

CHAP. 21.

said writ of execution is returned, at the request of the plaintiff, his agent or attorney, at any time within sixty days from the return day of said execution, to enter judgment for the plaintiff against the said constable, and his securities, for the amount of the debt and costs, on which judgment execution may issue immediately, directed to the sheriff of the county, or the constable of any hundred in said county, who is hereby directed to execute the same; *Provided*, that such judgment shall not be entered until proof shall be made, on oath or affirmation, that the debt and costs have been demanded by the plaintiff, his agent or attorney, of the said constable, and that he hath refused or neglected to pay the same.

Proviso

3. AND BE IT ENACTED, That any justice imposing any fine by virtue of this act, may issue execution for the same in the nature of *capias ad satisfaciendum* or *feri facias*, directed to the sheriff, or the constable of any hundred in said county, and the same shall be applied towards defraying the county charges.

Justice imposing fine may issue execution for the same.

4. AND BE IT ENACTED, That if any constable, against whom judgment shall be entered as aforesaid, shall satisfy the plaintiff the amount of his debt and costs, he shall have the same remedy against the defendant, on the plaintiff's judgment against him, as the plaintiff himself might originally have had.

Constable on satisfying plaintiff his debt and costs, to have remedy against defendant, &c.

5. AND BE IT ENACTED, That this act shall continue to be in force for and during the continuance of the act to which this is a supplement.

Durations

There is no limitation to the original act.

6. AND BE IT ENACTED, That so much of the act to which this is a supplement, as is contrary to, or inconsistent with, this act, be and the same is hereby repealed.

Part of an act repealed.

CHAP. XXII.

An Act to enable the Levy Court of Washington County to alter and change the direction of a Road therein mentioned. Lib. TH. No. 1, fol. 216.

Passed Dec 31

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants of Washington county, that considerable inconvenience results to a number of said inhabitants, from the present direction of a road leading from Ashe's Ford, on Conococheague creek, to the intersection of said road with the main road leading from Hager's-town to Little Conococheague creek, both on account of its circuitry and the badness of the ground over which it now passes, and that if said road were laid out, beginning with the present one at Ashe's Ford, on Conococheague creek, and running with the same to Lick Run, then departing from the present road in a direction to intersect the William's Port road leading into the Hager's-town, at or near the lands of the heirs of the late Baltzer Moudy, that it would be shortening the present route forty perches, and run over much better ground; and it appearing reasonable and proper to this general assembly to remove those inconveniences which clash with the interest of individuals, when such removal will not militate with public convenience, therefore,

Preamble

2. BE IT ENACTED, by the General Assembly of Maryland, That the levy court of Washington county, if they, or a majority of them, should think that a road laid out in the direction suggested by the petitioners, in the preamble of this act, would be beneficial

Levy court to appoint commissioners to lay out road &c.--Damage