

the purpose intended, and it has been found necessary that proper regulations should forthwith be made for keeping the roads of the said counties in due repair; therefore,

C H A P.
LIV.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That the justices of the levy court for the counties aforesaid, or a majority of them, be and they are hereby authorised and required to meet together on the first Monday of April next, and on the same day in every year thereafter, at the respective court-houses in the said counties, and when so met together, the said justices, or a majority of them, shall be and they are hereby authorised and required to describe, ascertain, and distinctly record in a well bound book, to be provided by them for that purpose, the several and respective roads and public highways in the counties aforesaid, and to nominate and appoint capable and judicious persons as overseers of the several and respective roads aforesaid, according to the number and divisions of the said roads, as the same shall be ascertained upon their records; provided nevertheless, that the said roads shall be so apportioned, divided and described, as not to require a greater number of overseers than five in any one hundred of the said counties, and that the said justices, or any one or more of them, may adjourn from day to day until the said roads shall be duly ascertained, and overseers appointed as aforesaid; and in case neither of the said justices should attend as aforesaid, it shall be the duty of the clerk of the county court to make said adjournments.

Justices to
meet, &c.

III. AND BE IT ENACTED, That the clerk of the said county shall attend the justices of the levy court at their said meetings, and shall make fair entries and records of their proceedings in virtue of this act, and shall, within the space of ten days after the appointment of overseers as aforesaid, issue warrants to the said overseers, under his hand and the seal of his office, notifying the said persons of their appointments respectively as overseers of the said roads, according to the usual forms, having respect to the alterations required by this act, and the said clerk shall, within the time aforesaid, deliver the said warrants to the sheriff of the several counties aforesaid, and shall take the receipt of the sheriff for the same; and the said sheriff shall be and he is hereby authorised and required, within the space of fifteen days after receiving the said warrants, to deliver the same to the respective persons appointed overseers as aforesaid, and to take their several receipts for the same; and if any of the said overseers shall refuse to receive their respective warrants, the said sheriff shall leave the same at their place of abode, and certify the justices of the levy court thereof; and if the clerk or sheriff of any of the said counties shall neglect or refuse to execute and perform the respective duties herein before required, within the respective periods limited as aforesaid, the said clerks or sheriffs so neglecting or refusing shall forfeit and pay the sum of fifty dollars for each and every offence.

Clerk to at-
tend, &c.

IV. AND BE IT ENACTED, That each and every person so appointed overseer as aforesaid, who shall neglect or refuse to accept of his appointment, after receiving his warrant as aforesaid, shall forfeit and pay the sum of ten dollars for every refusal or neglect; provided nevertheless, that no person shall be liable to be appointed as overseer of any road more than one year in every three years, without his consent.

Penalty on
overseers for
refusing to
serve, &c.

V. AND BE IT ENACTED, That it shall be the duty of the said overseers to keep all the public roads in the said well and sufficiently cleared and grubbed, fit for travelling, twenty feet wide at the least, except in such parts thereof where the levy court shall allow or direct the said road to be of a less width, and to make and keep good and substantial bridges over all the heads of rivers, creeks, branches and swamps, where the same shall be necessary, for the convenient and easy passage of travellers, with their waggons, carts, carriages, horses and cattle, and to remove all nuisances which may obstruct or annoy their passage, and well and sufficiently to causeway all and singular such places in and upon the said roads as shall require the same.

Overseers to
keep the road
cleared, &c.

VI. AND BE IT ENACTED, That if any of the said overseers shall not well and sufficiently clear, grub, amend and repair, the said several and respective roads committed to their charge, within a reasonable time after the same shall be out of repair, or shall not make and keep in repair good and substantial bridges over the heads of rivers, creeks, branches or swamps, where the same shall be necessary as aforesaid, or shall not remove all nuisances from the said roads, or shall not well and sufficiently causeway all and singular such places in and upon the said roads as shall require the same, or shall permit or suffer any fallen trees, or other obstruction, to remain in or across any of the said public roads for the space of two days after notice thereof, or shall neglect to fell, or cause to be felled and removed, all decayed or dead trees on either side of the said public roads, whose limits, or any of them, hang over the same, and may by their falling injure travellers,

Penalty for the
neglect, &c.