

C H A P.
LXXIV.
And ascertain
damages, &c.

IV. 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, taking into consideration the advantages and disadvantages resulting therefrom; 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 himself, herself or themselves aggrieved by such valuation 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 five freeholders, who do not hold lands through which the said road may pass, to appear, on a day by the said justice 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, 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 opening the said road through his, her or their land, taking into consideration the advantages or disadvantages, if any, and shall thereupon proceed to assess and value the damages accordingly, and such inquisition and valuation shall be final; and the party or parties in whose favour the valuation ascertained as aforesaid shall be entitled to receive the same from the said collector, by an order drawn on him by the said commissioners, or a majority of them, and upon the payment of the money, or securing the same to be paid, to the person or persons through whose land the said road is intended to pass, the said commissioners, or a majority of them, may open the said road through such person or persons lands; provided, the said road shall not pass through any house, yard, garden or orchard, unless with the consent of the owner or owners thereof.

Former road to
be stopped up,
&c.

V. AND BE IT ENACTED, That whenever it shall appear to the commissioners aforesaid, or a majority of them, upon review, that the road hereby directed to be laid out hath been completed in a good and sufficient manner, it shall and may be lawful for the petitioners, at their discretion, and they are hereby authorised, to cause the former road to be stopped up and discontinued.

C H A P. LXXV.

An ACT respecting certain land certificates.

Passed January 19, 1805.
Preamble.

WHEREAS it has been represented to this general assembly, that large bodies of land, laying in Allegany county, have heretofore been surveyed, and certificates made out, but have never been compounded on, and now lay liable to be affected by warrants of proclamation, but from the vast quantities of bad land included in these surveys, it can never be an object with any individual to take them up for purposes of cultivation, in whole, and that as, according to the regulations of the land-office, these surveys cannot be taken in part, and as considerable benefit would result to the county of Allegany, as well as to persons wishing to make actual surveys for the purpose of settling thereon, from these large tracts or surveys of land being vacated, or placed in such a situation as to be located or taken in part, as well as in whole; therefore,

Certificates
vacated, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That all certificates of surveys of land heretofore made in Allegany county, not compounded upon, and which are now liable to proclamation, be and the same are, on and after the first day of August next, unless then paid on, or secured by warrant of proclamation, hereby vacated, made null and void, and placed upon the same footing with all other vacant land in said county, liable to be affected in the same manner, and in any quantity, without being bound by, or paying any regard to, the afore-mentioned surveys; provided, that the land included in any survey vacated by this law, shall not be liable to be affected by any warrant issued, or to be issued, before the first day of August next.

C H A P. LXXVI.

An ACT to clear and make public a road in Harford county therein mentioned.

Passed January 19, 1805.

Preamble.

WHEREAS a number of inhabitants of Harford county, by their petition to the general assembly have prayed, that a law may pass to clear the road that is already opened, and which leads through the lands of John Trimble, William Amoss, junior, James Amoss, junior, Mordecai Amoss and Thomas B. Onion, from a certain widow Harrey's, near the quaker meeting-house, to the said Thomas B. Onion's mill, and that the same, when cleared, shall be thereafter a public road, and kept in repair as other public roads in said county; and the same being reasonable, therefore,