

from pleading as a defense to such failure to perform his work in the time specified in the contract, that the same was caused by unusual weather, and that with ordinary care he could not have avoided such delay; and if the Board of District Road Commissioners shall be satisfied that such has been the cause of the delay, they shall give such contractor further reasonable time to perform such work, and the contractor shall not be liable for any damages to the county for such delay, when so authorized.

Right to
appeal

203 K. Any contractor shall have the right to appeal from any order of the County Commissioners or Board of District Road Commissioners affecting his interests as such contractor, such appeals to be governed by the law regulating such appeals from a justice of the peace. When any appeal is taken by any contractor, the cause shall be entitled "Road Contractor of Election District No. —, appellant, against County Commissioners of Anne Arundel, defendant."

Preserved
and
recorded.

203 L. All bonds of contractors or other persons shall be carefully preserved and recorded on file in the office of the clerk of said County Commissioners. A copy of any such bond shall be competent as evidence thereof in any suit, proceeding or prosecution against the contractor and his sureties, or either of them, for breach of said contract. The said County Commissioners, or any person aggrieved, may, from time to time, institute suit against the contractor and his sureties on said bond (or against his or their personal representatives) in any court of competent jurisdiction for any loss or damages sustained by the acts or omissions of the contractor, or to restrain payment of any money due the contractor. The said bond shall not be void or discharged on the first or any other recovery, nor until persons aggrieved shall be satisfied. And for any wilful and intentional violation of or failure, without good cause, to discharge any duty prescribed by this sub-title, the contractor shall be deemed guilty of a misdemeanor, and shall, on conviction, be fined therefor not less than five dollars (\$5) nor more than one hundred dollars (\$100), to be recovered by warrant in the name of the State, to be issued by and returnable before any justice of the peace in said county; and it shall be the duty of any person aggrieved or injured to have such warrant issued upon his knowledge or upon information of another on oath. On the trial of such cause the contractor shall be entitled to a jury, if demanded, and either party may enter an appeal to the Circuit Court, as other appeals are now taken.