

red to reside in the city of Baltimore; and the commissioner or commissioners residing in the country were expressly restricted to a commission at the rate of 7 1 2 per centum, in no event to exceed the sum of \$1500 in any one year.

It is proper to remark further that if that construction of the law be correct, which allows in all but one per cent. on the moneys received for licenses issued to venders of tickets, instead of 10 per cent. thereon, and which restricts the allowance of 10 per cent. exclusively to moneys raised by 'lotteries drawn,' it is questionable whether in some of the years since 1831 the commissions on the same would have yielded so much as \$2000 to each commissioner.

The question that was presented to the committee has been considered, not with reference to the hardships of the case, on one side or the other, or as it regards the personal interests of either the late or the present commissioners—but simply with reference to the facts and circumstances of the case, and the provisions of the acts of Assembly applicable thereto.

In conclusion, the undersigned, in discharge of the duty imposed upon them as members of the standing Committee on Lotteries, report it as the opinion of the minority of said committee, that the late Commissioners of Lotteries, acting under an egregious misconception or misapprehension of the law, have retained a greater amount of compensation than they were entitled to receive for their services as commissioners; that the public interest demands that the error into which they have fallen through such misconception of the law, should be speedily rectified; and with that view the adoption of the resolution herewith is proposed.

JAMES W. WILLIAMS,
M. O. COLSTON,
FREDERICK BYER.

Resolved by the General Assembly of Maryland, That the late Commissioners of Lotteries be severally requested by the Governor of this State to pay into the Treasury of the Western Shore the sum of *seventeen hundred and seventy-two dollars and fifty cents* each, retained by them under an erroneous construction of the law regulating the compensation of persons exercising the office of Commissioners of Lotteries; and that if such request be not complied with in a reasonable time after the passage of this resolution, the Governor is hereby empowered and required to take or direct such further proceedings in the premises, as the public interest may demand, consistently with justice to the parties aforesaid and to the State.