

C H A P.
CLXXVI.

hand and seal, directed to the sheriff of said 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 six 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 or affection, prejudice or partiality, assess the damages sustained by the person or persons at whose request such inquisition shall be made, by reason of opening the aforesaid road through his, her or their land, shall thereupon proceed to assess and value the damages accordingly, taking into consideration the advantages and disadvantages, if any, and such inquisition and valuation shall be final and conclusive between the parties respectively.

C H A P. CLXXVII.

An ACT relating to Constables Bonds.

Passed 7th of
Jan. 1810.

WHEREAS the present general assembly of Maryland hath enlarged the jurisdiction of justices of the peace: And whereas the penalty of the bond executed by the constables is not high enough for the increased duties transferred on them; therefore,

II. **BE IT ENACTED**, by the General Assembly of Maryland, That in lieu of the bond prescribed by the act of eighteen hundred and one, each and every constable, before he acts as such, shall give bond to the state of Maryland, with good and sufficient security, in the penalty of eight hundred dollars, to be approved of by the levy court of the county, conditioned, that the said constable shall well and faithfully execute the same office in all things appertaining thereto, and shall also well and truly account for all monies placed in his hands for collection, and shall also well and truly pay all sums of money received by him; and it shall be the duty of the levy court to have the same entered on record by their clerks, and a copy thereof, under the seal of the court, shall be good evidence to prove the execution of such bond in any court of this state.

III. **AND BE IT ENACTED**, That an attested copy of the said bond shall be good evidence in law to maintain an action of debt for the breach of any condition of the said bond as if the same was actually produced and proved in the said court.

IV. **AND BE IT ENACTED**, That whenever any evidences of debts are put into the hands of any constable for collection, it shall be his duty to execute a receipt for the same, if demanded, and upon his neglect or refusal to do so he shall forfeit the sum of five dollars, to be recovered before any single magistrate by the party grieved, for each and every offence.

C H A P. CLXXVIII.

An ACT to locate a Road in Charles County.

Passed 7th of
Jan. 1810.

BE IT ENACTED, by the General Assembly of Maryland, That George D. Parnham, Joseph Boarman, of Leonard, John Digges, William Corry and Lawrence Posey, be and they are appointed commissioners, and they, or a majority of them, are hereby authorised and empowered to lay out and open a road, not exceeding twenty feet, at the expense of the persons willing to contribute, through Wollaston manor to the Cob Neck church, and from thence to intersect the public road leading from Charles-town, commonly called Port-Tobacco, to the lower end of Cob Neck, 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 Charles 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, secured to be paid, to the person or persons in whose favour such damages may be adjudged.

II. **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