

hereby invested with all the powers and authorities that constables are now invested with by law.

Penalty for breaking lamps, &c.

SEC. 9. *And be it enacted*, That if any person shall wilfully or maliciously break, throw down, destroy or extinguish, any lamps that shall be hung up to light the streets, lanes, or alleys, in said town, or shall wilfully damage the posts, irons, sentry boxes, or other furniture thereof, every person so offending, and being convicted by the oath or affirmation of one or more credible witnesses before any commissioner or justice of the peace in said town, shall forfeit and pay three pounds for each and every such offence; and if any person shall, without design, or by accident, break, throw down or extinguish, any lamp aforesaid, or damage any of the said posts, irons or sentry boxes, or other furniture, and having done the same, shall fail of giving notice thereof to some of the commissioners or justices in said town within twelve hours thereafter, he shall be liable to the same forfeiture as if the same had been wilfully and maliciously done; but if timely notice be by him given as aforesaid, he shall only pay such costs as in the judgment of the commissioner or justice will fully repair the damage done.

Slaves offending may be whipped, &c.

SEC. 10. *And be it be enacted*, That if any slave be convicted of any of the offences created by this act, he shall be whipped on his bare back not exceeding thirty-nine lashes, unless the owner of such slave will pay the fine or repair the damage; and if any person under age, bound servant or apprentice, be convicted of incurring any penalty or damage under this act, the parent, guardian or owner, shall be obliged to pay the said penalty or damage, in the same manner as if they had incurred the same; and all fines incurred under this act shall be recovered in the same manner as debts under five pounds, and shall be appropriated towards defraying the charges of the said lamps and watches.

General issue pleadable.

SEC. 11. *And be it enacted*, That if any person is sued for any thing done in pursuance of this act, he may plead the general issue, and give this act and the special matter in evidence; and no persons shall be prosecuted for misbehaviour or neglect in the execution of this act, unless they are prosecuted within six months after such offence committed.

The residue of the act is details to raise funds, and to regulate the mode of carrying into execution the policy of the act, and are not adapted to the existing condition and ordinances of the corporation. The 17th section was repealed by 1804, ch. 93.

AN ACT to withdraw certain Funds from the Cities of Baltimore, Annapolis, and the Town of Easton, and placing the same in the respective Treasuries, subject to the appropriation of the Legislature.—1804, ch. 93.

Section of former act repealed.

SEC. 1. *Be it enacted, by the General Assembly of Maryland*, That the seventeenth section of the act, entitled, an act for the