

June last, and the said rules, judgments, process and proceedings, had been duly continued by regular and lawful adjournments from time to time. C H A P.
XXXII.

III. And, whereas the justices of said court, notwithstanding the discontinuance aforesaid, have since transacted the ordinary business of said court; therefore, **Be it enacted**, That all the rules, judgments, entries, acts, process and proceedings, made and rendered by the justices of said court since the said second Tuesday of June last, either in cases then depending or since commenced, shall be and the same are hereby made as valid and effectual as if the said court had met at the time to which the same stood adjourned. Rules, &c.
made valid.

IV. And be it enacted, That the register of wills of the said county for the time being, shall and may, at all times hereafter, in the absence of the justices of said orphans court, on any day to which said court may stand or be adjourned, call and adjourn the same for any number of days not exceeding ten, notice of which adjournment, when made, it is hereby declared to be the duty of the register to give to the respective justices of the orphans court. Register may
call and ad-
journ court,
&c.

C H A P. XXXIII.

An ACT for laying out a road by Banker's mill, in Frederick county. Passed De-
cember 24.

WHEREAS sundry inhabitants of Frederick county, by their petition to this general assembly, have stated, that great inconveniencies are sustained by them for the want of a public highway from Erb's hill, by Banker's mill, towards a road of Pennsylvania leading from Hanover-town to Maryland, and that the opening such a road would greatly facilitate the transportation of their produce to market, without any material injury to any of the citizens of this state; and the said facts being established to the satisfaction of the general assembly, Preamble.

II. **Be it enacted**, by the General Assembly of Maryland, That Stephen Winchester, Joshua Gist and David Shriver, junior, of Frederick county, or any two of them, shall be and they are hereby appointed commissioners to survey, lay out and open, a public road, not exceeding forty feet in width clear of ditches, from Erb's hill, by Banker's mill, to intersect the state line at the place where the road from Hanover-town, in Pennsylvania, towards Banker's mill, intersects the said state line, in the direction which will best suit the situation of the ground, and answer the purposes of this act; and a plot of the said road, when so surveyed and laid out, shall be returned to the levy court of Frederick county to be recorded, and shall for ever thereafter be deemed and taken to be a public highway, and repaired and improved in the same manner as other public roads in the said county. Commission-
ers appointed,
&c.

III. And be it enacted, That any damage sustained by any person or persons whatsoever by the opening of the road aforesaid, shall be ascertained and determined by the justices of the levy court, and the amount thereof paid and satisfied in the manner directed by the act, entitled, An act to straighten and amend the several public roads in several counties, and for other purposes therein mentioned, and the supplement thereto, passed at November session, seventeen hundred and ninety-one; and the said road shall, in all other respects, be subject to the regulations contained in, and entitled to the benefits conferred by, the said act and supplement, and the act, entitled, An act relating to public roads in this state, and to repeal the acts of assembly therein mentioned. Damage to
be ascertain-
ed, &c.

C H A P. XXXIV.

An ACT to confirm and make valid the proceedings of the levy court of Montgomery county. Passed De-
cember 24.

WHEREAS the levy court of Montgomery county stood adjourned to a certain day in August last, and from excessive rains on that day the justices of said court could not meet agreeable to adjournment: Preamble.
And