

quisition, as aforesaid, under the charter of the Baltimore and Harford Turnpike Company, shall be chargeable to, and paid by the county in which said inquisition shall be found, in like manner as if the proceedings were instituted upon an indictment by the Grand Jury, instead of an information before a Justice of the Peace, and inquisition as provided by the charter of the said Baltimore and Harford Turnpike Company.

SEC. 5. *And be it further enacted*, That by the term and clause in the twenty-sixth section of the act before referred to as the charter of the said Baltimore and Harford Turnpike, passed January twenty-ninth, eighteen hundred and fourteen, the person or persons entrusted by the company with the care and superintendence of such part of the road as shall be found defective, etc., shall be intended, any person or persons, other than those who perform the actual labor and repair upon the same after the manner of laborers, by the day, week, month, year or otherwise, who, as agent, servant, employee or otherwise, overlooks or contracts or examines, views or surveys or exercises any general or special care and superintendence over the said part or parts, portion or portions, place or places of the said Baltimore and Harford Turnpike Company, and if there shall or should be, no such person or persons, or if the Company, President, Managers or Directors of the said Baltimore and Harford Turnpike Company, or their Attorney, shall refuse to discover such person or persons acting as such agent, servant, employee or otherwise, then, and in either event, the President, Directors, Managers and Company shall pay the fine implicated, or which would have been taxed upon such person or persons so as aforesaid; or if the said person or persons acting as agent, steward or employee as aforesaid shall refuse or fail or be unable to pay said fine inflicted by the Judge of the county Court where the proceedings have pended, such person or persons shall be remanded to the custody of the Sheriff of the county where the inquisition hath been found, and the Judge thereof shall confine such person or persons within the county jail for the space of not more than thirty days; and, also, by the clause contained in the same section, viz: shall be convicted of the offense by the said inquisition charged, it shall be meant, intended and construed that the parties who find and return the inquisition shall only find the offense, that is the order and condition of the parts, portions or places visited, examined, viewed and surveyed, but that the person or persons alleged or supposed to be guilty thereof shall be convicted only by the verdict of a jury as if presented by a Grand Jury for a misdemeanor or other offense.

SEC. 6. *And be it further enacted*, That upon the affidavit of the informer or informants who gave and related the information, or other person or persons, that they verily and truly believe or have been informed that some or any other certain person or persons, has or have acted as the agent, servant or employee of the said Baltimore and Harford Turnpike Company, to overlook or control or examine, view or survey or exercise (a general though it be a special care and superin-