

V. AND BE IT ENACTED, That if any justice of the peace shall omit to keep a docket as aforesaid, or to pursue the directions of the act to which this is a supplement, so that by such neglect or omission the plaintiff, (having obtained a judgment before such justice,) shall lose his or her debt, that then and in that case the said justice shall pay and satisfy to the said plaintiff the debt, interest and costs, lost as aforesaid.

VI. AND BE IT ENACTED, That the judges of the several county courts within this state shall not hold plea in the said courts of any debt or damage in cases within the jurisdiction given to justices of the peace by this act, which shall not exceed fifty dollars, any law to the contrary notwithstanding; provided nevertheless, that nothing in this act contained shall extend, or be construed to extend, to divest the several county courts in this state from the power of holding plea of any debt or damages where the same doth not amount to the sum of fifty dollars, or may be above ten pounds current money, where the writ or original process issued for the recovery of the same shall have been impetrated at any time before the first day of May next.

VII. AND, whereas doubts are entertained as to the amount of fees which justices of the peace are authorised by law to take and receive as to probats of account, and taking the acknowledgment of deeds, and other instruments of writing that requires the presence of two magistrates; for remedy whereof, BE IT ENACTED, That where any justice of the peace shall write a probat and administer an oath thereon, he shall be entitled to receive six cents and no more, and that no justice shall be authorised to charge, take or receive, any fees or compensation for mileage or journey fee, for the performance of any duty or business relating to his office as justice of the peace.

C H A P. LXXXVII.

An ACT to lay out and make public a Road therein mentioned in Cæcil County.

Passed 6th of
Jan. 1810.

WHEREAS sundry respectable inhabitants of Cæcil 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,

II. 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.

III. 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 Cæcil 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 Cæcil 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.

IV. 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.