

Passed 25th of  
January, 1806.

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

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants of Frederick-town, in Frederick county, that great inconveniencies arise from the want of public road leading from East-street, opposite to the end of the third street, in said town, through a lot of Samuel Lilly, and colonel Baker Johnson's land, to the road leading from the east end of Church-street to the said colonel Baker Johnson's mill; and the prayer of the said petition appearing reasonable, therefore,

II. BE IT ENACTED, by the *General Assembly of Maryland*, That Lawrence Brengle, David Marke and Henry McCleary, be and they are hereby appointed commissioners to lay out and open, at the expence of the petitioners, a road, not exceeding thirty feet in width, from East-street, opposite to the end of Third-street, through a lot of Samuel Lilly, parallel to the south line of said lot, and thence with the same course through colonel Baker Johnson's land, to intersect a road leading from the east end of Church-street to colonel Baker Johnson's mill, and the said road, when so laid out and opened, and the valuation herein after directed to be made shall have taken place, shall be recorded in Frederick county court, and shall be deemed and taken a public road for ever thereafter and kept up, amended and repaired, as all other public roads in said county.

III. AND BE IT ENACTED, That the aforesaid commissioners, or any two of them, shall ascertain and value what damages may be sustained by the person or persons through whose land the said road may pass by opening the same, and the said valuation shall be made before the said commissioners proceed to open the same; provided always, that if any person or persons through whose land the said road shall pass, shall conceive 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 of Frederick county, 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, disinterested as to the said road, to appear on a day by him to be appointed, on the land of the person making application as aforesaid, and the said freeholders, having first made oath before some justice of the peace, that they will, without favour, affection, prejudice or partiality, assess the damages sustained by the person or persons at whose request such inquisition shall be taken, by reason of opening the aforesaid road through his land, shall thereupon proceed to assess and value the damages accordingly of which the said commissioners shall have had at least five days previous notice, and shall return the damages so assessed to the said justice of the peace, and such inquisition and valuation shall be final and conclusive; and the party or parties in whose favour the valuation ascertained by the said commissioners, or the damages assessed by the said freeholders, shall be made, shall be entitled to receive the same from the said commissioners, and the said commissioners shall pay, or secure to be paid, the amount of said valuation or damages to the respective parties entitled to the same, before they shall proceed to affect the lands of the person or persons concerned.

Passed 25th of  
January, 1806.

### An ACT for draining part of a branch of Tuckahoe, known by the name of Beaver Dam Branch, lying in Queen-Anne's county.

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants that they are possessed of part of a valuable branch in Tuckahoe, called Beaver Dam Branch lying in Queen-Anne's county, and as there is good reason to believe that very great advantage might be derived, as well to the public as the proprietors of said branch, if the same should be effectually chained, and as it cannot be well accomplished without the aid of the legislature, by passing an act to secure the joint exertions of all the said proprietors: And whereas it appears to this general assembly, that it will be of public utility to extend the aid of the legislature in order to accomplish so good an object; therefore,

II. BE IT ENACTED, by the *General Assembly of Maryland*, That it shall and may be lawful for the proprietors of the lands lying on a branch of Tuckahoe, known by the name of the Beaver Dam Branch extending from the road crossing the said branch at the beaver dam causeway until it shall intersect the main ditch of Long Marsh, to meet on the first Monday of April in each and every year herein after, at a village known by the name of Beaver Dam, or at any other place which a majority of the proprietors may appoint, in Queen-Anne's county, and for such proprietors, or a majority of those who shall attend at the said meeting, then and there annually to elect, by ballot, three of the said proprietors for directors, who, when so elected and chosen, are hereby authorised and empowered, or any two