

II. AND BE IT ENACTED, That on the said persons respectively complying with the several provisions contained in the said act, it shall and may be lawful for any two of the justices of the said county respectively to discharge from custody the said persons, as fully and amply as if such persons had been committed for debt; provided, that on the application of the said persons respectively to the justices of the peace aforesaid, such justices shall appoint the time of meeting, not less than five days, nor exceeding ten days.

C H A P.
LXXXVIII.
On complying
therewith to be
discharged, &c.

III. AND BE IT ENACTED, That such discharge shall as fully and amply release the said persons from all claims and demands that have accrued, or shall accrue, against them respectively, before the date of the discharge, for officers fees as from other debts.

And released,
&c.

C H A P. LXXXIX.

An ACT to authorise the opening of a road in Anne-Arundel and Prince-George's counties.

Passed 7th of
January, 1804.

WHEREAS it is represented to this general assembly, by the petition of a respectable number of the inhabitants of Anne-Arundel and Prince-George's counties, that a road is much wanted from the neighbourhood of Richard Dorsey, of Caleb, on the north side of South river, in Anne-Arundel county, to intersect the public road leading from the plantation of Benjamin Ogle, in Prince-George's county, to Bladensburgh, and have prayed that a law may pass authorising the opening of a road from a large white oak tree, standing on the south of the main road leading from the city of Annapolis round the head of South river, at the lower end of the said Richard Dorsey's plantation, from thence, by Jacob Waters's mill and the South river meeting-house, to the fording place on Patuxent, known by the name of Ashton's Ford, and from thence, by or through Benjamin Ogle's plantation, in Prince-George's county, to intersect the road leading to Bladensburgh, and that a bridge may be built over the Patuxent at Ashton's ford aforesaid; and it appearing to this general assembly that opening a road as aforesaid would be of great public utility, therefore,

Preamble.

II. BE IT ENACTED, by the General Assembly of Maryland, That Thomas Bicknell, Baruck Fowler, Osborn Williams and Jacob Walters, of Anne-Arundel county, and Thomas Macgill, Benjamin Ogle, junior, and Thomas Jones Waters, of Prince-George's county, or a majority of them, be and they are hereby appointed commissioners to survey, lay out and open, a road, not exceeding thirty-six feet in width, in the best and straightest direction, from the oak tree aforesaid, running the same by Jacob Waters's mill and South river meeting-house aforesaid, to the ford on Patuxent called Ashton's Ford, and thence to intersect the road leading from the plantation of Benjamin Ogle to Bladensburgh, and the said commissioners shall make out a plot of that part of the road which they shall lay out and open in Anne-Arundel county, and return the same to the clerk of Anne-Arundel county court, to be by him recorded among the records of said county, and they shall also make out a plot of that part of the road which they shall lay out and open in Prince-George's county, and return the same to the clerk of said county, to be by him recorded among the records of the county; and the said road, when so laid out and opened, and the valuation herein after directed to be made shall be paid, or secured to be paid, to the person or persons through whose land the said road may pass, the said road shall be thereafter deemed to be a public road for ever, and shall be kept in repair as other public roads in said counties; provided, that the said commissioners shall not run the said road through the buildings, yards, orchards, gardens or meadows, of any person or persons, without the consent of the owner thereof.

Commissioners
appointed, &c.

III. AND BE IT ENACTED, That the commissioners aforesaid, or a majority of them, shall ascertain and value what damages may be sustained by any person or persons over whose land the said road may pass by opening the same, and the valuation shall be made before the said commissioners, or a majority of them, shall proceed to open the said road; provided always, that if any person or persons through whose land the said road may pass, or his, her or their guardian or trustee, shall conceive themselves aggrieved by such valuation and assessment of damages by the said commissioners, or a majority of them, it shall and may be lawful for any justice of the peace of the county in which the land lies, on application of the party interested, to issue his warrant, under his hand and seal, directed to any constable of the county, commanding him to summon twelve freeholders, who do not hold lands through which the said road may pass, to appear, on a day by the said justices to be appointed, on the land of the person or persons making application as aforesaid, and the said freeholders, having first made oath before said justice of the peace, that they will, without favour, affection or partiality, assess the damages sustained by the person or persons at whose request such inquisition shall be taken, by reason of opening the aforesaid road through his, her or their land,

Who shall as-
certain da-
mages, &c.