, from the time they were payable.

Sect. 12. And be it enacted, that, if the Levy Courts, or Commissioners of the several counties, and of Howard district, and the Mayor and City Council of Baltimore shall fail to impose the assessment or tax imposed by the original act, or its supplements, as prescribed by the fifty second section of said original act, then and in that case, it shall be the duty of the clerks of the Levy Courts, or Commissioners, or register of the city of Baltimore to give notice to the Governor within twenty days after such failure; & thereupon, it shall be the duty of the Governor, as soon as conveniently may be to appoint a tax board, consisting of three persons, each, in the counties, district or city, so failing, a majority of whom shall have power to act, whose duty it shall be forthwith to levy the assessment or tax, as aforesaid, , and to place the same in in the hands of the collectors of the tax, or agents for such county, district or city for collection, and it is hereby declared to be the duty of the clerks of the Levy Courts or Commissioners, or the clerk of the Appeal Tax Court, or the register of the city of Baltimore, to lay before the said boards the returns of the assessors, with all corrections made thereto, to enable said boards to discharge their duty; and in case of failure of said clerks or register to comply with the provisions of this section, or any other duty imposed upon them by this act, they shall be liable to indictment for such default, and shall forfeit the sum of five hundred dollars: provided, that in case the Governor shall not receive notice of such levy by the county, district or city authorities, as the case may be, within thirty days after such failure, then it shall be the duty of the Governor, and he is hereby authorised and required, to appoint tax boards, as aforesaid.

Sect. 13. And be it enacted, that the members of said board shall each receive the sum of three dollars for every day they may be engaged in discharging the duty imposed upon them by this act, not exceeding twenty days, which shall be levied and assessed by them upon the counties district or city, for which they may be appointed, and collected, for their use, by the collector of the State taxes for such county.

Sect. 14. And whereas in several of the counties the State taxes directed to be levied, or where collectors have not been appointed and qualified therein, for the years, eighteen hundred and forty one eighteen hundred and forty two, & eighteen hundred and forty three, have not been levied, and the collection of the said arrears in any one year would be onerous to the people. Be it enacted therefore, that in each of said counties the said arrearages shall be levied and collected in instalments, as follows:—the sum of twenty cents in every hundred dollars worth of assessable property within such county, with the commission allowed by law thereon, for the use of the collector in the year eighteen hundred and forty four; and the sum of twenty five cents in every hundred dollars worth of assessable property within such county with the commission allowed by law thereon for the use of the collector in the year eighteen hundred and forty five; and the sum of twenty five cents on every every hundred dollars worth of assessable property in such county, with the commission allowed by law thereon for the collector in the year eighteen hundred and forty six: the said several instalments of arrears, with interest as aforesaid, to be levied, collected and accounted for together with the States taxes, which shall or may be directed to be levied, in and for said years respectively: And be it enacted, that in each and every county in which the State taxes authorised to be levied for the years eighteen hundred & forty two and eighteen hundred and forty three, may not have been levied, or where collectors have not been appointed and qualified, the said arrears shall be levied and collected in instalments, as follows, to wit: the sum of twenty five cents on every hundred dollars worth of assessable property in such county, with the commission allowed by law thereon, for the use of the collector in the year eighteen hundred and forty four, & the sum of twenty five cents on every hundred dollars worth of assessable property in such county with the commission allowed by law thereon for the use of the collector in the year eighteen hundred and forty five, the said several instalments of arrears, with interest as aforesaid, to be levied, collected and accounted for together with the State taxes, which shall, or may be directed to be levied in, and for said years respectively,

Sect. 15 And be it enacted that all laws, or parts of laws, which require the Levy Courts, county or district Commissioners, or the Mayor and City Council of Baltimore to unite the collection of county district and city taxes with the collection of State taxes be, and the same are hereby repealed.

Sect. 16. And be it enacted, that, in the counties, in which the Levy Courts or Comissioners may have failed or refused to levy or assess the taxes for the years eighteen hundred and forty one, and eighteen hundred and forty two, and eighteen hundred and forty three, it shall be the duty of the clerks of such courts or commissioners to inform the Governor thereof, as directed by the twelfth section of this act; and thereupon it shall be the duty of the Governor to appoint a tax board for the county so refusing, which board shall without delay levy and assess the taxes for the said years, as in the said twelfth section is directed.

Sect. 17. And be it enacted, that whenever any person shall make application to the Levy Courts, or the Commissioners, or the Appeal Tax Court, as the case may be to make him or her an allowance or deduction on account of the sale transfer, or alienation of stock of any description, or the collection or payment of any public or private security for money, it shall be the duty of such Levy Court, Commissioners, or Appeal Tax Court, to interrogate such person on oath in reference to acquisitions or investments made by the person, so applying, & the amount of such acquisition, or investments in any description of security shall be added to the assessable property of the party, applying and charged accordingly; and if the party, making the application refuse to answer no allowance whatever shall be made.

