

C H A P.  
XXII.

this act, or of any matter or thing in this act contained, such person or persons shall and may plead the general issue; and give this act and the special matter in evidence, for his or her defence; and if upon trial a verdict shall pass for the defendant or defendants, or if the plaintiff or plaintiffs shall become nonsuit, or discontinue his or their suit, then such defendant or defendants shall have and recover treble costs to him or them awarded against such plaintiff or plaintiffs; and if the plaintiff or plaintiffs is or are unable to satisfy the same, then it shall be paid and satisfied by the attorney who brought such suit, unless the plaintiff or plaintiffs shall give security for the costs, to be approved by the court in which such suit is brought.

One trustee to  
be chosen annu-  
ally, &c.

XXI. AND, to prevent individuals from being unreasonably burthened with the execution of this act as trustees for the poor, BE IT ENACTED, That at the time of the meeting of the said trustees for the poor in the first week of November yearly, the said trustees, or the major part of them, in the said county, shall and may elect and choose one of the principal inhabitants of said county, to be a trustee for the poor of said county in the stead of the first named or eldest of the said trustees of the said county, which said first named or eldest trustee shall be, and is by virtue hereof, thenceforth discharged from his office.

Trustees to rent  
an house, &c.

XXII. AND BE IT ENACTED, That it shall and may be lawful for the trustees aforesaid, or a major part of them, to rent an house or houses in the said county for the reception of such poor, vagrants, vagabonds or offenders, with the necessary lot or lots of ground adjoining to such house or houses, as convenient to the court-house in said county as may be, for the reception and accommodation of the said poor, vagrants, vagabonds and offenders, until a sufficient sum of money be raised in virtue of this act to enable the said trustees to purchase the land and erect the buildings herein before mentioned; and the justices of said county are hereby empowered and enjoined, annually, at the court for laying the county rate, to assess on the taxable property of the said county a sufficient sum to discharge the rent aforesaid, with the collector's commission of six *per cent.* thereon; which sum, so as aforesaid assessed, shall be collected and paid by the collector of said county to the said trustees, or a majority of them, to be by them applied to the purposes aforesaid; and the said trustees, or the major part of them, are hereby empowered and required, as soon as such house or houses aforesaid are procured on rent, to proceed to the appointment of an overseer, and other officers and servants as are mentioned in this act, and to do and perform every other matter and thing necessary to carrying the said act into execution, according to the true intent and meaning thereof.

Justices to levy  
money, &c.

XXIII. AND BE IT ENACTED, That the justices of the said county shall and they are hereby empowered and directed to levy annually, in the usual manner, in said county, exclusive of the money to be levied for the building and providing for the poor-house, such sums of money as shall, to the trustees of the poor in said county, appear proper and necessary for the subsistence and accommodation of their poor, not exceeding three shillings and nine-pence in the hundred pounds; which said sums, when collected, shall be paid by the collector to the order of such trustees, or the major part of them, under their common seal, who are hereby authorized and required to receive and apply the same to the use and purposes as is directed to be done in the ninth clause of this act.

By 1797, ch. 34, all fines under this act may be recovered before a justice of the peace, and applied to the use of the poor of the county. By 1799, ch. 65, the trustees in this and other counties are empowered to keep any number of out pensioners not exceeding ten, and to allow to each an annual pension not exceeding thirty dollars.

C H A P. XXIII.

Passed 30th of  
Dec. 1796.

An ACT to dispose of Eden school, in Somersset county, and to apply the money to the purposes therein mentioned. Lib. JG. No. 2. fol. 458.

Preamble.

WHEREAS it is represented to this general assembly, that the Eden school, which was erected at the joint expence of Somersset and Worcester counties, is now in a state of ruin, and the beneficial effects of its original institution entirely defeated by its unhealthy situation: And whereas it is further represented, that the said school, by being removed to a more healthy situation, might become an useful nursery of academic literature for the adjacent counties; therefore,

Trustees ap-  
pointed, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That Messieurs William Cottman, Wicomico creek, George Robertson, James Bennett, Benjamin Frederick Augustus Cæsar Dashiell, William Done, Peter Dashiell, Samuel Wilson, George Purnell, Samuel Handy, Isaac Marshall, Philip Quinton, William Selby, William Whittington and John Selby Purnell, be and they are hereby