

but that to enable the State's Attorney to get an efficient judgment from that court, he was advised to make his fifth point in argument before that court, shown in the report of said case, which was contrary to his engagement with the defendants, it having been agreed between the parties that if the decision of the County Court should be reversed, the case was not to be remanded to that court for a new trial; that the State's Attorney, however, after the case was returned to the County Court, entered, as in honor and duty bound, a *non pros.* for the State.

And further, that upon the facts disclosed at the trial of said case, it having been seen that the said John M. Carleton was vested with no lawful authority to make collections of direct tax in Allegany county, the Commissioners of said county, upon a bill filed by their Attorney, William Price, Esq., in Allegany County Court, October, eighteen hundred and forty-three, a few days after said trial, obtained an injunction restraining the said Carleton from making collections of the direct tax for the years eighteen hundred and forty-one and eighteen hundred and forty-two, within Allegany county, and that said injunction remains undissolved, and all further proceedings of the said Carleton, as such Collector, have been suspended ever since, and he himself been a non-resident of the State for more than ten years past; that only one of the sureties in his official bond now survives, the other having died several years ago, and his estate been long since fully administered; and that a renewal of the suit under such circumstances, at this date, after a lapse now of more than twenty years, would be a gross wrong, entirely unworthy of the State; therefore,

SECTION 1. *Be it enacted by the General Assembly of Maryland.* That the claim of the State be and is hereby released to all balances or sums appearing to be due to the State from John M. Carleton, as Collector of the direct tax in Allegany county for the years eighteen hundred and forty-one and eighteen hundred and forty-two, according to the Treasurer's statement of the said Carleton's account with the State, as such Collector, upon the books of the Treasury Department, and that said

Released.