

CHAP. 73. of the justices of the levy court of such county respectively where such property may lie, or injury shall be done, or nuisance committed, except in such counties where the same hath been already otherwise vested.

Certain damages to be paid over to sheriff.

4. AND BE IT ENACTED, That all damages recovered in any suit instituted under this law, and all fines imposed and received under this law, shall be paid over to the sheriff of the county for the time being where such damages are recovered, or fine imposed; to be applied for the benefit of such county as other public monies are applied.

To be by him paid over as justices shall direct.

5. AND BE IT ENACTED, That each and every sheriff shall pay over such damages, or fine, by him received, in such manner as the justices of the levy court of his county shall direct, and that the bond given by him as sheriff shall be liable for, and may be put in suit for, the recovery of the same, in the same manner as it might be put in suit for any other public monies for which the said sheriff may or might be responsible.

Persons having claims against any county may sue.

6. AND BE IT ENACTED, That any person having any claim against any county for any real property possessed by any county, and which by this act is vested in the justices of the levy court of such county, may commence and prosecute his action at law for the same, by issuing a summons, directed to the justices of the levy court, and sending with such summons a declaration or short note, expressing the cause of action, and such person may declare against the said justices of the levy court in the same manner as he might against any individual for the same cause, and the attorney-general, or his deputy, shall appear and plead thereto, and the issue shall be made up, and the jury shall try the same, and if they find for the plaintiff, a writ of possession shall issue for the recovery of the possession of real property, and if damages are found for the plaintiff, the justices of the levy court of said county where such issue shall be tried shall, at their next sitting after the trial of such issue, levy such sum of money so as aforesaid recovered, with costs of suit, on the assessable property of such county, and shall cause the same to be paid over to the said plaintiff, or his order, in the same manner as other public charges are assessed and paid over.

CHAP. LXXIV.

Passed Jan. 19 1805 *An Act to lay out, open and change, a Road leading from Owings' and Paul's Mill to Elk Ridge Landing.* Lib. JG, No. 4, fol. 656.

Preamble.

WHEREAS it is represented to this general assembly, by the petition of John Dorsey, Larkin Dorsey and Richard Dorsey, of Elk Ridge, that the road leading from Owings' and Paul's mill to Elk Ridge Landing runs through their lands, to their great injury, and is very circuitous: And whereas a respectable number of citizens living contiguous thereto have consented to and requested the contemplated change and alteration; and it appearing reasonable and proper to this general assembly to advance the interests of individuals, when no public inconvenience would result therefrom; therefore,

Commissioners appointed to lay out road.

2. BE IT ENACTED, by the General Assembly of Maryland, That Thomas Beale Dorsey, of Caleb, John Spurrier and Thomas Worthington, of John, of Anne-Arundel county, or a majority of them, be and they are hereby appointed commissioners to survey, lay