

counties, and for erecting a new one by the name of Caroline, passed in the year of seventeen hundred and seventy-three, as has relation to the divisional line of said counties hereby altered and established as by this act is directed, shall be and is hereby repealed.

C H A P.
XIX.

C H A P. XX.

An ACT to direct the mode of prosecution in certain cases.

Passed December 22.

BE it enacted, by the General Assembly of Maryland, That from and after the passage of this act, all persons offending against any act or acts of the assembly of this state, which acts direct the mode of prosecution to be by action of debt, bill, plaint or information, or by bill, plaint or information, shall and may be prosecuted by bill of indictment, or action of debt, and not by bill, plaint or information, any thing in any of the said acts to the contrary notwithstanding.

Persons may be prosecuted, &c.

C H A P. XXI.

An ACT supplementary to an act, entitled, An act for the more effectual paving the streets of Baltimore-town, in Baltimore county, and for other purposes.

Passed December 22.

BE it enacted, by the General Assembly of Maryland, That every tax now laid, or that may hereafter be laid, for the paving, repair and improvement, of the streets, lanes and alleys, of Baltimore-town, agreeably to, and in conformity with, the powers vested in the special commissioners, shall and may be recovered by distress and sale of so much of the property of the person or persons chargeable therewith, as shall be sufficient to satisfy and pay the sum or sums with which they shall be respectively rated and charged; and the person appointed to collect the said taxes, and make distresses therefor, shall observe the same rules, in respect to the taking and selling the distress, as are required by law in respect of distresses for rent.

Taxes may be recovered, &c.

II. And be it enacted, That in case any person or persons shall conceive themselves aggrieved by any distress made in virtue of this act, it shall and may be lawful, and they are hereby empowered, to sue out of Baltimore county court a writ of replevin, commanding the sheriff of Baltimore county to replevy and deliver the property so taken in distress to the person or persons suing out such replevin, and the parties shall proceed to trial at the term to which the writ is returnable; and if judgment shall be given or obtained in favour of the said commissioners, and the plaintiff shall make failure in payment of the sum for which the distress shall have been taken and judgment obtained, within thirty days after the rendition of such judgment, the chief justice, or either of the associate justices, of the court of Baltimore county, either in vacation or in term time, shall make an order for the payment thereof within twenty days thereafter, which shall bind as well the plaintiff as his sureties in the replevin bond, and upon neglect or refusal to comply with such order, and affidavit thereof made, the clerk of the county, at the request of the said special commissioners, shall forthwith issue execution, to enforce payment thereof against the plaintiff and his securities, in the same manner as if judgments had been obtained agreeably to the regular course of proceeding at common law.

Persons aggrieved may sue, &c.

III. And be it enacted, That the powers of the said special commissioners, for the purpose of making sewers or proper conduits for carrying off the water, be and is hereby extended to the precincts of Baltimore-town, and they are hereby directed, enjoined and authorised, to do all and every thing respecting sewers in the precincts, which they may do in the town.

Powers extended, &c.

IV. And be it enacted, That all wells sunk, and pumps erected, in virtue of the powers vested in the said special commissioners, shall be kept in repair by the said commissioners, and the expence thereof borne in the manner provided under their said powers for sinking wells and erecting pumps.

Wells, &c. to be kept in repair, &c.