

C H A P. XLI.

plete, of which eight days notice shall be given; and in case the said overseer should neglect or refuse so to warn the inhabitants of his hundred, to pay three pounds currency for each refusal, and any inhabitant refusing to attend and render such service as is required by the overseer of the road, to be fined seven shillings and six-pence current money, to be recovered before a single magistrate.

Overseer to make return, &c.

IV. AND BE IT ENACTED, That the overseer having the direction of said road shall make a regular return to the commissioners of their district, who are hereby empowered to give a certificate of the days each person has worked on opening said road, which certificate shall exempt them from so many days attendance on musters, and the lieutenant of the county or field-officers of their battalion shall receive the same, and excuse them accordingly.

Satisfaction to be made, &c.

V. AND BE IT ENACTED, That satisfaction shall be made to every person through whose land the said road may run, for the damages done to such person by running the said road through their land; and if the commissioners and the party through whose land the said road may run can agree upon the sum to be paid to such person, the said commissioners shall have power so to do, and shall make a certificate thereof to the justices of the county where the land lies; and if the said commissioners and the party damaged cannot agree upon the quantum of damage, the said commissioners shall summon three reputable freeholders, who are in no manner interested in paying any part of such damage, who shall, on oath, ascertain the damage sustained by the party by running the said road through his land, and shall certify the damage to the said commissioners, who shall transmit the same, with certificates by them given as aforesaid, to the justices of the county court, which certificate the justices of the county where the land lies shall receive, and assess the amount of said damages equally on the inhabitants of the different hundreds through which the said road may run, or may receive advantage therefrom, and give the person an order on the collector for the same when collected.

How fines are to be paid, &c.

VI. AND BE IT ENACTED, That the fines arising from the non-compliance of this act shall be paid into the hands of the commissioners, who are hereby ordered to lay out the same on the mountain; and that the said road, when opened, shall be and is hereby deemed a public road, and shall be repaired as such from time to time.

Commissioners to call on supervisors, &c.

VII. AND BE IT ENACTED, That the aforesaid commissioners shall have full power and authority to call on Messieurs Norman Bruce, Benjamin Ogle and David Shriver, the supervisors for clearing the roads, appointed by an act of assembly, entitled, An act relating to public roads, passed March session, seventeen hundred and seventy-four, * for the money they received to clear a road from the Catoctin Mountain through Pipe-creek settlement to Baltimore-town, and apply the same to clearing the road over the aforesaid mountain to the York road; and in case the money should be more than is necessary to clear the road over the aforesaid mountain to the York road, then the commissioners shall have full power to expend the remainder of the money in continuing the said road towards Baltimore-town; and if the supervisors have paid the money to the justices of Frederick county court, or any part thereof into the treasury, in either case the commissioners under this act may have full power to call on the justices of the said county court, or any other person or persons, other than the treasurer, for the monies received, or any part thereof that may be paid into the treasury by any of the supervisors, or recover the same by a due course of law.

* Chapter 21.

Two may act, &c.

VIII. AND BE IT ENACTED, That any two or more of the commissioners appointed by this act in either county, may execute the same, and shall receive all monies or donations that may be given or subscribed by any person or persons whatsoever, for the laying out, clearing and making the said road, which monies, when received, the commissioners shall apply for said purpose; and the county courts shall have power and authority to call on the commissioners of their respective counties for the expediture of the monies they may receive for clearing the said road.

C H A P. XLII.

Passed 15th of June, 1782.

An ACT relating to forfeited recognizances, fines and forfeitures, and judgments in treason. Lib. TBH. No. A. fol. 186.

Governor, &c. may remit recognizances, &c.

BE IT ENACTED, by the General Assembly of Maryland, That the governor, with the advice of the council, may remit the whole or any part of any recognizance which hath been or may hereafter be forfeited, provided the case of the person be stated in writing by the court before whom such recognizance hath been or may hereafter be forfeited, and a recommendation be made for a remission of the whole or some part of the recognizance by one or more of the judges of the general court, or three