

VI. **And be it enacted,** That the said commissioners, or a major part of them, are empowered to levy, assess and take, by way of distress, if needful, from the inhabitants of the town, by even and equal proportion, the sum of ten pounds current money yearly, to be paid to their clerk; and also they shall have power to remove or displace their clerk as often as they shall think fit.

C H A P.
XI.
And levy money, &c.

VII. **And be it enacted,** That every purchaser of any of the lots in the said town in fee, and every lessee thereof for years, on rent reserved, shall hold and possess the same against any person hereafter claiming title to the same, and shall not be disturbed in their possession; and if any person shall hereafter make claim to the land, or any part thereof, laid off in virtue of this act, and shall, by due course of law, make good title thereto, such person shall be entitled to recover from the said Otho Holland Williams, his heirs, devisee, executors, or administrators, any purchase money or rents by him received from any of the purchasers or lessees of any of the said lots, and, upon such recovery, the tenants holding under the said Otho Holland Williams shall thereafter hold under and pay the rent reserved to the person making title to and recovering the same land.

Purchasers to hold their lots, &c.

C H A P. XII.

A Supplement to the act relating to replevins.

Passed January 20.

Preamble.

WHEREAS it is represented to this general assembly, that some of the collectors of taxes, and others who have a right to execute for public dues and taxes, have demanded and received more than was due, and have even executed property, in some instances, for money due otherwise than for public dues and taxes, and in others, more than was really due and owing for public dues and taxes, and abusing the power of execution, have sold such property to the great oppression of the people;

II. **Be it enacted,** by the general assembly of Maryland, That where any collector or his deputies shall, by distress or otherwise, collect and receive, as for public dues or taxes, more than the sum *bonâ fide* due, upon complaint of the person aggrieved, the commissioners of the tax for the county where such collection or receipt shall have been made, or a majority of them, shall, and they are hereby empowered, upon complaint of the party so aggrieved, to hear and adjust the same; and if it shall appear to the said commissioners of the tax, or a majority of them, that more hath been received than was due, then and in that case the said commissioners, or a majority of them, shall, and they are hereby directed and empowered, to order the collector to pay double the sum received and not due, with the cost arising on the distress, and the expence of the said commissioners for their meeting and adjusting the same; but if it shall appear to the said commissioners, or a majority of them, that such receipt was merely through mistake, then shall the said commissioners order the excess only to be refunded, with costs and expences as aforesaid; and the said commissioners, or a majority of them, may carry such order into effect, by their warrant to the sheriff or coroner, as the case may be, of their county, to levy the same by *feri facias*, or to take the body of the said collector in execution, as on a *capias ad satisfaciendum*, in satisfaction thereof; and if complaint shall be made without just cause, the party complaining shall pay the costs and expences arising on such complaint.

Where collectors distress, the party may complain to the commissioners of the tax, &c.

III. **And be it enacted,** That on any property being executed for or under colour of any public dues or taxes, if the person whose property hath been or shall be so executed will apply to any commissioner of the tax for the county where such property shall be executed, alleging that the whole sum, or any part thereof for which such execution shall have been made, is not due for public dues or taxes, such commissioner may, by writing, order that the sale of these goods shall be suspended for any time not exceeding ten days, and appoint a day and place for the person executing the said property to make appear his claim before the commissioners of the tax for such county; and the said commissioners may and shall adjudge and determine the sum due for which execution may rightfully be made, beyond which no sale shall be made of the goods in such case; and the commis-

Property being executed, commissioners may order the sale to be suspended, &c.

sioners