

# I N D E X.

## BOATS.

3. Persons discovering, taking up and securing, any Flat, Boat, or other Vessel, drove from any Place of Mooring, Landing, Harbour, &c. shall, within Ten Days, give Notice thereof to some Magistrate of the County, who shall deliver the Party an Advertisement describing the Built and Marks of such Flat, &c. and the Name of the Person so discovering, &c. and the Place of his Abode: Copies whereof such Party shall cause to be set up in the most public Places in the County, within Ten Days, and procure the same to be inserted in the MARYLAND GAZETTE, within Thirty Days after Date thereof; and deliver the same to the Owner, (proving Property before a Magistrate) on Payment of reasonable Costs and Charges for the same. 1753, *ch. 10, §. 2.*

4. Persons taking up such Flat, &c. and not performing what is by this Act required, shall forfeit and pay to the Owner 50 Shillings Currency, to be recovered in a summary Way before a single Magistrate. *Ibid. §. 3.*

5. But, if such Flat, &c. be taken up on the Eastern Shore, in the Winter Season, so that by Reason of Ice no Intercourse may be had with the City of Annapolis, then may the Person taking up the same, cause such Advertisement to be inserted in the GAZETTE, within Thirty Days after such Obstruction removed. *Ibid. §. 4.*

BOATSWAIN. See *Tobacco Inspected, 3.*

BODIES POLITIC. See *Annapolis, 10. Schools, 2, 18—20. Vestries.*

## BONDS.

1. The Oath of One or more subscribing Witnesses to any Bill or Bond, made before One Provincial or County Magistrate, or any other legal Evidence, shall be Evidence to prove the Debts in the Provincial and County Courts. But the Defendant, if he thinks fit, may traverse such Proof. 1729, *ch. 20, §. 7 and 8.*

2. No Attorney shall charge more than One Fee, on any Bond whatsoever, although there be One or more Sureties thereto, for suing or bringing the same to Judgment, or for Defence thereof, rating the Fees from the real Balance due, and not from the Sum mentioned in the Condition. 1747, *ch. 23, §. 7.*

3. No County-Clerk shall issue more than One Writ or Declaration on such Bonds, where the Principal and Sureties reside in the same County; but, in such Case, One Action only shall be founded on such Bond; which shall not abate during the Life of any of the Defendants. And the Clerk's Fees shall be charged accordingly. *Ibid. §. 8.*

4. But where the Principal and Sureties live in different Counties, separate Process may issue thereupon out of the Provincial Court. But where any Two Parties to such Bond reside in the same County, One Writ only shall issue to such County, including both the Defendant's Names, and the Fees thereon, shall be chargeable as One Suit only. *Ibid. §. 9.*

5. This Act shall not extend to any Action or Suit where the Plaintiff shall direct his Attorneys to commence several Actions; or where a Titling shall be sent to the Office for suing of several Writs to the same Bond. *Ibid. §. 10.*

See *Administration Bonds, per Tot. Administrators, 16—19. Advancement of Justice, 5—9. Attachment, 10. Attorneys, 8, 12. Bankrupts, 3—5. Bills of Exchange, 1. Discount in Bar, 1, 2. Foreign Debts, 2. Judgment Bonds, 1. Limitation of Actions, 6. Sailors, 1. Suits at Law, 2—4. Tobacco-Debts, 3—6. Usury, 2.*

## BOOK-DEBTS;

1. ——— Shall be Demanded before put in Suit. See *Demand of Debts.*

2. ——— Shall be Proved. See *Accounts.*

See also *Attachment, 11. Limitation of Actions, 1. Tobacco-Debts, 2.*

BOOTY. See *Militia, 9.*

## BOUNDARIES OF LAND.

1. No Person shall, on any Pretence whatsoever, cut down or destroy any Boundary-Tree, either of his own or any other Person's Land, even although such Boundary Tree should stand within his own Land, on Penalty of 5000<sup>lb</sup> Tobacco for every Offence; One Half to the Informer, the other Half to the Free School of the County. 1722, *ch. 8, §. 2.*

2. Any Person presuming, without lawful Authority, to bound any Tree, or to set up other Boundaries, for his own or others Lands, in Lieu of any original decayed Boundary, without giving Notice to all Persons concerned therein, of the Time and Place proposed for setting up such Boundary: Or who (upon their not appearing on such Notice) shall not take with him Four substantial Neighbouring Free-holders to be present thereat, shall forfeit on every Conviction, 5000<sup>lb</sup> Tobacco to the Uses aforesaid. *Ibid. §. 3.*

3. In all such Prosecutions, the Attorney-General, &c. shall be as particular as possible in describing the Place, or Lands affected by the setting up or destroying such Boundaries. *Ibid. §. 4.*

4. On Petition of any Land-holder for a Commission to examine Evidences to prove the Bounds of his Land, or other Lands whereon the same may depend, &c. the County Court may grant a Commission to Four substantial Free-holders in the County, no way related to the Parties, nor interested in the Land; any Three or Two of which (being first sworn duly and impartially to examine and certify such Evidences) may summon all such Evidences as shall be nominated by the Petitioner or others concerned, to appear before them at a Day appointed, upon the Land; and shall examine all such Evidences upon Oath, concerning the Bounds thereof, and reduce such Evidences into Writing, in Presence of all the Parties concerned who shall be present; and return the same to the County Court, to be recorded in perpetual Memory, &c. 1723, *ch. 8, §. 2.*

5. All Examinations so taken, shall be good as if taken according to the Rules and Practice in Chancery; any Defect in Form, &c. notwithstanding. *Ibid. §. 3.*

6. The Commissioners so appointed, shall affix public Notice, at the Parish Church where the Land lies, intimating the Time and Intention of their Meeting, Three Sundays at least before such Meeting: And the like Notice shall be put up at the most public Places of the County, Twenty Days before such Meeting. *Ibid. §. 4.*

7. Where any Person known to be interested, lives out of the County, a like Note shall be fixed upon the Church Door of the Parish wherein such Party resides, Forty Days before such Meeting. *Ibid.*

8. The Commissioners shall return Certificate of such Notice having been given, together with the Examination of the Witnesses. *Ibid.*

9. The Commissioners and Evidences shall have the same Allowance, as Justices and Evidences in the County Courts; to be levied in the same Manner as Officers Fees. *Ibid. §. 6.*

BOUNDS. See *Counties. Parish Bounds.*

BRANDING. See *Blasphemy, 2. Coins, 1. Negroes, 43. Thieving, 6.*

BRANDY. See *Liquors Imported.*

BREAD. See *Flour.*

BREAKING open of Shops, Stores, &c. See *House-Breaking.*

## BRIDGES.

1. Good substantial Bridges shall be made in Public Roads, over all Heads of Rivers, Creeks, Branches, and Swamps, where Need shall require, at the Discretion of the County Courts. 1704, *ch. 21, §. 2.*

2. Overseers of the Roads are empowered to cut down any Trees on the adjacent Lands, and apply the same for the making and repairing of Bridges over  
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Heads