

C. H. A. P.
XXXIII.

width clear of ditches, from Erb's hill, by Banker's mill, to intersect the state line at the place where the road from Hanover-town, in Pennsylvania, towards Banker's mill, intersects the said state line, in the direction which will best suit the situation of the ground, and answer the purposes of this act; and a plot of the said road, when so surveyed and laid out, shall be returned to the levy court of Frederick county to be recorded, and shall for ever thereafter be deemed and taken to be a public highway, and repaired and improved in the same manner as other public roads in the said county.

Damage to be
ascertained, &c.

III. AND BE IT ENACTED, That any damage sustained by any person or persons whatsoever by the opening of the road aforesaid, shall be ascertained and determined by the justices of the levy court, and the amount thereof paid and satisfied in the manner directed by the act, entitled, An act to streighten and amend the several public roads in several counties, and for other purposes therein mentioned, and the supplement thereto, passed at November session, seventeen hundred and ninety-one; and the said road shall, in all other respects, be subject to the regulations contained in, and entitled to the benefits conferred by, the said act and supplement, and the act, entitled, An act relating to public roads in this state, and to repeal the acts of assembly therein mentioned.

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Passed 24th of
Dec. 1795.

An ACT to confirm and make valid the proceedings of the levy court of Montgomery county.
Lib. JG. No. 2. fol. 315.

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An ACT to revive and aid the proceedings of Calvert county court.
Lib. JG. No. 2. fol. 315.

Preamble.

WHEREAS it is represented to this general assembly, that the county court of Calvert county stood adjourned until the seventh day of the present month of December, and that no one of the justices of the said court attended to call and adjourn the same, whereby divers actions, suits and proceedings, both civil and criminal, were discontinued, and the said justices cannot legally hold the said court until the next meeting appointed by law; for aiding therefore the said actions, suits and proceedings, and for saving as far as may be the suitors from the damage that might otherwise be occasioned by such discontinuance,

Actions, &c.
revived, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That all actions, suits, indictments, pleas, process and proceedings, depending in the said court on the said seventh day of December instant, and all actions since commenced, or hereafter to be commenced, shall be and are hereby revived and continued, and shall be in the same state and condition, to all intents and purposes, as if the said court had met and been continued by regular and lawful adjournments, any thing in any law to the contrary notwithstanding.

Proviso.

III. PROVIDED ALWAYS, That nothing in this act shall extend to, or affect or make liable, the bail or security for any person's appearance at the said court to have been held on the seventh instant, in any action or indictment, unless in the case of a person under prosecution for any crime or misdemeanor a default was entered on the recognizance before the said discontinuance, or the sheriff was amerced before such discontinuance for default of the defendant's appearance in any civil suit, but any recognizance entered into by the principal shall stand as an obligation for him to appear at the next meeting of the court, in the same manner as if the condition thereof was for his appearance at the next court, and if he shall not appear on calling the recognizance at the said court, a default and judgment may be entered, and execution may be issued accordingly, or without calling the said recognizance it shall be in the discretion of the court to respite the same until the succeeding term.

• 1794, ch. 54.

Justices to
meet, &c.

IV. AND, whereas it is required by an act, * entitled, An act for the amendment of the law in certain cases, that all sheriffs bonds shall be taken between the eighth day of October and the first day of January in each year, BE IT ENACTED, That the justices of the said court may and they are hereby required to meet on or before the first day of February next, and to take the sheriff's bond, and do and perform the several duties which were required to be done on the day to which the said court stood adjourned, and such proceedings shall be as good and valid, to all intents and purposes, as if the said court had met according to adjournment.

Court may call,
&c.

V. AND BE IT ENACTED, That the said court, at the meeting aforesaid, shall have full power to call and adjourn the same to any day or days they may think proper.

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