

CHAP. 160. posed by any rule or regulation shall be recoverable otherwise than before a single magistrate, and paid and applied as aforesaid; *And provided also*, that such rules and regulations, before they shall have operation and effect, shall be posted up in the most conspicuous places in the said market-house at least four public market-days.

CHAP. CLXI.

Passed Jan 20 1808

An Act to lay out and make public a Road in Queen-Anne's County.
L. B. : H. No. 1. 101. 510.

Preamble.

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants of Queen-Anne's county, that the convenience of the public will be promoted by making public and straightening the private road from Hall's Cross Roads to the public road leading from Centreville to Routhsburg; and the same appearing reasonable, therefore,

Commissioners appointed to lay out and straighten a road.

2. BE IT ENACTED, by the General Assembly of Maryland, That Samuel Smith, James R. Pratt, John Clark, James Booker and Benjamin Hall, of Lawrence, or a majority of them, be and they are hereby appointed commissioners to survey, lay out and straighten, a road, not exceeding thirty feet in width, at the expense of the persons willing to contribute, or who may conceive themselves interested in opening and straightening said road, from the methodist meeting-house, at Hall's Cross Roads, to intersect the public road leading from Centreville to Routhsburg, and estimate and value the damages sustained by any person or persons through whose land the said road shall pass, taking into estimation the advantages and disadvantages, if any; and a certificate of the same, when so ascertained, together with a certificate of the survey of said road, when completed and made fit for the reception of the county as a public road, under their hands, or a majority of them, shall return to the clerk of Queen-Anne's county court, to be by him recorded, and shall for ever thereafter be deemed a public highway, and kept in repair as other public roads in said county are; *Provided*, that nothing herein contained shall in any manner authorise the said commissioners to lay out or open the said road through the buildings, yards, gardens, orchards or meadows, of any person or persons, without his, her or their consent; *And provided also*, that the said commissioners shall not proceed to open and clear said road before the damages, if any, be paid, or secured to be paid, to the person or persons in whose favour such damages may be adjudged.

Proviso.

Jury may be summoned to ascertain damages.

3. AND BE IT ENACTED, That if any person or persons through whose land the said road shall pass, or his, her or their guardian or trustee, shall conceive himself, herself or 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, on his, her or their application, to issue his warrant, under his hand and seal, directed to the sheriff of the county, commanding him to summon twelve disinterested men, qualified by law to serve as jurors in the county court, to meet upon the premises on a certain day, of which ten days notice at least shall be given to the party or parties interested; and the said jurors, when so met, and having each first taken an oath before some justice of the peace, that he will, without favour, affection, partiality or prejudice,