

C H A P.
XLV.

justices of the said court shall levy upon the assessable property of the said county the damages so adjudged to be sustained by the persons through whose lands the road as aforesaid shall pass, and which sum, when collected, shall be paid to the person or persons sustaining such damages by the collector of the said county.

C H A P. XLVI.

Passed January 20.

An ACT to authorise the issuing of a patent to Jacob Haynes, of Washington county.

Preamble.

WHEREAS it is represented to this general assembly, that Norman Bruce, of Frederick county, heretofore surveyed a small tract of land, lying and being in Washington county, called Smear's Neglect, containing seven acres of land, and afterwards, on the thirtieth day of April, in the year seventeen hundred and ninety-two, assigned the certificate thereof to a certain Jacob Haynes, of Washington county, for a valuable consideration, but by mistake the assignment was made and endorsed to one Frederick Smears, of the same county, in whose name a patent on the said certificate has been erroneously obtained: And whereas it is alleged, that the said Jacob Haynes is the person to whom the said patent ought to have been granted; therefore,

Register to issue a patent, &c.

II. *Be it enacted, by the General Assembly of Maryland,* That the register of the land-office for the western shore be and he is hereby empowered and required to issue a patent upon the said certificate to the said Jacob Haynes, as the assignee thereof, in the same manner, and to the like intent and purpose, as if the said Jacob Haynes were mentioned and endorsed as such assignee; and the said Jacob Haynes, his heirs and assigns, shall thereupon and thereafter be deemed and considered as the legal proprietors of the said tract of land; provided nevertheless, that nothing herein contained shall in any manner affect the right or title of the said Frederick Smears, or of any person or persons whatsoever, if any there be, acquired or derived by, from or under the patent heretofore granted as aforesaid.

C H A P. XLVII.

Passed January 20.

An ACT to prevent hogs from going at large in the town of Westminster, in Frederick county.

Preamble.

WHEREAS it is represented to this general assembly, that sundry persons do raise and keep great numbers of hogs, and suffer them to remain at large, in said town, to the great injury of the inhabitants thereof; therefore,

No person to raise hogs, &c.

II. *Be it enacted, by the General Assembly of Maryland,* That from and after the passing of this act it shall not be lawful for any person or persons whatsoever to raise or keep any hogs within said town, or within one half mile from the center thereof, except in enclosures, or to suffer any hogs to go and remain at large therein; and if any hogs shall be found going and remaining at large within said town, it shall and may be lawful for any person or persons to kill or impound the same, and if impounded, such persons shall immediately give notice, by advertisements set up at the most public places in said town, describing the hogs so impounded, and if the owner or owners shall not, within five days thereafter, prove his or her property therein, and make compensation for the injury, if any, which may have been sustained by any inhabitant of the said town, to be ascertained by any two disinterested persons, inhabitants as aforesaid, and shall not pay for every such hog the sum of two shillings and six-pence for every day it shall have been so impounded, it may be lawful for the person or persons, so impounding as aforesaid, to sell or kill the same for his or her benefit.

Persons sued may plead, &c.

III. *And be it enacted,* That if any person or persons shall be sued and impleaded for killing, destroying and selling, any such hog as aforesaid, the defendant or defendants may plead the general issue, and give this act and the special matter in evidence.