

XXIV. AND BE IT ENACTED, That all monies arising on the assessable property in the town of Frederick, and its addition, in Frederick county, in virtue of this act, shall be disposed of as follows: One third thereof to the public roads of the county, the other two thirds to be applied to the repairs of the streets and alleys of said town, agreeably to an act, * entitled, An act to repair and amend the streets and alleys in Frederick-town, and for other purposes therein mentioned.

C H A P.
LII.
How certain
monies are to
be disposed of.
* 1786, ch. 36.

XXV. AND BE IT ENACTED, That an act, entitled, An act to repair the public roads in Queen-Anne's county, passed November session, seventeen hundred and ninety-three, * shall be and hereby is repealed.

An act repealed.
* Chapter 65.

C H A P. LIII.

An ACT for the establishment and regulation of the levy courts in the several counties of this state. Lib. JG. No. 2. fol. 230.

Passed 26th of
Dec. 1794.

A Supplement 1798, ch. 34.

BE IT ENACTED, by the General Assembly of Maryland, That the justices of the peace (a) in the respective counties of this state, or any five of them, shall be and they are hereby authorized and required, on some day between the first day of March and the first day of October annually, to meet at the court-house of their respective counties to adjust the ordinary and necessary expences of their several counties, including an allowance for the poor of the county, and public roads, and for the payment thereof, with a commission for collection not exceeding six per cent. to impose an assessment or rate on all property within their county sufficient to defray such county charge; and the said justices shall apportion such assessment or rate according to the last corrected valuation of property in their county, and shall appoint a person or persons to collect the same; and every collector, before he acts as such, shall give bond, payable to the state, with good and sufficient securities, such as the said justices shall approve of, in double the sum to be collected, with condition, "That if the above bound _____, shall well and faithfully execute his office, and the several duties required of him by law, and shall well and truly account for and pay to the justices of the levy court, or their order, the several sums of money which he shall receive or be answerable for by law, at such time as the law shall direct, then the above obligation to be void."

Justices to
meet, &c.

(a) By 1798, ch. 34, the governor and council are directed to appoint, out of the justices of the peace for each county, seven of the most discreet, &c. who are to be styled in the commission Justices of the Levy Court, except in Baltimore, where eleven are to be appointed, four in the city, and seven in the county, and the other justices are to have no power as a levy court.

II. AND BE IT ENACTED, That the clerk of each county shall and he is hereby directed to keep a fair and accurate account of such assessment or rate, and how disposed of by the levy court of his county, in a book to be kept for that purpose alone, and shall annually, within one month after such assessment, under the penalty of fifty pounds current money, transmit a copy thereof to the governor and council, for their information of the gross amount of the property in such county, and the amount of the tax for the county expences; and such clerk shall also, within ten days after such assessment, under the penalty of two hundred pounds current money, deliver a fair copy thereof to the collector or collectors appointed as aforesaid; and such collector or collectors shall and he or they are hereby authorized and required, within twenty days thereafter, to proceed to collect the same rate, and shall render an account thereof, and pay the same to the order of their respective levy courts, within six months after having received the assessment list from the clerk of his county as aforesaid, and in case of refusal or neglect to account or make payment, the said justices may, in their discretion, cause the bond of the collector failing in his duty to be put in suit; (b) and the said justices, on taking bond, shall cause the same to be proved by the witnesses thereto, and their clerk shall record the same, with the probat, and an attested copy of the said bond and probat from the said record, shall be as good evidence in law to maintain an action of debt for the breach of the condition thereof, as if the said bond was actually produced and proved in court, and on suit the justices may order a copy of such bond to be filed in the county court, and thereupon *scire facias* shall issue against such collector, and his securities, in the same manner as by law is directed in the case of bonds to the loan-office, and similar proceedings shall be had to compel payment of the money due, with an interest of six per cent. from the day appointed for payment; and every person appointed collector shall, before he acts as such, subscribe a declaration of his belief in the christian religion, and take and subscribe the oath, or if a quaker, menonist or tunker, the affirmation, of fidelity to this state, directed by the constitution and form of government, and the oath to the United States, unless he had before made the said declaration and taken the said oaths or affirmations.

Clerk to keep a
fair account,
&c.

(b) By 1797, ch. 43, a speedy mode of recovery is given against the sheriff or collector of any county, and to the collectors against their deputies.

III. AND