

An ACT authorizing the justices of the levy court of Somerset county to levy a sum of money on the assessable property of the said county for building a prison in the county, and other purposes therein mentioned. Lib. JG. No. 2. fol. 590.

Passed 20th of
Jan. 1798.

WHEREAS it is represented to this general assembly, that there is no prison in Somerset county sufficient for the confinement of debtors or felons, which is very injurious to the peace and security of the said county;

Preamble.

II. BE IT ENACTED, by the General Assembly of Maryland, That Messieurs John Done, George Robertson, Levin Winder, William Jones, (Menokin,) Levin Gale, Zadock Long and John Stewart, or the major part of them, shall be commissioners, and are hereby authorized to purchase, for the use of Somerset county, a piece of ground in the town of Prince's-Anne, in said county, whereon to build a new prison; and the said commissioners, or a majority of them, are hereby empowered to contract for materials, and to agree with workmen to build and finish the said prison, and to plan and superintend the said building until finished, which, when completed, shall, by the said commissioners, be put into the custody and possession of the sheriff of Somerset county for the time being, and so shall remain and continue in the custody and possession of such sheriff, and his successors, as a public prison for Somerset county.

Commissioners
appointed, &c.

III. AND BE IT ENACTED, That the justices of the levy court for Somerset county, at the time of laying their next county levy, be and they are hereby authorized and directed to impose on the assessable property of the said county a sum not exceeding four thousand dollars, together with an allowance to the collector of six per cent. for collection of the same; which sum, when collected, shall, by the said sheriff, be paid to the commissioners aforesaid, or the major part of them, to be by them applied in purchasing the ground, and erecting the said prison.

Justices to levy
money, &c.

IV. AND BE IT ENACTED, That the sheriff, or other person appointed to collect the said sum of money for the purpose aforesaid, shall pay the same to the said commissioners, or the order of the major part of them, at or before the time limited by law for the payment of the county charges in the year seventeen hundred and ninety-eight, and in default thereof the said sheriff or collector shall be answerable for all interest, damages and costs, which may be payable by, or may arise or accrue to, the said commissioners, in consequence of the said default.

To be paid to
the commission-
ers, &c.

V. AND BE IT ENACTED, That if the collector or sheriff, as the case may be, should not pay the said sum of money to the commissioners, or the order of a major part of them, on the day above mentioned, that it shall be the duty of the said commissioners, or a majority of them, to order a copy of the said sheriff's or collector's bond, as the case may be, to be filed in the clerk's office of the county court of Somerset county, and thereupon a common *capias ad respondendum* shall issue, and judgment or trial be had at the first court to which the *capias* is returnable, without any imparlance or delay.

If not paid,
process to issue,
&c.

VI. AND BE IT ENACTED, That if any of the said commissioners shall die, remove out of the county, or refuse to act, the residue, or a majority of them, shall immediately thereafter proceed to nominate and appoint another to fill the vacancy.

How vacancies
are to be filled.

VII. WHEREAS it is also represented to this general assembly, that for want of a sufficient gaol in said county that some of the inhabitants thereof were induced, by their love of justice, and a wish for the public security, to advance a considerable sum of money to defray the expences of a guard, for the safe keeping of a number of criminals committed to the custody of the sheriff of said county for the murder of a certain Joshua Knight; and it appearing reasonable and just that all the inhabitants of said county should bear an equal proportion of said expence; therefore, BE IT ENACTED, by the General Assembly of Maryland, That the justices of the levy court of Somerset county, at the time of laying their next county levy, be and they are hereby directed to levy on the assessable property of the said county a sum of money, not exceeding five hundred dollars, together with an allowance of six per cent. for collection; which sum, when collected, shall be by the sheriff or collector, as the case may be, paid to the honourable John Done, or his order, to be by him paid to the several

Money to be
levied, &c.