

and James Jarboe, be, and they, or a majority of them, are hereby appointed Commissioners for the purpose of laying out a public road in St. Mary's county, commencing at a public landing near John Holton's, on the Patuxent river, and running a southerly direction, until it intersects the Three Notch Road; and make out and return a plot with the probable cost of opening said road, to the levy court of St. Mary's county, which plot shall be recorded among the records of said levy court, and said road, when so opened, shall be a public road forever, and shall be kept in repair by said county. CHAP. 285

SEC. 2. *And be it enacted*, That the said commissioners shall return an account to the levy court, under oath, of all the expense attending the survey and location of said road, including two dollars for each and every day they shall attend, to be levied and paid as other county charges are now paid. Accounts there-
for
Levy

SEC. 3. *And be it enacted*, That the said commissioners, before they shall proceed to act, shall take an oath before some justice of the peace, that he will without favour, partiality or prejudice, assess the damage, if any, sustained by the person or persons through whose land the said road will pass; said damages to be levied, collected and paid over as other county charges are; *provided*, that nothing in this act contained shall deprive any owner of land, who is dissatisfied with the assessment of the commissioners herein named, or who is an infant, feme covert or non compos mentis, of the benefit of a trial by jury in the usual form of inquisition ad quod damnum. Oath required
Reservation

CHAPTER 285.

A supplement to the act, entitled, an act to invest the State's share of the Surplus Revenue of the United States, and for other purposes, passed at December session, eighteen hundred and thirty-six, chapter two hundred and twenty. Passed Mar. 28,
1838.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That the interest that has accrued, and Fund referred
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