

XXII. AND BE IT ENACTED, That no militia-man shall leave the company to which he belongs, and join any other; under the penalty of ten dollars, unless by consent of the captain, or commanding officer of the company, or in case of removing to some other district within this or any other state, and in such case he shall apply to the commander of such company, who shall give him a certificate of his being discharged; under the penalty of ten dollars, and if the said militia-man had been in actual service, shall also certify the time thereof, and how long he had continued therein, under the like penalty.

C H A P. LIII. No militia-man to leave his company, &c.

XXIII. AND BE IT ENACTED, That no person, serving as a substitute for another, shall thereby be excused from serving in his turn.

Substitutes not excused, &c.

XXIV. AND BE IT ENACTED, That no officer or private of the militia shall be subject to any arrest, either on mesne process or execution, or in any other manner, for any civil matter, in his attendance at, going to, or returning from, muster.

Officers, &c. not subject to arrest, &c.

XXV. AND BE IT ENACTED, That if any suit or suits shall be brought or commenced against any person or persons for any thing done in pursuance of this act, the action shall be laid in the county where the cause or causes of such action did arise, and not elsewhere, and the defendant or defendants may plead the general issue, and give this act and the special matter in evidence; and if the jury shall find for the defendant or defendants in such action or actions, or if the plaintiff or plaintiffs shall be nonsuited, or discontinue his or their action or actions, after the defendant or defendants shall have appeared, or if upon demurrer judgment shall be given against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and have the like remedy for the same as any defendant or defendants hath or have in other cases to recover costs by law.

Action to be laid in the county, &c.

XXVI. AND, whereas sundry companies of artillery, cavalry and infantry, now exist, or may exist, in the town of Baltimore, previous to the twentieth day of May next, BE IT ENACTED, That all such companies now formed, or that may be formed previous to the said twentieth day of May next, shall be and are hereby continued and confirmed, subject nevertheless to all duties, fines and penalties, to which the rest of the militia are subjected by this act; provided, that the governor, with the advice and consent of the council, shall have the appointment and commissioning of the officers of the said companies.

Companies continued, &c.

XXVII. AND BE IT ENACTED, That this act shall continue and be in force for and during the continuance of the before recited act of congress.

Duration.

The act of congress is not limited in its duration.

C H A P. LIV.

An ACT to open and lay out roads from Denton, the seat of justice in Caroline county, to different parts of said county, and the same, when opened and laid out, to be the public roads of said county. Lib. JG. No. 2. fol. 67.

Passed 28th of Dec. 1793.

WHEREAS the inhabitants of Caroline county experience considerable inconvenience for the want of public roads leading from Denton, their seat of justice, to different parts of said county, and as it is right and proper they should have the same for their ease and convenience; therefore,

Preamble.

II. BE IT ENACTED, by the General Assembly of Maryland, That Henry Downes, Joseph Richardson, Christopher Driver, William Robinson and Robert Hardcastle, be and they are hereby appointed commissioners to open and lay out the following roads in Caroline county aforesaid, to wit: A road from the west side of Choptank river, opposite to Denton, to intersect the road from Tuckahoe Bridge to Price's Landing; another road from the west side of Choptank river, opposite to Denton, to Tuckahoe Bridge; another road from the west side of Choptank river, opposite to Denton, to intersect the road from Greensborough to Tuckahoe Bridge at or near the Deep Branches; a road from Denton, down Choptank river, to intersect the road leading from Greensborough to Dover ferry between Rhodes's plantation and the mill commonly called and known by the name of Potter's Mill; another road from Denton to intersect the road from Greensborough to Dover ferry between the Old Chapel and the Three Bridges; and one other road from Denton, up Choptank river, to intersect the road from Greensborough to Dover ferry at or near Matthew Driver's saw mill; and the said commissioners,

Commissioners appointed, &c.

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