

C H A P. XXXVI.

A Further supplement to an act, * entitled, An act to streighten and amend the public roads in Harford county. Lib. JG. No. 2. fol. 316.

Passed 24th of Dec. 1795. * 1791, ch. 70.

This act was to continue and be in force until the 1st day of October next, and until the next session of assembly thereafter. Expired.

C H A P. XXXVII.

An additional supplementary act to the act, * entitled, An act for the marking of highways, and making the heads of rivers, creeks, branches and swamps, passable for horse and foot. Lib. JG. No. 2. fol. 318.

* 1704, ch. 21.

WHEREAS the act, entitled, An act for the marking of highways, and making the heads of rivers, creeks, branches and swamps, passable for horse and foot, and the supplementary acts thereto, authorise the overseers of the highways to cut down trees of a certain description for the making of and repairing bridges over the heads of rivers, creeks, branches, swamps, or other low and miry places, and no provision being made by any of the said acts for making the proprietors of the same any compensation therefor; therefore,

Preamble.

II. BE IT ENACTED, by the General Assembly of Maryland, That any person whose trees or wood shall be cut down or used for the purpose of making or repairing bridges, by the overseers of the roads, in virtue of the act, entitled, An act for the marking of highways, and making the heads of rivers, creeks, branches and swamps, passable for horse and foot, and the supplementary acts thereto, shall have full compensation for the same from the county or counties in which the same shall be used, the value of which shall be ascertained on oath of the overseer or overseers under whose direction the same shall be cut down or used, or such other testimony as the levy court shall require, to be by him or them returned to their respective levy courts, at their next meeting after such bridges or repairs shall be made.

Persons to be compensated, &c.

III. AND BE IT ENACTED, That if any overseer or overseers of any road or roads, under whose direction any trees or wood shall be cut down or used in virtue of the act aforesaid, shall not make return of the value of the same, as by this act is directed, he shall pay the value of the trees or wood so cut down or used to the proprietor of the same, to be recovered by action of debt, or on the case to recover damages, as if the same were due on contract, and the county shall be exonerated from the same.

Penalty on overseers for not making return, &c.

IV. AND BE IT ENACTED, That the several levy courts to whom such return shall be made are hereby authorised and required to levy the same on the assessable property of their respective counties, to be included in the county tax of said counties, for the use of the proprietors of said trees or wood, and to be paid over to them by the collector thereof.

Value to be levied, &c.

V. AND, whereas doubts have arisen whether overseers of the roads are compelled to keep the bridges, which are or may be erected over creeks or runs, clear of trees, trash or gravel, which may lodge against or near them so as to obstruct the passage of the water, BE IT ENACTED, That it shall be the duty of overseers of the roads to remove all trees, trash or gravel, which may lodge against or near any bridge which is or may be erected over any creek or run so as to obstruct the passage of the water, under the penalty of five pounds current money for every such neglect.

Overseers to remove trees, &c.

VI. AND, whereas doubts have arisen what description of persons are intended to work on the public roads, under the existing laws to which this is a supplement, BE IT ENACTED, That every able-bodied male person shall be and is hereby made subject to the like personal services, and to incur the like penalties, in the same manner that labourers are in the aforesaid recited acts; provided, that every such person may, at his option, in the discharge of the duties aforesaid, pay to the overseer of the road the sum of three shillings and nine-pence current money per day, for every day he shall be called upon to labour on the public roads, to be employed by him in procuring labourers to work upon the road, and it shall be the duty of the overseer annually to account with the levy court of his county for all sums of money which he shall receive in virtue of this act.

Who are subject to personal labour, &c.