

of the same, depend upon the location of the road from the mills, formerly called John Caldwell's mill, to Coxe's branch, which divides the counties aforesaid, and it is prayed that the said road may be laid out and ascertained, which appears reasonable and proper; therefore,

C H A P.
LXI.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That George Bell, Benjamin Dennis, Thomas Hamilton, Levin Jones, senior, and Tubman Lowes, be and they are hereby appointed commissioners, who shall, on or before the first day of May, eighteen hundred and four, meet at the town of Salisbury, and having so met, the said commissioners, or any three of them, shall have full and ample power to direct the surveyor of Somerset county to survey and lay out the divisional road between Somerset and Worcester counties, from the mills, formerly called John Caldwell's mills, to Coxe's branch, most agreeably to its original location, according to the best evidence which can be obtained.

Commissioners
appointed, &c.

III. AND BE IT ENACTED, That the said commissioners, or any three of them, are hereby authorised and required, having first given ten days notice of the time and place of their meeting, to issue summons for such persons as they may consider necessary, who are hereby required to attend, under the penalty of twenty dollars for every neglect or refusal, and to examine them upon oath, or affirmation, touching and concerning their knowledge of the running and course of the said road, and to establish the same accordingly.

Who shall is-
sue summons,
&c.

IV. AND BE IT ENACTED, That the said commissioners, or any three of them, shall, when the location of the said road be made and finished, cause an accurate plot thereof to be recorded in the clerk's office of Somerset and Worcester counties respectively, and in case no suit or action shall be brought within one year next after recording the same, to call in question the adjudication of the commissioners aforesaid, relative to their ascertaining the location of the road aforesaid, the marking and bounding the same, and the record thereof, shall be conclusive evidence of its original location; and if any person or persons shall conceive him, her or themselves aggrieved by the adjudication of the commissioners aforesaid, relative to the location of the said road, he, she or they may, at any time within one year after the same is made out and recorded, appeal to the next county court to be held in either of the said counties; and if the adjudication of the commissioners, respecting the location of the said road, shall be confirmed by the verdict of a jury on any appeal as aforesaid, the same, so confirmed by the jury, shall be conclusive to every intent and purpose whatsoever.

And cause a
plot to be made,
&c.

V. AND BE IT ENACTED, That if any one or two of the commissioners aforesaid shall die, refuse, neglect, or be rendered incapable to act, a majority of the remaining commissioners may appoint in place of the person who shall die, refuse, neglect, or be incapable to act; and if any three or more of the said commissioners shall die, refuse, neglect, or be incapable to act, the chief justice, or the associates of either county court, may appoint some person or persons in their places, so as to make up the number first mentioned.

How vacancies
are to be filled.

VI. AND BE IT ENACTED, That the commissioners shall be allowed the sum of three dollars per day for every day they shall attend as commissioners aforesaid, and the surveyor shall be allowed the sum of four dollars per day for every day he shall be employed by the commissioners aforesaid, for the purpose aforesaid, and each witness, who may be summoned for the purpose aforesaid, shall be allowed the sum of two dollars for every day he or she shall attend; which expence, and all other expences attending the same, shall be paid by the several proprietors of the lots bordering on the said road, in equal proportions to the value of their property held by them severally bordering on the said road, to be adjudged by the said commissioners, to be recovered, on refusal to pay the same, in the manner that small debts are, in the name of the commissioners.

Allowance to
commissioners,
&c.

VII. AND BE IT ENACTED, That before any commissioner shall proceed to the execution of his office, he shall take an oath before some justice of the peace, or some other of the commissioners, that he will well and truly discharge the duties enjoined upon him by this law, according to the best of his knowledge and judgment.

To take an
oath, &c.

C H A P. LXII.

An ACT for the encouragement of learning in Queen-Anne's county.

WHEREAS public institutions for the education of youth in different parts of this state under proper regulations, will tend to promote the happiness and prosperity of its citizens, and be the surest means of raising up men, eminent in science and virtue, ornaments and supports of their country: And whereas considerable sums of money have been subscribed and expended in the

Passed 7th of
January, 1804.
Preamble.