

II. BE IT ENACTED, by the General Assembly of Maryland, That it shall and may be lawful for the said Clement Holliday Waring, after the passage of this act, to take upon himself the name and surname of Clement Holliday, instead of his present names and surname, and also for the descendants of the said Clement Holliday Waring to take upon themselves the surname of Holliday, and the name of the said Clement Holliday Waring shall be and is hereby changed and altered into the name of Clement Holliday; and the said Clement Holliday Waring, and the heirs of his body, shall, at all times hereafter, be called by and hold and use the surname of Holliday only.

C H A P.  
LXXVII.  
Name changed,  
&c.

III. AND BE IT ENACTED, That all securities, promises, contracts, assurances, deeds and lawful acts whatsoever, heretofore made or hereafter to be made by or to the said Clement Holliday Waring, by the name and surname of Clement Holliday, shall be of the same force and effect, and equally avail to all intents and purposes, as if the name and surname of Clement Holliday had been the true and proper name and surname of the said Clement Holliday Waring from his birth, any law, statute or custom, to the contrary notwithstanding.

Securities, &c.  
to be of force,  
&c.

C H A P. LXXVIII.

An ACT to lay out, alter and confirm, certain roads in Allegany county.

Passed 3d of  
Jan. 1800.

BE IT ENACTED, by the General Assembly of Maryland, That Thomas Beall, of Samuel, Benjamin Tomlinson and David Hoffman, senior, or any two of them, be and they are hereby appointed commissioners to lay out a road from John Kembuly's to intersect the road leading from Cumberland to Evan Guynn's, and they, or any two of them, be and they are hereby appointed commissioners to lay off a road from the town of Cumberland, in Allegany county, to Sidling hill creek, in the nearest direction to Hancock-town, in Washington county.

Commissioners  
appointed, &c.

II. AND BE IT ENACTED, That the said commissioners shall survey and lay out the said roads in the nearest direction the nature of the grounds, and the restrictions herein after mentioned, will admit of, and without delay execute, sign and seal, plain plots of the same, with explicit explanations thereof, and make return of such plots and explanations to the county court of said county, who, on receiving such plots and explanations, shall examine the same, and all the evidence that shall or may be offered for or against said roads, or either of them, as returned, and upon consideration of all circumstances may reject or confirm the same, or either of them, as a public road or roads, or may direct the said commissioners to alter and amend the said plots, or either of them, and when so amended, may reject or confirm the same, and when confirmed, shall cause the same to be recorded among the land records of Allegany county, in testimony of the same being established by law, and shall direct the said commissioners to mark and bound the said roads, (or either of them, which shall be by the said court confirmed,) and direct a supervisor or supervisors to clear and improve the same, in the same manner, and on the same terms, as other public roads in said county are by law directed to be cleared and improved; and upon completing the same, the said roads (or road, as the case may be.) shall be deemed a public road or roads, and shall be kept in repair as all other public roads in said county are by law directed to be kept.

Roads to be  
surveyed, &c.

III. AND BE IT ENACTED, That in case the said county court shall ratify and confirm either or both of the said roads directed by this act to be laid out, that then the levy court shall be and are hereby authorized and empowered to agree and contract with the person or persons over whose land such road or roads may pass, for the amount of the damages thereby sustained, not exceeding the rate of three pounds current money per acre, but if such agreement doth not take place, then the said court shall issue their warrant, directed to the sheriff of the county, commanding him to summon and return a jury of twelve good and lawful men of the said county, not interested or related to the party or parties, to be and appear before some one of the justices of the said court, on the premises, at a certain day in the said warrant to be expressed, which jury, on their oath, or affirmation, as the case may be, to be administered by the said justice, shall inquire who are the owner or owners of the said land over which the road or roads so laid out and ratified shall pass, and what damages such owner or owners will actually suffer from the passage of such road or roads over the said land, the said jury taking into consideration all conveniencies and inconveniencies, advantages and disadvantages, if any, arising from the opening and improving of the said road or roads; and such sheriff shall return the inquisition of the said jury, under their hands and seals, and attested by his official signature, to the next levy court to be held for the county, and the amount of the damages therein expressed, if any, shall be paid, by order of the said court, out of the monies to be levied as is by law directed; provided, that the said road or roads shall not be made to run through any building, enclosed yard,

Court may agree for damages, &c.