

C H A P.
LXIX.

fentry-boxes, or other furniture thereof, every person so offending, and being convicted by the oath or affirmation of one or more credible witnesses before any commissioner or justice of the peace in said town, shall forfeit and pay three pounds for each and every such offence; and if any person shall, without design, or by accident, break, throw down or extinguish, any lamp aforesaid, or damage any of the said posts, irons or fentry-boxes, or other furniture, and, having done the same, shall fail of giving notice thereof to some of the commissioners or justices in said town within twelve hours thereafter, he shall be liable to the same forfeiture as if the same had been wilfully and maliciously done; but if timely notice be by him given as aforesaid, he shall only pay such costs as in the judgment of the commissioner or justice will fully repair the damage done.

Slaves offend-
ing to be
whipped, &c.

X. **And be it enacted,** That if any slave be convicted of any of the offences created by this act, he shall be whipped on his bare back not exceeding thirty-nine lashes, unless the owner of such slave will pay the fine or repair the damage; and if any person under age, bound servant or apprentice, be convicted of incurring any penalty or damage under this act, the parent, guardian or owner, shall be obliged to pay the said penalty or damage, in the same manner as if they had incurred the same; and all fines incurred under this act shall be recovered in the same manner as debts under five pounds, and shall be appropriated towards defraying the charges of the said lamps and watches.

Persons sued
may plead the
general issue,
&c.

XI. **And be it enacted,** That if any person is sued for any thing done in pursuance of this act, he may plead the general issue, and give this act and the special matter in evidence; and no persons shall be prosecuted for misbehaviour or neglect in the execution of this act, unless they are prosecuted within six months after such offence committed.

Commissioners
may levy
money, &c.

XII. **And,** for the providing money for paying the wages of the constables and watchmen herein before mentioned, and other charges incident to keeping a well regulated watch, and for enlightening the streets, lanes and alleys aforesaid, and for keeping the lamps in good order, **Be it enacted,** That it shall and may be lawful for the commissioners aforesaid, or a major part of them, to meet at such times and places as they shall think proper, to estimate, determine and judge, what sums of money shall be necessary to be levied and raised on the inhabitants of said town for answering the purposes intended by this act, and the commissioners aforesaid, or major part of them, are hereby authorized and directed, to assess and levy a tax not exceeding one shilling and six-pence current money on every hundred pounds worth of property assessed within the said town; which said tax shall be levied and collected in the same manner, and under the same rules and regulations, as the public tax.

Property to be
rated as in
1, 83.

XIII. **And,** whereas the commissioners aforesaid will want immediate sums of money to enter upon the execution of the powers vested in them in virtue of this act, **Be it enacted,** That it shall and may be lawful for the said commissioners, or a major-part of them, to assess the tax for the present year upon the valuation of the property in the year seventeen hundred and eighty-three, and have the same collected as soon as may be, in order to answer the beneficial purposes intended by this act, and the county collector, after giving ten days notice, may execute for the same; and the said collector shall give bond and good security to the said commissioners for the faithful execution of the said collection, and he shall have the same reward, and be subject to the same penalties, as he is by law for the collection of the public taxes.

Money appro-
priated, &c.

XIV. **And,** whereas the tax aforesaid may not be sufficient for the purposes aforesaid, **Be it enacted,** That the two shillings and six-pence imposed on property within the said town by the act, entitled, An act for the more effectual paving the streets of Baltimore-town, in Baltimore county, and for other purposes, and to be collected in seventeen hundred and eighty-five, together with the money arising from the auctioneer's office in said town in seventeen hundred and eighty-five, shall be appropriated and applied to the purposes of this act.

XV. **And**