

C H A P.
X.

in his life-time; for many years acted as inspector at Pomonkey warehouse in said county, and that he discharged his duty honestly and faithfully in that station; that sometime in the year seventeen hundred and eighty-one, during the late war, when a Squadron of enemy ships were in the river Patowmack, a number of hogsheds of tobacco were taken out of the said warehouse, for the purpose of defence, by the militia then assembled, and the said tobacco, so taken out, lay exposed a considerable time to the weather, and several hogsheds were stolen and lost, which circumstance, with that of the shattered and decayed situation of the warehouse, rendered it impossible that he could preserve the whole of the tobacco for delivery to the owners: And whereas it appears unreasonable and unjust that the estate of the said Peter Dent be burthened with the loss of the tobacco thus incurred,

Justices to make
inquiry, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That the justices of the levy court of Charles county be and they are hereby empowered and directed, at their next levy court, to make strict inquiry into all the circumstances of the petitioners case, and if, upon such inquiry, they shall be of opinion that the estate of the said Peter Dent has sustained any loss or damage by tobacco being taken out of said warehouse by the militia, or by the shattered and decayed situation of said warehouse, and not by the negligence or inattention of the said Peter Dent while inspector thereof, they shall levy on the assessable property of Charles county a sum of money equivalent to the quantity of tobacco so lost, to the estate of the said Peter Dent, with the usual expence of collecting the same; and the same, when collected, shall be paid to the said Anne Dent and Theodore Dent, as administrators of the said Peter Dent.

C H A P. XI.

Passed 30th of
Dec. 1796.

An ACT for erecting a new bridge over Dividing creek, between the counties of Somerset and Worcester. Lib. JG. No. 2. fol. 420.

Preamble.

WHEREAS it is represented, that the bridge across the creek called Dividing creek, is in a ruinous condition, and almost impassable for want of repairs; therefore,

Commissioners
appointed, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That Messieurs George Waters, William Stevens, William Corbin, John Cottingham and Philip Quinton, are hereby constituted commissioners; and the said commissioners, or a majority of them, are hereby authorized and empowered, as soon as convenient, to cause a new bridge to be erected over the Dividing creek, at the place where the old bridge now stands near Dividing creek chapel; and the said commissioners, or a majority of them, are hereby empowered to contract, in the whole or in part, with any person or persons who will undertake to do the said work at the cheapest rate, or the said commissioners may purchase materials and hire labourers to complete the said work.

Justices to levy
money, &c.

III. AND BE IT ENACTED, That the justices of the levy courts of Worcester and Somerset counties, at their next levy court, shall and they are hereby directed to levy on the assessable property of their respective counties a sum not exceeding twenty-five pounds current money on each of the counties aforesaid, which said sum shall be assessed and collected with the collector's usual commissions, in the same manner as the other county charges of the said counties are collected; and the said collectors of the said counties shall be answerable for and pay the said sums of money to be by them levied from their counties respectively, to the commissioners, or either of them, or their order, at any time after the said sum or sums of money ought to have been collected; and if either of the said collectors shall neglect or refuse to pay the same, at the times aforesaid, the commissioners aforesaid, or a majority of them, are hereby authorized and required to sue for and recover the same in the county court of the county in which such collector, his heirs, executors or securities, or either of them, shall reside, in an action on the case, in which it shall be only necessary for such commissioner or commissioners to declare for so much money had and received to his or their use.

A fair account
to be annually
laid before the
court, &c.

IV. AND BE IT ENACTED, That the said commissioners shall annually lay before the levy courts of the counties aforesaid a fair and distinct account of all money by them received and expended for the purpose aforesaid, and the surplus, if any, after completing the bridge aforesaid, shall be applied towards paying the county charges; and if the said commissioners shall refuse or neglect to render such account, or shall neglect or refuse to pay over the balance in their hands to such uses, and to such persons, as the said levy courts respectively shall order and direct, that the said commissioners, or either of them, shall be liable to be sued in the county in which such commissioner or commissioners reside, in the name of the state of Maryland, in an action for money had and received to the use of the state, in which action proof of the receipt of the money by any of the said commissioners shall be sufficient to support the said action, and such sum of money recovered in the said action or actions, shall