

**CHAP. 283.** ment in which it shall or may be so stipulated or understood as aforesaid, he, she, or they, so offending shall upon conviction thereof forfeit and pay for every such offence any sum not less than three hundred dollars, nor more than one thousand dollars, one half for the use of the informer and the other half for the use of the State, and all moneys hereafter paid by any person or persons in performance, or in pursuance of any such void or prohibited contract or agreement, as a difference between the price agreed upon and the current price or value at the time stipulated or understood for the execution or performance of such void or prohibited contract or agreement, or as damages for the breach or non-performance of such void or prohibited contract or agreement, or as damages for the breach or non-performance thereof, by any vender or purchaser in any such case, or by way of compromise or otherwise, by reason of any such void or prohibited contract or agreement, or any breach thereof, shall be held and deemed to be moneys had and received by the person or persons receiving the same, to and for the use of the person or persons paying the same, and as such together with a penalty of twenty per cent on the amount so paid and received with lawful interest thereon shall be recoverable by the person or persons so paying the same, his, her, or their executors, administrators, or assigns, and liable in the same manner that other due to the payee or payers thereof are liable to attachment or execution by the creditors thereof.

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CHAPTER 283:

Passed March 8, 1842. *An act to authorize the laying out and opening a Road through a part of Frederick and Montgomery Counties.*

**Commissioners.** SECTION 1. *Be it enacted by the General Assembly of Maryland, That Elias L. Delshmutt, S. R. Waters, James W. Simmons, of Frederick county; and Gassaway Sellman and Thomas Hodges; of Montgomery county, be and they are hereby appointed commissioners to survey, lay out and open a road not exceeding forty feet in width, in the best and straightest direction, taking all circumstances into consideration, to commence on the eighth line of the Bucky's-town road, running by Dudderow and Johnson's mill, in Frederick county, and from thence to intersect the mouth of Patrick Murphy's lane, on the north east side of said Murphy's house, thence to intersect the road from Clarks-*