

C H A P.
LXXXVII.

liable to toll, round any toll-gate, with intention to evade the payment of the toll, such person, if free, shall forfeit a sum not exceeding two dollars for every such offence, and if a servant or slave, the master or mistress shall forfeit and pay a sum not exceeding one dollar.

Fines, &c. how
to be recover-
ed, &c.

XXI. AND BE IT ENACTED, That all fines, penalties and forfeitures, imposed by this act, shall be recovered in the manner directed by the act of assembly passed at February session, one thousand seven hundred and seventy-seven, but one half of the said fines, penalties and forfeitures, on recovery thereof, shall be paid to the supervisor aforesaid for the time being, by the order of the levy court, to be by him applied in execution of this act.

Court may call
on the collec-
tor, &c.

XXII. AND BE IT ENACTED, That the levy court, or a majority of them, shall have power and authority to call on any person or persons who have or may hereafter be appointed collector or collectors of the tax imposed on Baltimore county, to settle and pay the amount of said tax, agreeably to the directions of this act, and in case of refusal or neglect to settle and pay the same within the time directed by law for the payment of the county levies, the said levy court, or a majority of them, shall proceed against the said collector or collectors, and their securities, in the same manner as the justices of the peace are directed by the act for the establishment and regulation of the levy court in the several counties in this state to proceed against collectors, and their securities, and there shall be similar proceedings and similar remedy for the recovery of the same.

Road to be
first finished,
&c.

XXIII. AND BE IT ENACTED, That the said levy court shall cause to be made and finished first, the road leading from Baltimore towards Reister's-town, as far as George Fisher's tavern, and then the road leading from Baltimore towards York, the distance of eighteen miles, and then the road leading from Baltimore towards Frederick-town, as far as the line of the county, and then the road leading from Baltimore towards Elizabeth-town, as far as Patapsco falls; and the said levy court shall then cause the supervisor to proceed to make and finish any one, or any part of the aforesaid roads, as they may think most beneficial to the county.

Monies, how
to be applied,
&c.

XXIV. AND BE IT ENACTED, That when the monies directed to be levied by this act, and the monies arising from tolls, fines and forfeitures, annually received, shall amount to more than the expences of the criminals, and other expences necessary to keep them employed, that then the surplus shall annually be applied, first in discharge of the debts already incurred, for which accounts have been passed and certificates given by the commissioners of review, and then in such manner as the levy court may judge most advantageous to the county.

Road to be
cleared, &c.

XXV. AND BE IT ENACTED, That the said levy court shall cause to be cut down, cleared and grubbed, during the ensuing winter, the Elizabeth-town turnpike road, from captain Allen's mill, on Patapsco falls, to where it shall intersect the Reister's-town turnpike road, as it is now laid out, or as it may be laid out in consequence of any act of this session of assembly; provided, that the said levy court shall be of opinion their funds are sufficient for that purpose.

Sheriff to sum-
mon a jury,
&c.

XXVI. AND BE IT ENACTED, That the sheriff of Baltimore county shall, on receiving a warrant for this purpose from any justice of the peace for Baltimore county, summon a jury of twelve lawful men of his county, not connected with either of the parties, and not holding any land through which any turnpike road now runs, to be and appear before two justices of the said levy court, on a certain day by the said warrant to be appointed, not less than ten days after the date of such warrant, on any lands in the York turnpike road in the said warrant mentioned, which jury, upon their oath, to be administered by a justice of the peace for Baltimore county, shall inquire what damage the party applying for such warrant hath sustained by reason of the York turnpike road passing over and through his or her lands, and the said jury are hereby required to consider the convenience and benefit, and the advantages, (if any,) by reason of such road passing through such land, and the said sheriff shall return the inquest or finding of such jury, under his and their hands and seals, to the justices of the levy court aforesaid; and the justices of the levy court are hereby authorised and required to pay all damage or value assessed under this law in the same manner as other damages or value have been paid, or which have been assessed on other turnpike roads in said county.

Powers repeal-
ed.

XXVII. AND BE IT ENACTED, That all the powers vested in the court of oyer and terminer and gaol delivery of Baltimore county to levy money for the support of the criminals employed on the turnpike roads are hereby repealed.