

CHAP. 283. SEC. 3. *And be it enacted*, That in the event of said proprietors or agents failing or refusing to comply with the provisions of the second section of this act, then and in that case it shall be the duty of the gate keeper at gate number one, to demand of and receive from such proprietor or proprietors so failing, the sum of one dollar for each and every stage coach passing over said road its entire length.

Superintendent to institute suit for tolls. SEC. 4. *And be it enacted*, That the superintendent of said road, may and it is hereby declared to be his duty to institute proceedings at law either in the county court or before a justice of the peace against the proprietors of all or any of the stage coaches upon their refusal or neglect to pay all tolls imposed by this act, and said proceedings at law shall be instituted and maintained in the name of the said superintendent, and in case of the owners of said stage coaches residing without the limits of Allegany county, a service of the warrant or capias upon the driver of said coaches, shall be sufficient, *provided*, in case the service shall be made upon the driver it shall be competent for the owner or owners of said coaches on motion, to be made parties to such proceedings and to defend such suits.

Gate keeper No. 1, to keep an account &c. SEC. 5. *And be it enacted*, That it shall be the duty of said gate keeper at gate No. 1, to keep an accurate account of the number of times said coaches shall pass through said gates monthly.

Repealed. SEC. 6. *And be it enacted*, That all acts inconsistent with the provisions of this act, be and the same are hereby repealed.

To go into force 1st April SEC. 7. *And be it enacted*, That this act shall go into effect and be of full force on the first day of April next.

## CHAPTER 283.

Passed March 9, 1843.

### *An act relating to suits on Constables Bonds.*

Receipt of the constable to creditor declared to be sufficient. SECTION 1. *Be it enacted by the General Assembly of Maryland*, That in all actions or suits in court by any creditor upon the bond of any constable, for any neglect of duty or default, in not prosecuting and recovering money upon any claim placed in the hands of such constable for collection according to law, or for a breach of duty in not paying over money collected by him upon any such claim, the receipt of such constable to the creditor or his agent for the claim for collection, or proof that he received it for collection according to law, shall be sufficient prima