Sect 18 And be it enacted, that whenever any person shall apply to the Levy Courts, Commissioners, or the Appeal Tax Court for an allowance or deduction on account of the removal of any property from one county, district, or city, in this State, to another county, district or city, it shall be the duty of the court, or commissioners, as the case may be, to whom the application shall be made, to ascertain of the party applying, to what place within this State the property has been removed, and to inform the proper authorities of the place, to which the property is so removed, of the fact of such removal, to the end that it may there be subjected to taxation.

Sect. 19. And be it enacted, that if the collector or collectors appointed by the Governor under the first section of this act, shall fail or refuse to qualify by giving bond within thirty days after their appointment, it shall and may be lawful for the Governor to appoint others in their places; and so from time to time after every interval of thirty days until duly qualified collectors shall be appointed throughout the State; and the same power shall and may be exercised by the Governor annually, whenever, and as often as the Levy Courts, Commissioners and the Mayor & City Council of Baltimore shall neglect, or be unable to procure duly qualified collectors by the first day of May, in each and every year.

Sect. 20. And be it enacted, that it shall be the duty of the clerks of the Levy Courts, the Commissioners, and the register of the city of Baltimore, annually, on or before the twentieth day of April, to give the Governor official information whether there is in the counties Howard district, or the city of Baltimore, a duly appointed and qualified collector, or collectors of the State taxes; and the said clerks and registers are hereby required to give the same information to the Governor within thirty days after the passage of this act.

Sect 21. And be it enacted, that the Levy Courts, or Commissioners, or Mayor and City Council of Baltimore, as aforesaid, are hereby authorised and required to levy upon their counties, Howard district and the city of Baltimore within twenty days after collectors shall have been appointed, such commission not exceeding ten per centum on the amount to be placed in the hands of said collector or collectors for collection as will in their judgment, ensure a speedy collection of said taxes, for the use of the collectors who shall collect the same, which said commission shall be collected as part of the county charges for the respective counties, district or city, as aforesaid, at the same time, and in the same manner, as county charges, in said counties, district or city are now collected.

By the House of Delegates, March 5th 1844. This engrossed bill, the original of which passed the House of Delegates the 16th day of February, 1844, was this day read and assented to. By order. GEO. G BREWER, Clerk.

By the Senate, March 9th 1844. This engrossed bill, the original of which passed the Senate the 28th day of February, 1844 was this day read and assented to By order. JOS. H. NICHOLSON, Clerk.

(GREAT SEAL.)

FRANCIS THOMAS.

State of Maryland to wit.

Be it remembered and we hereby certify that the aforegoing is a true copy of the act entitled, 'A further supplement to the act entitled an act for the general valuation and assesment of property in this State, and to provide a tax to pay the debts of the state, passed at March session eighteen hundred and forty-one chapter twenty three,' which passed the General Assembly of Maryland at December session, one thousand eight hundred and forty three.

Given under our hands at the city of Annapolis, this 13th day of March, 1844.

GEORGE G. BREWER, Clerk House of Delegates Md.
JOS. H. NICHOLSON, Clerk Senate Md.

March 30 1844—4t

LAW OF MARYLAND.

CHAPTER 210.

AN ACT to provide for the speedy and effectual collection of the arrearages of Taxes imposed for the use of the State within the City of Baltimore for the years eighteen hundred and forty two and eighteen hundred and forty-three.

SECT. 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND. That John B. Seidenstricker, of the city of Baltimore, be and he is hereby authorized and empowered to complete the collection of taxes imposed for the use of the State within the City of Baltimore for the years eighteen hundred and forty one, eighteen hundred and forty two & eighteen hundred and forty three, and that for that purpose he shall have all the powers and authority, which by existing Laws, any Collector of taxes, for the use of the State, may rightfully claim and exercise; provided, nevertheless, that said John B. Seidenstricker shall on, or before the first day of March next execute a Bond to the State of Maryland in the penalty of fifty thousand dollars, to be executed by himself, and two sureties, and to be approved by the Treasurer of the Western Shore, or else by the Mayor and Register of the City of Baltimore, conditioned for the due collection and faithful application of said arrearages of taxes, according to the direction and provisions of this Act; and, provided, further, that the execution, approval of said Bond, and the delivery thereof to said Treasurer, shall be a condition precedent to the exercise of the power and authority conferred by this Act.

