

ing the fish in that part of said river between the Stock Landing and Blade's Overgoing, during the month 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.

3. 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 witness 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.

4. 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.

CHAP. XXII.

A Supplement to an act, entitled, (a) *An act respecting the Public Roads in Washington County.* Lib. JG. No. 3, fol. 388. Passed Dec. 19.

(a) 1799, ch. 32. See 1801, ch. 32, ch. 94.

1. 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 Sharpsburgh, in Washington county, to Swearingen's ferry, on Potomac, 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 Swearingen, late of Washington county, deceased, and the old road now used leading from Sharpsburgh to Swearingen'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 Swearingen, 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 Sharpsburgh, and from thence to Swear-