

R E P O R T .

The Committee on Finance, to whom has been referred the memorial of Thomas Yates Walsh, praying relief in the matter of certain suits instituted against him and others, by the State of Maryland, beg leave to report—

That the causes of action in these cases are two bonds, executed by N. Hickman, T. Yates Walsh, William H. Buck and Herman A. Smith, “for the performance of the office of Register of Wills” of the city of Baltimore, by Hickman.

These suits, by virtue of an act of Assembly, operate as a lien upon all the property of the defendants, and a long delayed litigation will inflict irreparable injury upon the memorialist, who now offers terms of settlement with the State which the Committee think should be accepted.

The proceedings now pending hamper his resources, prevent payment of his debts, and a successful result in his behalf would still leave him with fortune greatly impaired.

The Committee beg leave to observe, that the bonds executed in these cases are in the form prescribed by an old act of Assembly, passed long before the new duties connected with our financial system were imposed upon the Register of Wills.

The act of Assembly of 1853, ch. 409, required a bond to be given by the Register of Wills “for the faithful performance of all the duties now or which may hereafter be required of him by law.”

Your Committee suggest that the departure in these bonds from the language prescribed in the statute, may make the instruments in question nullities. Upon this they express no decided opinion. As cases, however, illustrative of the point,