SECT 2. AND BE IT ENACTED, That the time allowed for the completion of the collection of taxes for the year eighteen hundred and forty one shall be, and the same is hereby extended to the first day of August eighteen hundred and forty four; and that the time allowed for the completion of the collection of taxes for the year eighteen hundred and forty two shall be and the same is hereby extended to the first day of October eighteen hundred and forty four; and that the time allowed for the completion of the collection of taxes for the year eighteen hundred & forty three shall be and the same is hereby extended to the first day of March eighteen hundred and forty five; provided, nevertheless, that said collector shall account monthly in the meantime for his actual collections.

SECT 3. AND BE IT ENACTED, That for the services to be performed by the said John B. Seidenstricker, under the authority of this Act, he shall be allowed the compensation prescribed in the Act, under which the several assessments were laid for the years aforesaid, and that he shall be credited for insolvencies and removals, as provided in said Acts.

By the House of Delegates, March 7th, 1844. This engrossed Bill, the original of which passed the house of Delegates the 21st day of February, 1844, was this day read and assented to. By order, GEORGE G. BREWER, Clerk.

By the Senate, March 7th, 1844. This engrossed Bill the original of which passed the Senate the first day of March, 1844. was this day read and assented to. By order, JOS. H. NICHOLSON Clerk.

(GREAT SEAL.)

FRANCIS THOMAS.

STATE OF MARYLAND TO WIT:

Be it remembered, and we hereby certify that the aforegoing is a true copy of the act entitled 'An Act to provide for the speedy and effectual collection of the arrearages of Taxes imposed for the use of the State within the City of Baltimore for the years eighteen hundred and forty two and eighteen hundred and forty three, which passed the General Assembly of Maryland at December session, one thousand eight hundred and forty three.

Given under our hands at the city of Annapolis this 14th day of March, 1844

GEORGE G. BREWER, Clerk House Delegates, Md.
JOS. H. NICHOLSON, Clerk Senate, Md,

March 23, 1844. 4t

LAW OF MARYLAND.

CHAPTER 244.

AN SUPPLEMENT TO THE ACT entitled an Act for the general valuation and assessment of property in this State, and to provide a tax to pay the debts of the State, passed at March Session, 1841, chapter 23.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Register of the Land Office be entitled to receive the same compensation for services rendered under the thirty seventh Section of the Act, to which this is a Supplement, as was allowed the Register of the Land Office for the Eastern and Western Shores, under the Act of May Session, eighteen hundred and thirteen, chapter six.

By the House of Delegates, March 7th, 1844. This engrossed Bill, the original of which passed the house of Delegates the 26th day of February, 1844 was this day read and assented to. By order, GEO. G BREWER, Clerk

By the Senate. March 7th 1844. This engrossed Bill the original of which passed the Senate on the 2d day of March, 1844, was this day read and assented to. By order, JOS. H. NICHOLSON, Clerk.

(GREAT SEAL.)

FRANCIS THOMAS.

STATE OF MARYLAND, TO WIT:

Be it remembered, and we hereby certify that the aforegoing is a true copy of the Act, entitled 'A Supplement to the Act entitled an Act for the general valuation and assessment of property in this State, and to provide a Tax to pay the debts of the State, passed at March Session, 1841, chapter 23, which passed the General Assembly of Maryland, at December session, one thousand eight hundred and forty three.

Given under our hands at the City of Annapolis, this 16th day of March, 1844.

GEORGE G. BREWER, Clerk House Delegates of Md.
JOS. H NICHOLSON. Clerk Senate of Md.

March 23, 1844. 4t

LAW OF MARYLAND.

CHAPTER 259.

AN ACT to facilitate the collection of State Taxes in St. Mary's County.

WHEREAS it has been represented to the General Assembly that the Collectors of the Taxes, levied for the use of this State, in St. Mary's County, were appointed in the months of August and September, in the year eighteen hundred and forty three, when by the first section of the act of December Session, eighteen hundred and forty two, chapter 269, the several and respective County, District and City Authorities were directed to appoint such Collectors on the first Tuesday of April, or soon thereafter, in each and every year: And, whereas, doubts are entertained in reference to the validity of the aforesaid appointments, the responsibility of the Bonds given by the said Collectors, and their power to enforce the collection of the said Taxes. For remedy whereof, and to remove such doubts —Therefore—

SECT. 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, that the appointment by the County Authorities of Saint Mary's County of the several Collectors of the Taxes levied for the use of this State in said County be, and the same is hereby confirmed and made valid; and the said Collectors are hereby declared to be clothed with all the powers, rights and privileges of the Collectors who may have been appointed in strict compliance with the said Act of Assembly, or any other existing Law, upon the subject; and the Bonds of the said Collectors, and the parties thereto, are hereby declared to be liable for all the acts and proceedings of the said Collectors according to the tenor and effect of the said Bonds, as if the appointments had been made in strict conformity with the Law.

