

NOV. 1809.

LAWS OF MARYLAND.

CHAP. 77.

CHAP. LXXVII.

Passed Jan. 6, 1810

An Act to lay out and make public a Road therein mentioned in Cecil county. Lib. TH. No. 2, fol. 230.

A Supplement, 1810, ch. 31.

Preamble.

WHEREAS sundry respectable inhabitants of Cecil county have preferred a petition to this general assembly, praying, (for certain reasons therein mentioned,) that a road may be opened and laid out in said county; and the prayer of the petitioners appearing reasonable, therefore,

Commissioners appointed to survey and lay out a wagon road

2. BE IT ENACTED, by the General Assembly of Maryland, That James Evans, sen. Samuel Ramsey, James Gerry, Thomas Richards, sen. and Jeremiah Knight, be and they are hereby appointed commissioners for the purposes of this act, and that they, or a majority of them, are hereby authorised and required to survey and lay out a wagon road, not exceeding thirty feet wide, beginning on the public road leading from the Rising Sun to Charles-town, at or near Joseph Reynolds's great gate on the west side of said road, thence to intersect the main public road leading from the Pennsylvania line to Criswell's Ferry on the Susquehanna River at or near the Friends Meeting-House, in as straight a direction as the nature of the ground will admit of, and with the smallest possible injury to the individuals over whose land the said road may pass; *Provided always*, that the said road shall not be made to pass through the buildings, yards, gardens or orchards, of any person, without the consent of the owner or owners thereof.

Proviso.

By 1810, ch. 31, the levy court to appoint commissioners to lay out and open the road.

Plot thereof to be made and returned to levy court, &c.

3. AND BE IT ENACTED, That it shall be the duty of the commissioners aforesaid, on or before the first day of April next, to cause a plot and certificate of said road to be made, and return the same to the levy court of Cecil county at their first sitting thereafter; and if the levy court of said county, upon consideration of all circumstances, shall be of opinion that said road will be of advantage to the people of Cecil county, then and in such case the clerk of said county shall record the said plot and certificate, whereupon it shall and may be lawful for the levy court of said county to levy upon the assessable property of said county, a sum of money, such as they may deem necessary, and to appoint an overseer to open and clear said road agreeably to the plot and certificate aforesaid; 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.

4. 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 whose lands the said road may pass, by opening the same, taking into estimation the advantages and disadvantages, if any, and the damages so ascertained shall be levied and assessed as other county charges are, and shall be paid over to the persons respectively through whose lands the said road may pass; *Provided nevertheless*, that no money shall be levied or assessed for the purpose of discharging the damages aforesaid, until the said road is opened and cleared agreeably to the directions of this act,

Proviso.