

as evidence before him, on the hearing any caveat, provided reasonable notice in such order be given to the other party.

C. H. A. P. XXXVIII.

C. H. A. P. XXXIX.

An ACT for the speedy application of the monies appropriated for repairing the streets in Baltimore-town, in Baltimore county, and for other purposes. Lib. TBH. No. A. fol. 183.

Passed 15th of June, 1782.

This act was to continue for five years, &c. Continued by November, 1787, ch. 36, for seven years, &c. by 1795, ch. 83 to 30th January, 1798. Expired. Revived and continued (where not altered by other acts,) by 1798, ch. 19, to the end of the session, and all acts done under it confirmed. Expired.

C. H. A. P. XL.

An ACT relating to the fines to be imposed on jurymen, witnesses and constables. Lib. TBH. No. A. fol. 184.

BE IT ENACTED, by the General Assembly of Maryland, That in all cases in which jurors or witnesses shall be summoned to appear at the general court, and shall, without sufficient excuse, neglect to appear, the general court may fine every such delinquent not exceeding thirty-five pounds current money; and whenever any jurors or witnesses shall be summoned to attend any county court, and shall, without sufficient excuse, neglect to appear, every such delinquent may be fined by the said court not exceeding twenty pounds current money.

Fine on jurors, &c.

II. AND BE IT ENACTED, That whenever any person shall be appointed a constable by any court, and shall neglect to act according to such appointment, and shall not, within five days after notice of such appointment, qualify as constable, or within that time find a sufficient and proper person to qualify and act in his stead, he shall be fined by the said court not exceeding ten pounds current money.

On constables, &c.

III. This act to continue and be in force three years, and until the end of the next session of assembly which shall happen thereafter.

Duration.

Continued by 1785, ch. 77, for seven years, &c. and by November, 1792, ch. 77, to 30th October, 1799, &c.

C. H. A. P. XLI.

An ACT for laying off and clearing a main road from Elizabeth-town, in Washington county, through Charlton's gap in the South Mountain, on a straight line, till it intersects the road leading from Frederick-town to York-town, in Pennsylvania. Lib. TBH. No. A. fol. 184.

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants of Washington and Frederick counties, that they have discovered a good waggon road can be made from Elizabeth-town, in Washington county, through Charlton's gap in the South Mountain, which, if opened and extended, would facilitate the carriage of produce from the said port of Washington, and port of Cumberland county, in Pennsylvania, and the county over the Allegany mountains, to Baltimore-town, by which means the subjects of this state would be better enabled to pay their taxes, and would increase the trade of the state in general;

Preamble.

II. BE IT ENACTED, by the General Assembly of Maryland, That Daniel Hughes, Alexander Clagett and James Walling, of Washington county, are appointed commissioners, and are hereby authorised to lay off a main road, forty feet wide, from Elizabeth-town, in Washington county, through Charlton's gap, the nearest and best way toward Baltimore-town, on as straight a line as the nature of the ground will admit of, and doing no unnecessary damage to the property of individuals; and that Mark Harman, Richard Lilley and William Winchester, junior, or any two of them, are hereby appointed commissioners of the road on the east side of the South Mountain, to continue the said road through Charlton's gap towards Baltimore-town, from the east side of the South Mountain, on a straight line, the nearest and best that can be had, till it intersects the road leading from Frederick-town to York-town, in Pennsylvania.

Commissioners appointed, &c.

III. AND BE IT ENACTED, That at any time after the said commissioners have laid off and marked the said intended road, they are hereby further empowered to call on the overseers of the respective hundreds through which the said road may run, to warn the inhabitants to attend one day in each month, on such part of the said road as the commissioners may direct, until the same be made complete,

To call on overseers, &c.