

CHAP. 129. same, under their hands and seals, in the office of the clerk of Washington county, to be there recorded, they shall from thenceforth be considered an incorporated company, by the name and title aforesaid, under the same provisions of the law* which regulates the Hager's-Town Fire Company, and the fire-engine aforesaid shall thereafter be kept under the direction of the said company for the use and benefit of the inhabitants of the said town.

* 1815, ch. 133

CHAP. CXXX.

Passed Feb 6, 1818 *An Act to lay out and make public a Road in Anne-Arundel, Montgomery, and Frederick Counties. Lib. TH. No. 6, fol. 36.*

Commissioners appointed to lay out road

1. BE IT ENACTED, by the General Assembly of Maryland, That Col. Philemon Griffith, William Morsell, Singleton Burgee, Perry W. Beall, Edward Burgess, Henry Wayman, and John Fry, be and they are hereby appointed commissioners, and they or a majority of them are hereby authorised and empowered, to survey and lay out, at the expense of the petitioners, or such other persons as may contribute thereto, a road not exceeding thirty feet in width, beginning for the same at some point on the road from New-Market, to intersect the George-town road near Philemon Griffith's lane, and from thence on the most direct and convenient direction to intersect the old Baltimore and Frederick road, at or near Henry Wayman's, so as to do as little injury as possible to the lands through which the said road may pass; *Provided*, that said road shall not pass through any houses, gardens, yards, orchards or meadows, of any person, without the consent of the owners thereof; and it shall be the duty of said commissioners to cause three plots of said road to be made out, and return one copy thereof to each of the clerks of the levy courts of Anne-Arundel, Montgomery, and Frederick counties; and if the levy court of said counties, or any one or more of them, are of opinion that the public convenience require said road, then and in that case it shall and may be lawful for the said levy court or courts of the said county or counties, to levy and assess upon the assessable property of said county, the sums necessary for opening said road in their respective counties; and the said commissioners shall appoint a supervisor or supervisors to open and clear said road, agreeably to the plots aforesaid; and the said road, when so opened and cleared as aforesaid, shall be, and the same is hereby deemed and declared to be, for ever thereafter a public road, and shall be kept in repair as other public roads in said counties are.

Proviso

Vacancies—assessment of damages

2. AND BE IT ENACTED, That in case of the death, resignation, or refusal to act, of any of said commissioners, it shall and may be lawful for the remaining commissioners to fill such vacancy or vacancies; and 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 whose lands the said road may pass, taking into consideration the advantages and disadvantages, if any; *Provided*, that if any person or persons through whose land the said road may pass, or his, or her, or their guardian or trustee, conceive himself, herself or themselves, aggrieved by such valuation and assessment by said commissioners, it shall and may be lawful for a justice of the peace of said county, on his, her, or their application, to issue his warrant, under his hand and seal, directed to

Proviso