

C H A P.
LXXV.
Excess to be
paid for, &c.

quantity expressed in the warrant has been exceeded, *Be it enacted*, That grants may issue on any survey, where the quantity expressed in the warrant has been exceeded not above one fourth, and such excess shall be paid for to the treasurer of the western shore.

C H A P. LXXVI.

A Supplement to the act concerning the stock of the bank of England belonging to this state.

Preamble.

WHEREAS in virtue of the said act Samuel Chase, Esquire, was appointed and commissioned, by the governor and the council, agent and trustee to execute the authority and trust committed and given by the said law to the person so to be appointed: And whereas it is represented to this general assembly by the said agent, that in pursuance of such appointment he went over to England in the month of September, seventeen hundred and eighty-three, in order to obtain a transfer of the said bank stock, and the dividends that had accrued thereon, and for that purpose made many applications to Messieurs Grove and Russell, (who survived Hanbury, one of the trustees of the said bank stock,) but without any effect; that after five months delay Mr. Grove agreed to transfer the stock, but Mr. Russell peremptorily refused, unless the state, or the agent, would give him twelve thousand pounds, part of the said stock, as an equivalent for his property confiscated by a law of this government made in the year seventeen hundred and eighty-one, and during the late war; that Russell filed a bill in the court of chancery of Great-Britain against Grove and the agent, to prevent a transfer of the stock to the state, and claimed, out of the stock, a compensation for his property confiscated by this government during the late war, on account of his conduct as trustee; that the said agent afterwards filed a bill, in his name, in the court of chancery of Great-Britain, against Messieurs Grove and Russell, as trustees for this state of the said bank stock, to compel an execution of their trust, and to obtain a transfer of the stock to him, and against Messieurs Ewers and trustees of John Buchanan, who set up some claim to the said bank stock; that Russell and Grove, by their answers to his bill, admitted that they held the said bank stock in trust, and it was so far proceeded in the said cause, that the said trustees were ordered to transfer forty-four thousand pounds bank stock to the accountant-general of the said court of chancery, in trust in the said cause, and in consequence of the said order the said trustees did transfer the said bank stock accordingly; that in the said suit by the agent against the said trustees, on motion to transfer to the agent the surplus of the stock, not claimed by any of the defendants, the lord chancellor of Great-Britain rejected the motion, because some other party was necessary to his bill, and the agent, understanding that the attorney-general of Great-Britain was the party meant, (which could only be necessary from the supposition that the crown of Great-Britain had some interest in, or claim to, the said bank stock,) declined to proceed further in the said cause without the direction of the general assembly: And whereas it is also further represented by the said agent, that to the bill filed by Russell against him he put in a general demurrer, (because Russell, on his case stated in his bill, was not entitled to the relief prayed for, to wit, a decree for compensation out of the bank stock for his property confiscated by this state during the late war, for his conduct as trustee,) which was allowed on argument by the lord chancellor of Great-Britain: And whereas the general assembly have declared, that the said Samuel Chase, Esquire, in conducting and negotiating the affairs of this state lately intrusted to his care as agent, had manifested great zeal, fidelity, diligence and ability, and a vigilant attention to the honour and interest of this government, and that his said conduct merited, and therefore had, the approbation of this general assembly: And whereas this legislature are willing to submit the claims by Russell, Messieurs Ewers, and the trustees of Buchanan, to the determination of the lord chancellor of Great-Britain,

Bill in chan-
cery ap-
proved, &c.

II. *Be it enacted, by the general assembly of Maryland*, That the bill and suit instituted by Samuel Chase, Esquire, (in virtue of the trust and authority reposed in