

for the passage of stock of all kind without demand or payment of toll.

SEC. 5. *And be it enacted*, That to prevent delay to vessels in passing through the draw of said Bridge, it shall and may be lawful for the County Commissioners of Kent and Queen Anne's counties to levy annually on their respective counties a sum of money not exceeding seventy five dollars, and to employ and pay therewith some suitable person to attend each and every day, from sun rise to sun set, to open the draw for the passage of vessels, and if the person so employed shall fail to discharge the trust reposed in him, he shall be liable to be sued before any justice of the peace of the county in which he shall reside, in an action of debt by any person aggrieved, who upon giving satisfactory proof of such failure, shall recover the sum of twenty dollars in addition to the costs.

To prevent delay at draw

SEC. 6. *And be it enacted*, That the County Commissioners for the said counties be and they are hereby required to levy annually on their respective counties a sufficient sum to defray one half the expense of keeping said Bridge in a state of thorough repair, and may separately employ some person or persons to superintend said repairs, who shall render an account of such repairs to the County Commissioners so employing him or them, for they may agree jointly upon the same superintendent, in which case the person so appointed shall render an account of said repairs to the County Commissioners, of each of said counties.

Authorised to levy.

SEC. 7. *And be it enacted*, That in case the County Commissioners of either, or both of said counties, shall conceive that the person or persons contracting to build said Bridge has failed in any manner to perform his contract, it shall be lawful for them, or either of them, to withhold the money contracted to be paid, until the said contract shall have been complied with, and they, or either of them, shall also be at liberty to bring an action in their respective counties on the bond of said contractor, or a copy thereof, under the hand of the Clerk of either of said County Commissioners, and the extent of the recovery shall be the damages sustained by the people of said county in which the said suit is brought, and said action shall be tried at the first term of the court at which said suit is brought, and no other notice thereof shall be necessary, except a written notice set

May withhold money contracted to be paid.