

**CHAP. 28.** 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.

**CHAP. XXIX.**

Passed Jan. 5, 1805 *An Act to lay out and open several Roads in Queen-Anne's County therein mentioned.* Lib. JG. No. 4, fol. 557.

Preamble.

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants of Queen-Anne's county, that they suffer great inconvenience for the want of a public road from Doctor Whittington's gate, in said county, to lead through Double creek to the lower red lion mill, and thence to the public road leading towards the head of Chester, and also for want of another public road leading from the said new road, to pass by Double creek meeting-house to the road leading from Church-Hill to the head of Chester; therefore,

Commissioners appointed to survey and open two roads.

2. BE IT ENACTED, by the General Assembly of Maryland, That Charles Vanderin, Richard E. Harrison, Edward Wright, William B. Hackett and William Jacobs, or a majority of them, be and they are hereby appointed commissioners to survey, lay out, open and clear, two roads, each road not exceeding thirty feet wide, clear of ditches, one of the said roads beginning at or near Doctor Whittington's gate, near the Church-Hill road in said county, to lead through Double creek to the lower red lion mill, and thence to the public road leading towards the head of Chester, and the other road to begin at the most convenient part of the new road above mentioned, and to pass by Double creek meeting-house to the road leading from Church-Hill to the head of Chester, in said county; and the said roads, when surveyed, laid out, opened and cleared as aforesaid, and the valuation herein after directed to be made, or the damages hereinafter directed to be assessed, shall be paid, or secured to be paid, to the person or persons entitled to the same, shall be recorded among the records of Queen-Anne's county, and shall for ever thereafter be deemed as public highways, and shall be kept in repair in the same manner as other public roads are kept in said county; provided that the said commissioners shall not lay out or open the said roads, or either of them, through the buildings, gardens, meadows or orchards, of any person or persons, without his, her or their consent.

Damages to be ascertained.

3. AND BE IT ENACTED, That the commissioners aforesaid, 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 roads may pass, by opening and clearing the same as aforesaid, 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 said commissioners, or a majority of them, on the application of any person interested, to issue their warrant,