

C H A P.  
XXI.

Penalty on persons whipping the water, &amp;c.

II. BE IT ENACTED, by the General Assembly of Maryland, That if any free person shall whip or beat the water in Great Choptank river with polls or sticks, or other things, for the purpose of driving the fish in that part of said river between the Stock Landing and Blade's Overgoing, during the months of March, April and May, in each year, such person, so offending, shall forfeit and pay for each offence the sum of sixty dollars, to be recovered by action of debt, or bill of indictment, either in the county where the offence is committed, or where the person so offending shall reside, one half to the informer, or person suing for the same, the other half to the use of the county in which such conviction shall take place.

Slaves offending to be punished, &amp;c.

III. AND BE IT ENACTED, That if any slave shall whip and beat the water in said river as aforesaid, such slave shall be punished for every such offence, on conviction thereof before any justice of the peace by the oath of one or more witnesses or witnesses, by whipping on his bare back, in the discretion of the said justice, not exceeding for each offence the number of ten lashes; provided always, that the master or mistress of said slave, or any other person, may redeem said slave, so convicted, from said punishment, by the payment of ten dollars, one half to the informer, the other half to be paid to the said justice for the use of the county; and provided also, that if such slave shall act as aforesaid by the order of his owner or employer, he shall not be subject to whipping as aforesaid, but the owner or employer giving such order shall be subject to the penalty of sixty dollars, to be recovered as aforesaid.

Justices to account, &amp;c.

IV. AND BE IT ENACTED, That every justice of the peace shall, at the levy court of his county, annually account for all sums of money received by virtue of this act, under the penalty of twenty dollars.

## C H A P. XXII.

Passed 19th of Dec. 1800.

## A Supplement to an act, entitled, An act respecting the public roads in Washington county.

Court to appoint persons, &amp;c.

BE IT ENACTED, by the General Assembly of Maryland, That the levy court of Washington county shall have power and authority to appoint three discreet persons, freeholders in said county, commissioners to examine and review that part of the main road leading from Sharpburgh, in Washington county, to Swearingan's ferry, on Patowmack, as laid out by the commissioners under the act of seventeen hundred and ninety-one, as far as said road runs through the estate of Benoni Swearingan, late of Washington county, deceased, and the old road now used leading from Sharpburgh to Swearingan's ferry aforesaid, so far as it runs through said estate, and if, in the opinion of said commissioners, the old road now used as aforesaid should be as eligible, and doing the least injury to the estate of said Benoni Swearingan, that then the said commissioners shall cause to be surveyed and laid out the old road aforesaid, and without delay execute, sign and seal, plain plots of the same, with explicit explanations thereof, and make return of such plots to the said court, who, on receiving such plots and explanations, shall examine the same, and all the evidence that shall or may be offered for or against said road as returned, and, upon consideration of all circumstances, may reject or confirm the same as part of the public road leading from Foxe's Gap, in the South Mountain, to the town of Sharpburgh, and from thence to Swearingan's ferry, on Patowmack river, and shall cause the same, if confirmed, to be recorded among the land records of Washington county, in testimony of the same being established by law, and shall direct the said commissioners to mark and bound the said road sixty feet in width, and direct a supervisor or supervisors to clear and improve the same, in the same manner, and on the same terms, as directed by the act of seventeen hundred and ninety, respecting the public roads in Washington county, and upon completing the same, it shall be deemed part of the public road leading from Foxe's Gap, in the South Mountain, to the town of Sharpburgh, and from thence to Swearingan's ferry, on Patowmack river, and shall be kept in repair as all other public roads are by law directed to be kept, any law to the contrary notwithstanding.

Agree for damages, &amp;c.

II. AND BE IT ENACTED, That in case the said levy court shall ratify and confirm the amendment in the road directed by this act to be made, they shall be and are hereby authorized and empowered to agree and contract with the person or persons over whose land such part of the road, when so amended or altered, may pass, for the amount of damages thereby sustained, not exceeding the rate of ten pounds current money per acre, but if such agreement doth not take place, then the said court shall issue their warrant to the sheriff of the county, commanding him to summon and return a jury of twelve good and lawful men of said county, not interested or relating to the party or parties, to be and appear before some one of the justices of the said court, on the premises, at a certain day in the said warrant to be expressed, which jury, on their oath, or affirmation, as the case may be,