

C H A P.
XLIII.

required to give judgment for costs against said tenant or tenants so holding over as aforesaid, and thereupon to issue forthwith execution, if required by the said lessor or lessors, his, her or their heirs or assigns; provided nevertheless, that if the said tenant in possession shall allege, that the title to the said lands, tenements and messuages, is disputed and claimed by some other person or persons, whom he shall name, in virtue of a right or title accrued or happening since the commencement of said lease, by descent, deed, or under the last will and testament of the said lessor or lessors, and if thereupon the person so claiming as aforesaid shall forthwith appear, or upon a summons, immediately to be issued by said justices, and returnable in six days next following, shall appear before said justices, and shall, on oath or affirmation, by the said justices to be administered, declare, that he verily believes that he is entitled in manner aforesaid to the said lands, tenements and messuages, in question, and shall, with two sufficient sureties, enter into bond to the lessor or lessors, his, her or their heirs or assigns, in such sum as the said justices shall think proper, not less than three hundred pounds, to prosecute his, her or their claims at the next county court which shall be held in and for said county thereafter, that then, and not otherwise, the said justices shall forbear to award restitution of the possession as aforesaid, and cease to give judgment for the costs as aforesaid; provided also, that if the said claim shall not be prosecuted as aforesaid, that the said justices shall proceed to award restitution of the possession as aforesaid, and issue their warrant as aforesaid, and give judgment and issue execution for the costs as aforesaid, within ten days after the end of said court, in the same manner as herein before enjoined and directed.

C H A P. XLIV.

Passed 28th of
Dec. 1793.

An ACT to appoint commissioners on the road from Middle-town, in Frederick county, to the Washington county line in Turner's Gap, and also on the road from Middle-town, in said county, to the Washington county line in Foxe's Gap. Lib. JG. No. 2.
fol. 44.

Preamble.

* Chapter 42.

WHEREAS the act for streightening and amending the several public roads in several counties, and for other purposes therein mentioned, passed November session, seventeen hundred and ninety, * did authorise and appoint three commissioners to streighten and amend a road leading from Middle-town to the line between Frederick and Washington counties in Turner's Gap: And whereas a supplement to the act entitled as above, passed at November session, seventeen hundred and ninety-one, chapter eighty-two, did authorise the same commissioners as were empowered by the act to which it was a supplement, to streighten and amend the road from Middle-town to the Washington county line in Foxe's Gap: And whereas by the removal of two of the commissioners, the object of the act, and the supplement to it as above, was defeated;

Commissioners
appointed, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That Joseph-Swearingen, Frederick Stemple and Leonard Stern, be and they are hereby appointed commissioners to effectuate the purposes of the act and supplement referred to as above, any law to the contrary notwithstanding.

C H A P. XLV.

An ACT for the better regulation of apprentices. Lib. JG. No. 2.
fol. 45.

A Supplement 1794, ch. 47.

Preamble.

WHEREAS it has been found by experience, that poor children, orphans and illegitimate children, for want of some efficient system, have been left destitute of support, and have become useless or depraved members of society: And whereas it would greatly conduce to the good of the public in general, and of such children in particular, that necessary instructions in trades and useful arts should be afforded them; therefore,

Justices may
bind out orphan
children, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That the justices of the several and respective orphans courts, (a) shall and may bind out as an apprentice every orphan child, (the increase or profits of whose estate, whether real or personal, is or are not sufficient for maintenance, support or education, of the said child,) to some manufacturer, mechanic, mariner, handicraftsman, or other person, at the discretion of the said justices, until such orphan child, if a male, shall arrive to the age of twenty-one years, or if a female, to the age of sixteen years; and the said justices

(a) By 1794, ch. 47, when the orphans court is not in session, any two justices of the peace are empowered to bind out children on the same terms; &c. prescribed by this act. The contract to be approved and recorded agreeably to the sixth section of this act.