

IV. And be it enacted, That Baltimore county, out of the limits of the city of Baltimore, shall be divided and laid off into seven districts, and that the city of Baltimore shall, at all future elections, form and constitute one district for the purpose of electing sheriffs.

C H A P.
XLIV.

Baltimore seven.

V. And be it enacted, That all and every part of the second, third, fourteenth and forty-second sections of the constitution and form of government of this state, which relate to the judges, place, time and manner of holding the several elections therein mentioned, be and the same are hereby abrogated, repealed and annulled, and the same shall hereafter be regulated by law.

Sections repealed.

VI. And be it enacted, That if this act shall be confirmed by the general assembly, after the next election of delegates, in the first session after such new election, as the constitution and form of government directs, that in such case this act, and the alteration of the said constitution contained therein, shall be considered as a part, and shall constitute and be valid as a part, of the said constitution and form of government, to all intents and purposes, any thing therein contained to the contrary notwithstanding.

If confirmed, to be a part of the constitution.

C H A P. XLV.

An ACT to open a road from Middle-town to New-town, Trap or Freedom, in Frederick county.

Passed January 20.

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants of Frederick county, that they experience great inconvenience for want of a direct road from Middle-town to New-town, Trap or Freedom, and praying a law may pass appointing commissioners to open a road, at the expence of the county, on the most direct course from Middle-town to New-town, Trap or Freedom; and it appearing that the same would be of great public convenience, therefore,

Preamble.

II. Be it enacted, by the General Assembly of Maryland, That Joseph Swearingen, Frederick Stembell and Elias Delashmutt, be and they are hereby appointed commissioners for that purpose, and any two of them are hereby authorized to lay out and open, at the expence of Frederick county, a road, not exceeding twenty-five feet wide, from Middle-town to New-town, Trap or Freedom, in said county, in the most convenient direction they may think proper; and the said road, when so laid out and completed, shall be recorded among the records of said county, and be thereafter deemed and taken to be a public road, and shall be kept in repair as other public roads in said county are directed to be kept.

Commissioners appointed, &c.

III. And be it enacted, That the commissioners aforesaid shall and they are hereby directed to apply to any justice of the peace for the county aforesaid, who shall issue his warrant, under hand and seal, directed to any constable of the said county, commanding him to summon twelve freeholders, disinterested as to the lands, and not connected with any person through whose lands the said road may pass, to appear at a place and on a day by him to be appointed, and after taking the following oath, or affirmation, as the case may be, to wit: "I, A. B. do swear, or solemnly, sincerely and truly declare and affirm, that I will honestly and faithfully estimate and value the damage and injury sustained by C. D. by opening a road through the land of the said C. D. in pursuance of the directions of this act," shall proceed to ascertain and value what damages may be sustained by any person or persons through whose land the said road may pass, by opening and clearing the same, and shall return the damages by him assessed to the clerk of the said county, and the damages so assessed shall be conclusive; and after the valuation so made, the said commissioners shall proceed to open and clear the same; provided that the said road shall not pass through any houses, gardens, orchards or meadows, unless with the consent of the owner thereof.

Damages to be ascertained, &c.

IV. And be it enacted, That the clerk of the said county, at their next levy court following, shall lay the damages so assessed before the said court, and the justices

And laid before court, &c.