

given ten days previous notice thereof to John Ward the guardian of the said John Ward Comegys. Dec. Ses. 1816.

2. *And be it enacted*, That the certificate of them, the said John Wallis, John Wroth and Joseph Mann, or any two of them, under the hands and seals, describing the beginning, courses, and distances, marks and bounds, of the said twenty acres of woodland, so laid off for the said Ann Worrell Comegys, shall be by them returned to the court of said county, and upon the same being confirmed by the said court, it shall be recorded among the land records of Kent county, and shall be conclusive and binding upon the parties concerned, their heirs and assigns, for ever.

Certificate to be returned and recorded.

3. *And be it enacted*, That if the said court should not confirm or approve of the said return, so to be made as aforesaid, they shall have full power, either by appointing new commissioners, or in any other manner most expedient, to make partition, according to the true intent and meaning of this act, among the said parties, agreeable to the rights as aforesaid.

Court may appoint new commissioners.

CHAPTER 68.

An act to lay out and open a Road in Harford County.

Passed Jan. 14.

Sec. 1. *Be it enacted by the General Assembly of Maryland*, That Parker H. Lee, Thomas Jeffery and Joseph Parker, be and they are hereby appointed commissioners to view the old private road, leading from the corner of Samuel Stump's stone fence, on the road leading from Reuben Stump's mills to Darlington, to where it intersects the road leading from Darlington to Stafford Mills; and the said commissioners, or a majority of them, are hereby authorised and empowered, (if in their opinion public convenience require the same,) to lay out, alter, straighten and amend the same, as they in their judgment may think best adapted to public convenience, not exceeding thirty feet in width; *Provided nevertheless*, that if the said commissioners, or a majority of them, deem other ground than that upon which the old road originally was placed preferable, and would subject the owners of land to less inconvenience, then said commissioners shall proceed to lay out said road without regard or reference to the old road; *Provided also*, that said road shall not be made to pass through the buildings, gardens or orchards, of any person or persons, without the consent of the owner or owners thereof.

Commissioners to lay out road.

Provisos.

2. *And be it enacted*, That when the said commissioners, or a majority of them, shall have laid out, marked and bounded the said road, they shall return a correct plot thereof, with a certificate of the courses and distances, to the clerk of Harford county court, to be by him recorded.

Plot to be returned.

3. *And be it enacted*, That the levy court of Harford county, be and they are hereby directed, upon the plot of such road being returned to the clerk's office of said county, to levy such sum of money as they, in their discretion, shall deem necessary for opening, clearing, and making conveniently passable, the said road, and shall appoint an overseer for that purpose; and the said road shall thereafter be deemed a public highway, and shall be kept in repair as other public roads in said county are.

Levy to be made.

4. *And be it enacted*, That the said commissioners, or a majority of them, shall value and ascertain what damages, (if any)

Damages to be ascertained.