

CHAP. 177. copy thereof, under the seal of the court, shall be good evidence to prove the execution of such bond in any court of this state.

An attested copy good evidence.

3. **AND BE IT ENACTED,** That an attested copy of the said bond shall be good evidence in law to maintain an action of debt for the breach of any condition of the said bond as if the same was actually produced and proved in the said court.

Constables to give receipts for evidences of debts.

4. **AND BE IT ENACTED,** That whenever any evidences of debts are put into the hands of any constable for collection, it shall be his duty to execute a receipt for the same, if demanded, and upon his neglect or refusal to do so he shall forfeit the sum of five dollars, to be recovered before any single magistrate by the party grieved, for each and every offence.

CHAP. CLXXVIII.

Passed Jan. 7, 1810
Commissioners appointed to lay out and open a road.

An Act to locate a Road in Charles County. Lib. TH. No. 2, fol. 394.

1. **BE IT ENACTED,** by the General Assembly of Maryland, That George D. Parnham, Joseph Boarman, of Leonard, John Digges, William Corry and Lawrence Posey, be and they are appointed commissioners, and they, or a majority of them, are hereby authorised and empowered to lay out and open a road, not exceeding twenty feet, at the expense of the persons willing to contribute, through Wollaston Manor to the Cob Neck church, and from thence to intersect the public road leading from Charles-town, commonly called Port-Tobacco, to the lower end of Cob Neck, and estimate and value the damages sustained by any person or persons through whose land the said road shall pass, taking into estimation the advantages and disadvantages, if any, and a certificate of the same, when so ascertained, together with a certificate of the survey of said road, when completed and made fit for the reception of the county as a public road, under their hand, or a majority of them, shall return to the clerk of Charles county court, to be by him recorded, and shall for ever thereafter be deemed a public highway, and kept in repair as other public roads in said county are; *Provided,* that nothing herein contained shall in any manner authorise the said commissioners to lay out or open the said road through the buildings, yards, gardens, orchards or meadows, of any person or persons, without his, her or their consent; *And provided also,* that the said commissioners shall not proceed to open and clear said road before the damages, if any, be paid, secured to be paid, to the person or persons in whose favour such damages may be adjudged.

Provisos.

Jury may be summoned to ascertain damages.

2. **AND BE IT ENACTED.** That if any person or persons through whose land the said road shall pass, or his, her or their guardian or trustee, shall conceive himself, herself or themselves, aggrieved by such valuation and assessment of damages by the said commissioners, it shall and may be lawful for any justice of the peace, on his, her or their application, to issue his warrant, under his hand and seal, directed to the sheriff of the county, commanding him to summon twelve disinterested men, qualified by law to serve as jurors in the county court, to meet upon the premises on a certain day, of which ten days notice at least shall be given to the party or parties interested; and the said jurors, when so met, and having each first taken an oath before some justice of the peace, that he will, without favour, affection, partiality or prejudice, assess the damages sustained by the person or persons at whose request such