

C H A P .
XXIX.

and ditches to be cut for draining and leading off the water from the said roads; and shall also cause mile-stones to be set up.

Who may contract, &c.

II. AND BE IT ENACTED, That the said commissioners, or any three of them, are hereby empowered to contract with any person or persons for building a good and substantial bridge over the Great falls of Gunpowder, at the most convenient place, and shall and may cause a gate or turnpike to be erected at the said bridge, and be entitled to demand and receive the following tolls: For every four wheel riding carriage, including horses and driver, eight-pence; for every two wheel riding carriage, horse and driver, six-pence; for all waggons and other carriages, including horses and driver, eight-pence each; for every horse and rider, two-pence.

And collect money, &c.

III. BE IT ENACTED, That the said commissioners, or any three of them, may collect money by private subscription or a lottery, or they may pledge the tolls hereafter to be collected in virtue of this act, and raise a sum of money on loan, on the credit thereof, and the same apply towards opening, amending and keeping in repair, the said road, and building and supporting the bridge aforesaid, as also towards payment and satisfaction of all damages which individuals may sustain by the streightening the said road, which damages shall be ascertained in the same manner, and under the same limitations, as are provided in and by the act, entitled, An act to lay out several turnpike roads in Baltimore county, passed this present session; * provided nevertheless, that the said tolls so pledged to the person or persons advancing money thereon, shall be void when the said monies so advanced, with eight per cent. interest, shall be repaid them.

Chapter 23.

By 1791, ch. 31, directions are given for summoning a jury to inquire into the damages, &c.

To be deemed a public road, &c.

IV. AND BE IT ENACTED, That the said road, when laid out and streightened, shall be considered as a public road, and the overseers of the road shall be obliged to work on the same in such manner as is heretofore provided by law for other public roads.

Commissioners to render account, &c.

V. BE IT ENACTED, That the said commissioners shall render annually to the county court, to be held for the respective counties, a true, full and fair account, of all monies by them collected and expended by virtue of this act.

How vacancies are to be filled.

VI. AND BE IT FURTHER ENACTED, That if any of the said commissioners shall die, or refuse to act, that the other commissioners may appoint another person or persons in his or their stead.

C H A P . XXX.

Passed 18th of May, 1787.
* 1785, ch. 72.

An additional supplement to the act, * entitled, An act for enlarging the powers of the high court of chancery. Lib. TBH. No. B. fol. 243.

Preamble.

WHEREAS doubts have been conceived, that under the powers heretofore vested in the high court of chancery the chancellor cannot grant relief in certain cases, or pronounce any decree against persons not residing in this state, and many cases may arise where justice requires that order should be taken therein;

In certain suits court may make an order, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That if in any suit which shall be hereafter commenced in chancery against any defendant or defendants who resides out of this state, to compel the conveyance of land, or real or personal property, being in this state, or for compliance with any contract respecting land, or real or personal property, in this state, on affidavit being made to the satisfaction of the court, that such defendant or defendants is or are out of the state, and that personal notice has been served on the defendant or defendants; or that notice of filing such bill hath been given ten weeks in the public news-papers of the state or kingdom where the defendant or defendants may reside; then and in such case the said court may make an order, directing and appointing such defendant or defendants to appear at a certain day therein to be named, and a copy of such order shall forthwith be inserted in the Maryland Gazette, and continued therein four weeks, and if such defendant or defendants shall not appear within the time limited by such order, then on proof being made of such publication of such order, the court, being satisfied of the truth thereof, may order the bill of the plaintiff to be taken *pro confesso*, and make such decree thereupon as shall be thought just, and may thereupon issue such process thereon as may be necessary and are usual in other cases where decrees have been made, the plaintiff or plaintiffs giving such security as the said court shall direct, touching the restitution of such land, or real or personal property, (as the case may be,) and