

III. AND BE IT ENACTED, That it shall be the duty of the said commissioners, or a majority of them, before they act as such, to lodge the bond made and entered into as aforesaid in the office of the clerk of Washington county court, there to be recorded; and upon such bond, or any office copy thereof, suit or suits may be instituted against the obligors therein, or any of them, or their legal representatives, for any breach or non-compliance with the condition of the same.

C H A P. XVII.
Bond to be lodged, &c.

C H A P. XVIII.

An ACT to lay out and make a public road in Baltimore county.

Passed 15th of January, 1808.

WHEREAS it is represented to this general assembly, by a number of inhabitants of North and Mine-Run Hundreds, in Baltimore county, that they labour under great inconvenience for want of a public road from the Pennsylvania line, at Jesse Low's lane, to Benedict Hurst's on the public road leading to the York turnpike; therefore,

Preamble.

II. BE IT ENACTED, by the General Assembly of Maryland, That Jesse Oshell, John Freeland and Thomas Talbot, or a majority of them, be commissioners, and are hereby directed and authorised to lay out a public road, beginning at the end of Jesse Low's lane, at or near the Pennsylvania line, along with the aforesaid line, from thence to John Freeland's, from thence to Peter Shock's mill, from thence to intersect the great public road, at or near Benedict Hurst's tavern, leading to the York turnpike, but not so as to pass through any garden, meadow or orchard, without the consent of the proprietor or proprietors thereof.

Commissioners appointed, &c.

III. AND BE IT ENACTED, That the commissioners aforesaid, or a majority of them, be and they are hereby authorised and directed, to ascertain and value what damages may be sustained by any person or persons through whose lands the said road may pass, by opening and clearing the same, and the said valuation shall be made and paid, or secured to be paid, before the commissioners shall proceed to open and clear the same; and in case any proprietor or proprietors shall conceive him, her or themselves, aggrieved by the valuation of the said commissioners, it shall and may be lawful for the said commissioners, or a majority of them, on the application of any person interested, to issue their warrant, under their hands and seals, to the constable of the hundred where such lands may be, commanding him to summon twelve freeholders, not interested in the said lands, to appear on a day by them appointed on the said lands; at which time and place such freeholders, so summoned, shall respectively appear before the said commissioners, and take the following oath, to wit: "I, ———, do swear, that I will honestly, without prejudice or partiality, value the damages and injury that may be sustained by opening a road through the lands of ———, in pursuance of this act of assembly," and shall return an inquisition of such damages, so assessed, to the clerk of Baltimore county court; and the damages so assessed shall be conclusive.

Damages to be ascertained, &c.

IV. AND BE IT ENACTED, That the persons who may conceive themselves interested or benefitted by the aforesaid road, are hereby required to pay, or secure to be paid, into the hands of the commissioners aforesaid, or some one of them, for the use of the person or persons in whose favour such valuation may be made, previous to laying out and opening the road aforesaid; and in case of failure of payment, or security as aforesaid, this act to be null and void, but in case of compliance with the provisions of this act, the said road shall be considered a public highway, and be kept up in the same manner as other public roads in said county.

Persons interested to pay, &c.

C H A P. XIX.

A Further supplement to the act, entitled, An act for appointing a wreckmaster in Worcester county.

Passed 18th of January, 1808.

WHEREAS it frequently happens that during the recess of the county court of Worcester county, the office of wreckmaster becomes vacant by death, resignation or otherwise, and the person appointed to said office is by law directed to give bond and security in the county court where he resides, before he enter upon the duties of his office, by reason whereof the community may be deprived of the services of said officer at times when they are most necessary; therefore,

Preamble.

II. BE IT ENACTED, by the General Assembly of Maryland, That the clerk of the county where the wreckmaster, appointed during the vacation of the county court, resides, be and he is hereby authorised and empowered to take bond and security from the said wreckmaster, in the same manner, and upon the same terms and conditions, as the county court of the said county when in session are authorised, and empowered at their next term, or at any time thereafter, to call upon the said wreckmaster to give a new bond with security, of the same tenor, and in lieu of the bond taken by the

Clerk to take bond, &c.