SECT. 2, AND BE IT ENACTED, that before this Act shall take effect, the sureties of the said Collectors shall file with the Levy Court or Commissioners of the tax of said County, their assent in writing to the provisions thereof.

By the House of Delegates, March 7th, 1844. This Engrossed Bill, the original of which passed the house of Delegates on the 2d day of March, 18.

By the Senate, March 7th 1844. This Engrossed Bill the original of which passed the Senate on the 5th day of March, 1844, was this day read & assented to. By order, JOS. H. NICHOLSON, Clerk.

(GREAT SEAL.)

FRANCIS THOMAS.

STATE OF MARYLAND TO WIT:

Be it remembered and we hereby certify that the aforegoing is a true copy of the act entitled 'An Act to facilitate the collection of the State Taxes in Saint Mary's County,' which passed the General Assembly of Maryland at December session, one thousand eight hundred and forty three.

Given under our hands at the City of Annapolis, this 16th day of March, 1844.

GEO. G. BREWER, Clerk House of Delegates of Md.
JOS H. NICHOLSON. Clerk Senate Md.

March 23, 1844.

SPEECH OF ZABDIEL W. POTTER, Esq. OF CAROLINE COUNTY.

On the Bill to provide for Completing the Chesapeake & Ohio Canal to the town of Cumberland Delivered in the House of Delegates of Maryland, on Saturday the 2nd of March, 1844.

MR. SPEAKER:—I approach the discussion of the important bill, which has engaged, and I fear, from its protracted length, wearied the attention of the House for the last fortnight, with feelings of unusual diffidence. I approach it with distrust—not in the merits of the position I design to assume, but in my ability to shed even a scintilla of light upon a subject which has been exhausted by eloquent, able & learned gentlemen who have preceded me in the debate. I should have allowed the discussion to have closed, without having become a participant and have cast my vote in silence, had not an appeal been made to the representatives of that section of the commonwealth from which I come, and especially to myself, by the honorable gentleman from Charles, (Mr. REEDER,) invoking us 'to come to the rescue, and relieve the State from her crippled and postrate condition,' by giving a cordial and united support to this bill. The House will shortly come to a vote and fatigued as it is; if deserted seats and general conversation be fair exponents of their impatience, I solicit their indulgence whilst I assign, *paucis verbis*, the reasons which prompt me to oppose it. If ever there was a period in the annals of Maryland which called upon the representatives of her sons to approach without prejudice, the consideration of measures which look solely to her relief, from the fearful embarrassments, in which unwise and reckless legislation has involved her, that time has now come. All sentiments of a selfish, local and sectional character should be discarded from our bosoms. We are here to discharge a high and responsible commission—the representatives, not of one particular county or sectional interest, but of the State of Maryland. Let me, then, invite gentlemen, in the discussion of a bill, pregnant with the magnitude that characterises this, to bury all party feeling and rise above the selfish sentiments which it too frequently inspires. The time has come when we should play the patriot—not the partizan.

The motion before the chair, made by my honorable friend from Dorchester, (Mr. PHELPS,) is to strike out, in the first section, all after the words 'sterling bonds,' and insert in lieu thereof, 'provided they be not sold below par.' I rejoice the motion has been made. It brings up, at once, the merits of the bill. Sir, in the present critical condition of her credit and exhausted finances, is it the policy of the State, by the plan proposed to complete the Chesapeake and Ohio Canal to the town of Cumberland? This is a grave enquiry. Let us contemplate for a moment, the condition of her finances. By the last annual report of the Treasurer, made to this House, we have revealed to us the melancholy fact that the public debt of Maryland amounts to the enormous sum of fifteen millions; two hundred and four thousand, seven hundred and eighty-four dollars & ninety-eight cents, to meet the interest on which, an unsuccessful system of taxation has been resorted to for the last three years. Some of the counties of the State have peremptorily refused to contribute their share of the impost, levied to meet the public charges, and at the present session, a new tax bill has been passed, incorporating features of a more effectual character. For the construction of this gigantic high way, the completion of which is the object of the bill upon your table, the larger portion of the public debt was incurred; and the interest held, at this moment, by the State in that work amounts to $8, 670, 436, 38. How this debt was incurred and has accumulated upon us, it is too late to enquire. How the bonds of the State, upon the the faith of which means were obtained to prosecute the canal to its present terminus, were sacrificed; is a portion of the history of Maryland that is familiar—mortifyingly familiar—to the mind of very man on this floor. In what manner the confiding people of this commonwealth were cajoled by the specious representations—the nicely drawn and plausible calculations of the projectors of this colossal scheme of State enterprise, I will not turn the pages of the volume that lies before me to tell

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