

Hunt's field to the west side of a bounded stone, the beginning of a tract of land called Cockey's Trust, then on the land of Richard Caton to the cross roads, at said Caton's limekiln.

C H A P.  
CV.

IV. AND BE IT ENACTED, That the said Falls turnpike company shall, whenever it is required by Phineas Hunt, cause an arch to be turned under the road in the field of Phineas Hunt, sufficient large to admit the passage of a wagon, that the stock of every description of said Hunt may pass to and from the water of Jones's Falls, and that Job Hunt or Phineas Hunt, their heirs or assigns, may have permission to cross the said road with wagons, cars, stock, &c. as often and at any time they may think proper, without let, hinderance or molestation, from the aforesaid company, or any of their agents.

V. AND BE IT ENACTED, That Thomas Rutter, doctor John Cromwell, Robert Porter, William C. Goldsmith and Benjamin Talbot, be and they are hereby appointed commissioners to review the location of the road as above directed, and in case the said commissioners shall be of opinion that the location as above directed is not the most eligible and advantageous, then it shall and may be lawful for the said commissioners to alter the location thereof, and adjudge and establish such direction, as in their opinion shall be most advisable or advantageous to the community, and all parties interested, having regard to the location established by the original act of incorporation.

C H A P. CVI.

### An ACT respecting writs of error bonds.

Passed 25th of  
January, 1806.

BE IT ENACTED, by the General Assembly of Maryland, That until a chancellor of Maryland shall be appointed and shall qualify as such, it shall and may be lawful for the register in chancery to consider and determine on the sufficiency of the securities mentioned in any writ of error bond, and all bonds approved by him, during the period aforesaid, shall have the same effect and operation, to every intent and purpose whatever, as if the same had been approved by the chancellor.

C H A P. CVII.

### An ACT relative to sheriffs and constables.

Passed 25th of  
January, 1806.

BE IT ENACTED, by the General Assembly of Maryland, That from and after the first day of April next, it shall not be lawful for any sheriff or deputy-sheriff, or for any constable, within this state, during the time they respectively act as such, to purchase in any debt due from any person or persons residing, or who shall reside, at the time of the transfer or assignment of such debt to such sheriff or constable, within the county or hundred within which such sheriff or constable is authorised to serve process for the recovery of debts, whether such debt shall be due on judgment, bond, note or open account, unless such purchase, assignment or transfer, shall be made to such sheriff, deputy-sheriff or constable, for a *bona fide* debt before that time due and owing to him from the person making such assignment or transfer.

II. AND BE IT ENACTED, That if any person or persons shall be sued or warranted by any sheriff, deputy-sheriff or constable, or by any other person for the use of such sheriff, deputy-sheriff or constable, to recover any sum or sums of money which shall have been purchased, assigned or transferred as aforesaid, it shall and may be lawful for such person to plead the general issue, and give this act and the special matter in evidence, and if on the trial it shall appear that such debt has been purchased in, assigned or transferred over, to such sheriff, deputy-sheriff or constable, contrary to the provisions of this act, there shall be a judgment entered in favour of the defendant.

III. AND BE IT ENACTED, That on the return of an execution founded on a judgment purchased, assigned or transferred, to any sheriff, deputy-sheriff or constable, it shall and may be lawful for the person who shall have been executed as aforesaid to allege, in writing, to the court or magistrate before whom such execution shall be returned, that such judgment has been purchased, assigned or transferred, contrary to the provisions of this act, and the court to whom such allegation shall be made shall thereupon cause an issue to be made, and a trial before a jury to be had, and if it shall appear by the finding of the jury, that such purchase, assignment or transfer, has been made contrary to the provisions of this act, the court shall thereupon cause an entry to be made that such judgment is discharged, and an execution may thereupon issue to restore any sum or sums of money that has been raised under any such execution, and if such execution shall be returnable before a single magistrate, such magistrate, on such allegation being made, shall, in a summary way, determine the fact, and if such purchase shall appear to have been made, shall cause the said judgment to be entered discharged, and issue execution as before directed where returned to a court; provided, that nothing contained in this act shall prevent, or be construed to prevent, any sheriff or coroner of