

C H A P. XXIII. lawful deputy, shall be found lacking one or more gallons of the quantity numbered or marked on the said cask or vessel, the aforesaid gauger shall forfeit eight shillings current money for each gallon lacking or exceeding the number or mark so set down on each cask.

Penalties, how to be recovered and applied.

V. And be it further enacted, That all and every the penalties and forfeitures in and by this act set and appointed, shall be applied, one half towards defraying the county charge, and the other half to the informer, or him or them that will sue or warrant for the same, if the said penalties do not exceed fifty shillings current money, to be recovered before one justice of the peace as in case of small debts, and if above fifty shillings, to be sued for and recovered in any court of record within this province.

Continuance. VI. This act to continue three years, and to the end of the next session of assembly which shall happen thereafter.

Continued for seven years, &c. by the act of February, 1777, ch. 17; and by the act of 1784, ch. 83, until the end of the next session. By the act of November, 1785, it is again continued for seven years, &c.

C H A P. XXIV.

An ACT for the payment of the public creditors.

The creditors on the journal of accounts of the present session, are to be paid out of that part of the last emission which is subject to the disposal of the general assembly. And for their trouble in making payments, John Clapham, one of the commissioners, is allowed two hundred dollars, William Eddis, the other commissioner, is allowed one hundred dollars, and their clerk is allowed two hundred dollars; and Robert Couden, one of the late commissioners, is allowed one hundred dollars.

C H A P. XXV.

An ACT requiring the justices of Somersset county to appoint persons to lay out a road in said county.

Viz. through the forest to intersect the main road leading from Princess-Anne to Snow-hill, at or near Denston's dams. It is to be under the direction of an overseer, who is to be appointed at the next court. But the overseer is not to run through any improved or cultivated land, without the permission of the owner.

C H A P. XXVI.

An ACT for the relief of Henry Gassaway. *PR.*

C H A P. XXVII.

An ACT to prevent the erecting of booths and sale of liquors on holydays.

This act was made for three years. It was continued for seven years, &c. by the act of February, 1777, ch. 17, and expired with the session of 1784.

C H A P. XXVIII.

An ACT for the relief of insolvent debtors.

Persons remaining in prison twenty days, to petition three justices for their discharge, &c.

**B**E it enacted, by the right honourable the lord proprietary, by and with the advice and consent of his governor, and the upper and lower houses of assembly, and the authority of the same, That if any person, who shall after the first day of October next be committed or charged in execution, or for want of special bail, at any time after he or she shall have actually remained in prison, by the space of twenty days on such commitment or charge, shall petition any three justices of the peace of the county wherein such prisoner shall be detained as aforesaid, for his or her discharge, such justices shall thereupon appoint a time for their meeting, not less than thirty days nor exceeding forty days thereafter, at the court-house for said county or gaol in which he or she shall be so detained, for his or her discharge, and their said appointment shall certify in writing to the sheriff in whose custody he or she shall be; and the same sheriff shall, twenty days at the least before the time appointed for the said meeting, affix one copy of the said certificate at the door of the county clerk's office, and another copy thereof at the prison door of his county; at which said day so to be appointed, the said justices, or two of them, as well as the sheriff, are required to attend at the court-house or prison aforesaid, and the sheriff shall produce the body of such prisoner before the justices who shall attend, and also make known to the same justices the cause or causes of his or her imprisonment, and the time he or she hath been actually imprisoned