

act, shall be entitled to receive two dollars per day for every day they shall attend in the execution of the duties required of them by said act, to be paid by the levy court of Baltimore county, out of the money levied on said county for the support of the criminals adjudged to labour on the turnpike roads. CHAP. 80.

8. AND BE IT ENACTED, That the said levy court shall, out of the said funds, allow and pay unto the surveyor and chain-carriers, ax-men and poles-man, to be employed by said commissioners in surveying and marking said road, a reasonable compensation for their services. Compensation to surveyor, &c.

9. AND BE IT ENACTED, That the rate of toll to be hereafter collected shall be the same at each of the gates which have been erected by the commissioners of review. Rate of toll to be the same at each gate.

10. Whereas, by the sixteenth section of the act of November session, eighteen hundred and one, * chapter twenty-seven, the supervisor appointed by the commissioners of review, when required by the levy court of Baltimore county, is directed to deliver over to the supervisor appointed in virtue of the above recited act, all the criminals that should be under his charge, and also all wagons, and so forth, belonging to said county, and to render an account, on oath or affirmation, to the justices aforesaid, of all monies by him received and expended within twelve months then last past, and to pay over the monies in his hands to said justices, and on neglect or refusal it should be lawful for Baltimore county court, upon motion, and at the instance of the levy court, to direct judgment to be entered on the bond of such supervisor against him and his securities: And whereas it appears that the supervisor never gave bond, and therefore the remedy prescribed by said act is inoperative; for remedy whereof, BE IT ENACTED, That in all cases where the supervisor or supervisors appointed as aforesaid shall, on the demand as above recited, refuse or neglect to comply with the directions and provisions of the sixteenth section of the aforesaid act, where bond has not been given for the performance of his duty, on application as aforesaid by the said justices to the county court aforesaid, stating that no bond had been given, and in what said supervisor had refused or neglected, it shall and may be lawful for said court to enter judgment against such supervisor for the sum due, in the same manner as the said court could have done in case bond had been given; *Provided*, that if such supervisor shall demand a jury trial, he shall be entitled to the same; and that the said county court shall cause an issue to be made in a summary way, of the subject matter of dispute, and the jury shall ascertain the sum due from such supervisor, and the judgment of the court shall be given for such sum, in the same manner as in actions on the case, and be enforced in the same way as other judgments at law; *And provided further*, that such supervisor shall not be entitled to a continuance, unless it shall appear to the satisfaction of the court that it is necessary for the merits of the case. * Ch. 77.

In certain cases judgment may be entered against supervisor.

Provisos.

11. AND BE IT ENACTED, That any thing in the act to which this is a supplement repugnant to, or inconsistent with, the provisions of this act, shall be and the same is hereby repealed. Part of an act repealed.