

HARBOURS.

peak Bay, above Cedar Point, or in any River, Creek or Harbour within this Province, and cast into the Bay above Cedar Point, or into any River, Creek or Harbour below High-Water Mark, on Forfeiture of 50*l.* Currency by the Master or other Person having Charge of such Ship, &c. One Half to the Support of Government, the other Half to the Person suing for the same in any Court of Record. 1735, *ch.* 16, §. 2.

2. No Person to build any Wear or Hedge cross any River, Creek or Branch, below any public Landing Place, so as to prejudice the Channel, or obstruct the Passage of Boats, under Penalty of 10*l.* Currency, to be recovered in the County Court, by Action of Debt, &c. *Ibid.* §. 3.

See *Naval Officers*, 7.

HEIR AT LAW ;

— Shall have an equal Share with the other Children in the Distribution of an Intestate's Estate, notwithstanding any Lands he may have, by Descent or otherwise, from the Intestate. 1715, *ch.* 39, §. 5.

HEMP AND FLAX.

1. Hemp of the Growth of this Province (being Water-rotted, bright, clean and merchantable) is made a Staple of this Province at 6*d.* per Pound, and Flax at 9*d.* per Pound; and a Tender thereof at those Rates, in any Port or Town within this Province (or at the Creditor's own Dwelling-House, or the Dwelling-House of his Receiver, in case such Creditor do not reside in the same County with the Debtor) for one fourth Part of any Debt, shall be good in Law for all Debts due in Money or Tobacco, rating the Tobacco at 1*d.* per Pound. 1706, *ch.* 11, §. 2; and 1724, *ch.* 22, §. 2.

2. The Public and County Dues, and 40 per Poll to the Clergy, are excepted out of the above recited Acts. 1724, *ch.* 22, §. 3.

3. Any Creditor refusing such Tender, and afterwards suing the Debtor, shall be Non-suit and pay Costs to the Defendant. 1706, *ch.* 11, §. 3.

HIDES.

1. Any Skins or Hides of Neat Cattle, tanned or untanned, or any old Iron, attempted to be transported out of this Province, by Land or Water, may be seized by any Officer of the Customs. 1712, *ch.* 23, §. 1.

2. Any Master, Merchant, Owner of a Vessel, or other Person, convict of shipping such Hides or Iron, or transporting any by Land out of the Province, shall forfeit the same, and 50*l.* Currency; one Half to the Support of Government, the other Half to the Informer. *Ibid.*

HIGHWAYS.

1. All Public Main Roads shall be well grubbed, fit for travelling, Twenty Feet wide; and good substantial Bridges made over all Heads of Rivers, Creeks, Branches and Swamps, where Need shall require, at the Discretion of the County Courts. 1704, *ch.* 21, §. 2.

2. The County Courts shall ascertain in their Records, once every Year, what are the Public Roads of their respective Counties, and appoint Overseers of the same. *Ibid.* §. 3.

3. No Person shall alter any such Public Road, without Leave of the Governor and Council, or of the Justices of the County Courts; on Penalty of 500*lb* Tobacco. *Ibid.*

4. Any Overseer so appointed, neglecting to clear the Roads as aforesaid, shall be fined 500*lb* Tobacco in Cask. *Ibid.* §. 4.

5. Every Labourer refusing to obey the Overseer, shall be fined 100*lb* Tobacco. *Ibid.*

6. Every Master of Servants, refusing (on Summons) to send all his Taxable Male-Servants to the Overseer,

HIGHWAYS.

shall be fined, for every Servant warned, and not sent, 100*lb* Tobacco. *Ibid.*

7. The Clerk of the County shall issue out Warrants to the Overseers appointed, on Penalty of 1000*lb* Tobacco; and the Sheriff shall deliver the same to the several Overseers, *ex Officio*, on Penalty of 1000*lb* Tobacco in Cask. *Ibid.*

8. One Half of all the above Fines to be disposed of towards defraying the County Charge, and the other Half to the Informer; to be recovered in any Court of Record (*but see the following Article*) by Bill, Plaint, &c. *Ibid.*

9. Except Fines on Persons for not appearing, or on Owners of Servants for not sending their Servants on the Highways, when duly warned; which shall not be prosecuted in any County Court, but before a single County Magistrate, who, on Complaint, is empowered to issue his Warrant to the Constable, to bring such Persons or Owners of Servants before him, and summon Witnesses, and fully to hear and determine all such Cases; and as he shall see just Cause, either to acquit such Persons, or fine them according to the Directions of the above Act, to the Uses therein mentioned. And every Magistrate awarding such Fines, shall keep a fair Account thereof, and return a true List thereof yearly to the County Court, at the Time of laying the County Levies; of which Account the County Clerk shall give a fair Copy to the Sheriff, in Order to collect the same: And, on Refusal of Payment, the Sheriff to levy the same by Way of Execution, in the same Manner as the Public and County Levies, and return an Account thereof to the County Court, to be applied as aforesaid. 1723, *ch.* 17.

10. All Roads leading to Ferries, County Court-Houses, or Churches, or leading thro' any County to Annapolis, shall be marked on both Sides of the Road, as directed by the Act of 1704, *ch.* 21, §. 5. Which Rules and Methods the several County Courts shall give in Charge, from Time to Time, to the Overseers by them appointed; who shall strictly perform the same, under the Penalty aforesaid (*viz.* 500*lb* Tobacco, *see* Art. 4.) And where Roads lead thro' seated Plantations, or old Fields, the Overseers shall set up Posts, so many as may be perceived from one to another, which Posts shall be marked and notched as in this Act directed: And the Posts of all Gates, thro' which any Public Roads lead, shall be marked as aforesaid, under the Penalty aforesaid. 1704, *ch.* 21, §. 5 and 6.

11. The Overseers shall fall all dead Trees, where Limbs hang over the Road, to prevent Damage happening to Travellers by their falling. *Ibid.* §. 6.

12. Overseers are empowered, as often as Need shall require, for repairing and making of Bridges over Heads of Rivers, Creeks, &c. or other low and miry Places, to cut down any Trees on the adjacent Land, and to apply the same to the making and necessary repairing of such Bridges. 1724, *ch.* 14, §. 2.

13. But no Trees fit for Clap-board or Cooper's Timber shall be cut down, nor any Trees for building or repairing of any Bridges maintained at the Public or County Charge. *Ibid.* §. 3.

14. No White Man or Slave, employed about any Iron-Work (unless he be also employed in making Tobacco) shall be obliged to clear, or assist in clearing any Highways or Roads, or in building any Bridges. 1732, *ch.* 17, §. 2 and 3. The Explanatory Act of 1736, *ch.* 17, restrains this Exemption to such as are constantly employed in carrying on Iron-Works. And by the Act of 1750, *ch.* 14, Owners, &c. of Iron-Works are obliged to send One out of every Ten labouring Persons employed in such Works, to assist upon the Highways, &c. subject to the Penalties in the Act of 1704, *ch.* 21, to be recovered and applied according to the Act of 1723, *ch.* 17. *See* Art. 9.

15. Owners of Mills, &c. erected upon Branches where the High-Road crosses, either at, or below, or above