

Mr. Given, from a select committee, reported favorably a bill entitled, An act to repeal the 55, 56 and 57th sections, of article 3, of the Code of Public Local Laws, relating to the collection districts of Baltimore county, and to insert in lieu thereof the following sections;

Which was read the first time.

Mr. Given submitted the following

REPORT:

To the House of Delegates:

The delegation from Baltimore county, to whom was referred the report of George H. Carman, Clerk of the Circuit Court for Baltimore county, made to the House on the 2nd day of January, 1862, in obedience to an order passed December 5th, 1861, ask leave respectfully to report:

That in relation to so much of the document referred to them, as reports the injury done to the records, dockets, trial and other papers, in the office of the clerk of the circuit court for Baltimore county, they recommend the passage of the accompanying bill.

Touching so much of the document as purports to reply to the resolution of the House, inquiring "whether the provisions of sections 54 and 55, article 18, of the Code of Public General Laws. which requires transcripts of all deeds recorded in the county courts, to be transmitted for record to the Court of Appeals, has been complied with in said county, and, if so, up to what period such transcripts have been so transmitted," the committee report:

That the answer of the said George H. Carman is, that the said law "has never been literally complied with in his office, either by himself or his predecessor," but that a rule has prevailed in his office, wholly different from the line of duty prescribed by the law; the plan established is, also, stated to be *obviously* better than the one indicated by law, and the reasons for such opinion is given in his report. The committee have no comment to make upon the course pursued by a public officer in withholding obedience to the mandatory provisions of a law plainly prescribing his duty, upon the theory that the practice in his office, on the subject, was better than the rule prescribed by the statute; especially, in a matter involving such large interests as were intended to be secured by the 54 and 55th sections, of article 18, of the Code.

It will be apparent to the House, under these circumstances, that amendment is necessary to the existing law, which affords, as now administered, it is believed, but little security