

ered and enjoined to collect and receive all monies subscribed, or that may be subscribed, for the purpose of opening the said road, and such subscribers are hereby directed to pay their several subscriptions to the treasurer appointed as aforesaid; and if any person shall neglect or refuse, when applied to by the aforesaid treasurer, to pay his subscription money, the said treasurer may and he is hereby authorised to sue for, recover and receive the same; and the said monies, when received, shall be applied by the commissioners, or any two of them, to the purpose of this act.

C H A P.
XXX.

IV. AND BE IT ENACTED, That the commissioners aforesaid shall ascertain and value what damages may be sustained by any person or persons through whose land the said road may pass, by opening the same, and the said valuation shall be made before the said commissioners shall proceed to open the same; provided always, that if any person or persons through whose land the said road shall pass, or his, her or their guardian or trustee, shall conceive 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 of the said county of Frederick, on application of the party interested, to issue his warrant, under hand and seal, directed to any constable of the county, commanding him to summon five freeholders, disinterested as to the said road, to appear, on a day to be appointed by the said magistrate, on the land of the person making application as aforesaid, and the said freeholders, having first made oath before some justice of the peace, that they will, without favour, affection, prejudice or partiality, assess the damages sustained by the person or persons at whose request such inquisition shall be taken, by reason of opening the aforesaid road through his, her or their land, shall thereupon proceed to assess and value the damages accordingly, of which the said commissioners shall have at least five days previous notice, and shall return the damages so assessed to the said justice of the peace, and such inquisition and valuation shall be final and conclusive; and the party or parties in whose favour the valuation ascertained by the said commissioners, or the damages assessed by the said freeholders, shall be made, shall be entitled to receive the same from the said commissioners; and the said commissioners shall pay, or secure to be paid, the amount of the said valuation or damages to the respective parties entitled to the same, out of the monies to be raised and collected from the subscriptions to the said road, within the space of six months after the assessment of such valuation or damages, and before they shall proceed to affect the lands and tenements of the person or persons concerned; provided, that the said road shall not go through any houses, gardens, yards, meadows or orchards, unless with the consent of the owner thereof.

And ascertain
damages, &c.

C H A P. XXXI.

An ACT authorising the levy court of Washington county to alter and change the direction of certain roads therein mentioned.

Passed 31st of
Dec. 1803.

BE IT ENACTED, by the General Assembly of Maryland, That the levy court of Washington county be and they are hereby authorised and empowered to alter and change the direction of the road leading from Hagar's-town towards Hancock-town, so far as the said road extends from Hagar's-town to the end of the second line of the said road; and so much of the road leading from Hagar's-town towards Nicholson's Gap as passes over the lands of the heirs of Peter Wrench, deceased, and the lands of doctor Downey.

Court may alter
certain
roads, &c.

II. AND BE IT ENACTED, That should the said court, after viewing the said roads, and the alterations prayed for, think that the direction of either of them can be changed to the advantage of the said county, that then the said court shall have each of the said roads, and the alterations prayed for, surveyed, and plain plots of any alterations they may deem proper to make recored among the land records of Washington county; and the said road or roads, so altered, for ever thereafter be deemed a public road or roads, and shall be kept in repair as all other public roads in said county are.

Have them
surveyed, &c.

III. AND BE IT ENACTED, That the said court shall have full power and authority to agree and contract with the owner or owners of the land over which the said road or roads so altered shall pass, for the amount of damages thereby sustained, which shall be levied and paid as directed by the act of seventeen hundred and ninety-eight, chapter forty-nine.

And agree for
damages, &c.

C H A P. XXXII.

An ACT for the benefit of John Carrere, of the city of Baltimore.

Passed 7th of
January, 1804.
Preamble.

WHEREAS it is represented to this general assembly, that John Carrere, of the city of Baltimore, hath lately purchased some real property lying in Harford county of a certain Charles Assilin Dessables, otherwise called Charles Assilin: And whereas some doubts have arisen as to the