

CHAP. 98.

from Doctor James Beard's, on an easterly course to said Mountain's mills, and passing on the south side of the said mills in a north easterly direction, passing by Zion's meeting house on Cyrus Oldham's land, until it intersects the road leading from the brick meeting house towards Simpson's tavern, or in a direction from said mills till it intersects the aforesaid road near Nathaniel Oldham's, in as straight a direction as the nature of the ground will admit of, and with as little injury to the individuals over whose land the same may pass, as may comport with the public convenience; *Provided*, the said road shall not be laid out through the garden, yard, meadow or orchard, of any person or persons, without his, her or their consent in writing, first had and obtained; and a plot of said road, when surveyed, confirmed and laid out, together with a certificate of the courses of the same, shall be returned to the clerk's office of Cecil county, there to be recorded.

Proviso

Expense to be levied on county

2. AND BE IT ENACTED, That when the plot of said road shall have been confirmed and recorded as aforesaid, it shall and may be lawful for the levy court to levy upon the assessable property in said county, a sum of money such as they shall deem necessary under all circumstances, and to appoint an overseer or overseers to open and clear said road agreeably to the plot and certificate aforesaid, who shall give bond in like manner as other overseers of public roads are directed to give bond, and shall have the same allowance; and the said road, when opened and cleared as aforesaid, shall be, and the same is hereby declared to be for ever thereafter a public road, and shall be kept in repair as other public roads in said county.

Damages to be ascertained

3. AND BE IT ENACTED, That the said commissioners, or a majority of them, shall value and ascertain the damages that may be sustained by each and every of the persons through or on whose lands the said road may pass, (petitioners to the general assembly for this road only excepted,) by opening the same, and the damages so ascertained shall be levied and assessed as other county charges are, and shall be paid over to the said persons respectively over whose land said road may pass.

Commissioners to take an oath

4. AND BE IT ENACTED, That the said commissioners before they proceed to act, shall take an oath before some justice of the peace, that they will, without favour or affection, prejudice or partiality, assess the damages sustained by the person or persons through whose lands the said road may pass, by reason of opening the same.

Their compensation

5. AND BE IT ENACTED, That the said commissioners respectively, when named by the levy court as aforesaid, shall be entitled to receive two dollars for every day they shall severally attend to discharge the duties required by this act, which is hereby directed to be levied, collected and paid, as other county charges are levied, collected and paid.

CHAP. XCIX.

Passed Jan 30, 1815

An Act for the payment of the Journal of Accounts. Lib. TH. No. 4, fol. 358.

Preamble

WHEREAS it appears by the journal of accounts of this session that there is due from this state the sum of twenty-seven thousand two hundred and fifty-four dollars; therefore,