

1805.

ROBERT BOWIE, ESQUIRE, GOVERNOR.

CHAP. 9.

judged to be sustained by the persons through whose lands the road as aforesaid shall pass; and which sum, when collected, shall be paid to the person or persons sustaining such damages, by the collector of said county.

All expenses incurred in laying out road to be levied.

5. AND BE IT ENACTED, That all the expenses to be incurred in the opening and laying out the said road, shall be returned by the commissioners aforesaid to the levy court of said county, and the said levy court are hereby authorised and required to levy the amount thereof, together with the collector's commission for collecting the same, on the assessable property of said county, and the said collector shall pay the same to the persons respectively entitled to receive the same, or to their orders.

Commissioners allowance.

6. AND BE IT ENACTED. That each commissioner appointed in virtue of this act shall be entitled to receive at the rate of two dollars per diem for every day that such commissioner shall be employed in performing the duties required by this act, which said allowance shall be levied, collected and paid, to the said commissioners, in the same manner as other expenses are directed to be levied and paid by this act.

CHAP. X.

Passed Jan 25 1806

An Act to vest temporary powers in the several Clerks in the several Counties of this State. Lib. TH. No. 1, fol. 10.

Clerks of county courts, until other provision made, to issue writs, &c.

1. BE IT ENACTED, by the General Assembly of Maryland, That the several clerks of the several county courts, until other provision shall be made by law, be and they are hereby authorised, directed and empowered, to issue judicial and original writs, and other mesne process, in the same manner and form, and tested, as writs and process have issued and been tested under the late judiciary system.* and the said writs and other process shall be made returnable to the places, and at the times, fixed by law at the time of the passing of the act,† entitled. An act to provide for the trial of facts in the several counties of this state, and to alter, change and abolish, all such parts of the constitution and form of government as relate to the general court and court of appeals, and the said writs and other process which have issued and which may issue as aforesaid, shall be valid and have the same effect, to every legal intent and purpose, as writs and process which have issued previous to the passage of said act.

*1801, ch. 74.

†1804, ch. 55.

Sheriffs bonds, where not given, may be taken by the justices of the orphans court.

2. AND BE IT ENACTED, That the sheriffs bonds heretofore directed to be taken before the chief justice, or the two associate justices, of the respective county courts, where they have not yet been given, shall be taken on or before the first day of January next, by the justices of the orphans court, or any two of them, either in court or out; and the said justices of the orphans court, or some two of them, are hereby authorised and required to take the said bonds in the same manner that the said chief justice, or the associate justices, were heretofore empowered to take the same.

See 1806, ch. 14, making valid the bonds taken; and see 1806, ch. 16, as to the justices of the orphans court taking all such bonds.

County clerks to discharge their duties until other provision made.

3. AND BE IT ENACTED, That the said county clerks shall be and they are hereby authorised and empowered, to discharge all and every the duties of their respective offices, in the same manner, to every legal intent and purpose, as if the constitutional alteration