

ral; to have a road laid out from the Great falls of Gunpowder, at a place known by the name of Meredith's Ford, until it intersect the main road leading from Baltimore town to York-town, in Pennsylvania, at a place called Burck's Old Field;

C H A P.
XXI.

II. BE IT ENACTED, by the General Assembly of Maryland, That Abraham Rutledge, George Fitzhugh, Edmund Stansbury, Richard Bruton and Luke Johnson, be and they are hereby appointed commissioners for the purposes in this act mentioned; and the said commissioners, or any three or more of them, are hereby authorized to lay off and open as aforesaid, at the expence of the subscribers of the said petition, a waggon-road, in the most convenient direction, not exceeding forty feet wide, from or near Meredith's Ford, on the Great falls of Gunpowder, in Baltimore county, to intersect the main road leading from Baltimore town to York-town, in Pennsylvania, at a place called Burck's Old Field; and the said road, when so laid out and completed at the expence of the said subscribers, and after the valuations herein after directed to be made, or the damages hereby directed to be assessed, shall be paid or secured to the individuals concerned, shall be recorded among the records of Baltimore county court, and be thereafter deemed and taken to be a public road for ever, and shall be kept in repair in the same manner as other public roads are directed to be kept in said county.

Commissioners appointed, &c.

III. AND BE IT ENACTED, That the said commissioners may appoint one of their number as treasurer, who is hereby enjoined and empowered to collect and receive all monies subscribed, or that may be subscribed, for the purpose of laying out and clearing the said road, and such subscribers are hereby directed to pay their several subscriptions to the treasurer appointed as aforesaid; and if any person shall neglect or refuse to pay his subscription money, the said treasurer, or any of the said commissioners in the name of the whole, may and is hereby authorized to sue for, recover and receive the same; and the said monies, when received, shall be applied by the said commissioners, or any two of them, to the purposes of this act.

Who may appoint a treasurer, &c.

IV. AND BE IT ENACTED, That the commissioners aforesaid shall 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 the said valuation shall be made before the said commissioners shall proceed to open and clear the same; and in case any proprietor or proprietors, or their guardian or trustee, shall conceive themselves aggrieved by the valuation of the said commissioners, it shall and may be lawful for any justice of the peace for Baltimore county, on application by any person interested, to issue his warrant under 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 shall respectively repair to some magistrate of the said county, and take the following oath or affirmation, 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;" and shall return the damages by them assessed to the said justice of the peace, and the damages so assessed and returned shall be conclusive; and the party or parties in whole 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 the said valuation or damages to the respective parties entitled to receive the same, out of the monies to be raised and collected from the subscriptions to the said road, within the space of six months after the ascertainment of such valuation or damages, and before they shall proceed to affect the lands and tenements of the person or persons concerned; provided, that the said road shall not go through any houses, gardens, meadows or orchards, unless with the consent of the owner thereof.

And ascertain damages, &c.

C H A P. XXII.

An ACT to ascertain the mode of trial in certain cases. Lib. JG. No. 1. fol. 117.

Passed 19th of Dec. 1789.

WHEREAS doubts have been entertained, if a mortal stroke be given on one shore of this state, and the party stricken die on the other shore thereof, where and in what manner the party giving such mortal stroke shall be tried;

Preamble.

II. BE IT ENACTED, by the General Assembly of Maryland, That from and after the end of this session of assembly, if a mortal stroke shall be given within the body of any county on one shore of this state, and the party so stricken shall die thereof within a twelvemonth and a day from the time of such

Where certain offenders are to be tried, &c.