

directed to be made, and the damages hereby directed to be assessed shall be paid, or secured to the individuals concerned, shall be recorded among the records of Washington 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 the said county.

C H A P. XIX.

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 the sum subscribed, 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 lands 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 guardians 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 Washington county, on application by any person interested, to issue his warrant under hand and seal, directed to any constable of the county aforesaid, 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 justice of the peace for 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 damages 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 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 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 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, garden, meadow or orchard, unless with the consent of the owner thereof.

And ascertain damages, &c.

C H A P. XX.

An ACT to repeal so much of the act concerning marriages as is therein mentioned. Lib. JG. No. 1. fol. 262.

Passed 10th of Dec. 1790.

BE IT ENACTED, by the General Assembly of Maryland, That so much of the act of assembly, (a) entitled, An act concerning marriages, as prohibits and declares void marriages between persons related within the following degrees of affinity, to wit: A man with his wife's sister, or brother's wife; a woman with her husband's brother, or sister's husband; shall be and the same is hereby repealed and made void; and all marriages heretofore made and celebrated by and between persons related within the degrees of affinity before mentioned, are hereby confirmed and made valid in law, to every intent and purpose, from the time of the celebration of such marriages respectively; and all penalties, forfeitures and consequences, which may have been incurred under the said recited act, by any marriage within the degrees of affinity aforesaid, are hereby released and discharged, and the parties for ever acquitted of the same; and no penalties shall hereafter be incurred under the said act in consequence of any marriage within the degrees of affinity herein before mentioned, but every such marriage shall be good, sufficient and valid in law, any thing in the said recited act to the contrary thereof in anywise notwithstanding.

Part of an act repealed, &c.

(a) February, 1777, ch. 12.

C H A P. XXI.

An ACT for the benefit of Essex Sherburne Ridley, a minor, son of Matthew Ridley, deceased. Lib. JG. No. 1. fol. 263. A Private Act,