

own or be interested in the stock of the said turnpike company to have any voice or vote in the ap- C H A P. pointment of the said commissioners. XCII.

III. AND BE IT ENACTED, That upon the president of said company receiving the valuation of said commissioners he shall issue stock to the said levy court, in the same manner as is directed by the act by which said company was incorporated. President to issue stock, &c.

IV. AND BE IT ENACTED, That any act or law repugnant to, or inconsistent with, the foregoing, be and the same is hereby repealed. Act repealed.

C H A P. XCIII.

An ACT to lay out and make a public road in Worcester county.

BE IT ENACTED, by the General Assembly of Maryland, That Zadock Scurgiss, Joshua Fleming, Robert J. H. Handy, John Williams and Anthony Bacon, or a majority of them, be commissioners, and are hereby directed and authorised, to lay out a public road, beginning at some good landing place on a bay, called Parker's Bay, in said county, thence running until it intersects the post-road leading from Horn-town, in Virginia, to Snow-hill, at or near Sandy-hill, but not so as to pass through any garden, meadow or orchard, without the consent of the proprietor or proprietors. Passed 24th of Dec 1808. Commissioners appointed, &c.

II. AND BE IT ENACTED, That the commissioners aforesaid, or a majority of them, are hereby authorised and directed to lay off, adjoining the marsh through which said road must pass, a piece of high land, from whence to take earth to make a causeway over said marsh. Land to be laid off, &c.

III. AND BE IT ENACTED, That the commissioners, or a majority of them, be and they are hereby authorised and directed to ascertain and value what damages may be sustained by any person or persons through whose lands the said road may pass, by causewaying, opening and clearing the same, and the said valuation shall be made and paid, or secured to be paid, before the commissioners shall proceed to open and clear the same; and in case any proprietor or proprietors shall conceive him, her or themselves, aggrieved by the valuation of the said commissioners, it shall and may be lawful for the commissioners, or a majority of them, on the application of any person interested, to issue their warrant, under their hands and seals, to the constable of the hundred where such lands may be, commanding him to summon twelve freeholders, not interested in the said lands, to appear on a day, by them appointed, on the said lands, at which time and place such freeholders, so summoned, shall respectively appear before the said commissioners, and take the following oath, to wit: "I, A. B. do swear, that I will honestly, without prejudice or partiality, value the damages and injury that may be sustained by opening a road through the lands of —, in pursuance of this act of assembly;" and shall return an inquisition of such damages, so assessed, to the clerk of Worcester county court; and the damages so assessed shall be conclusive. Damages to be ascertained, &c.

IV. AND BE IT ENACTED, That the persons who may conceive themselves interested or benefitted by the aforesaid road, are hereby required to pay, or secure to be paid, into the hands of the commissioners aforesaid, or some one of them, for the use of the person or persons in whose favour such valuation may be made, previous to laying out and opening the road aforesaid; and in case of failure of payment, or security as aforesaid, this act to be null and void, but in case of compliance with the provisions of this act, the said road shall be considered a public highway, and be kept up in the same manner as other public roads in said county. Persons interested to pay, &c.

C H A P. XCIV.

An ACT for opening a certain road in Baltimore county therein mentioned.

BE IT ENACTED, by the General Assembly of Maryland, That Thomas Lemmon, William Stevenson, Darby Ensor, Benjamin Bowen and Kinsey Johns, or a majority of them, be and they are hereby nominated commissioners, to lay off and mark a road from the end of the Falls turnpike road to Benjamin Price's shop, with as little inconvenience to the landholders as possible, and from thence in a direction as near as convenient to the Black rock mills, to intersect the main road near George Carlinger's mill, on the most direct and practicable route for a good road, and the said road shall be laid off forty feet wide, and shall be shaped, made and bridged, when necessary, at the expense of the Falls turnpike company, or by any other person or persons, and when so shaped, made and bridged, shall become the property of the county, and be kept in repair as other county roads are; and when the said commissioners, or a majority of them, shall have surveyed and marked the location of said road, they shall sign a plot of the same, and cause it to be recorded amongst the records. Passed 24th of Dec. 1808. Commissioners nominated, &c.