

C H A P.
XLIV.

under their hands and seals, to the justices of Kent county court, at their next sitting after the passage of this law; 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, or the said petitioners in case they shall be adjudged to pay the said expences and damages, shall conceive themselves aggrieved by the valuation of the said commissioners, it shall and may be lawful for any justice of the peace for Kent county, and they are hereby required so to do on application of any person or persons interested, to issue his warrant, directed to the sheriff of the county, commanding him to summon nine 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 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 this act;" and shall return the damages by them assessed to the clerk of Kent county; and the damages so assessed by the freeholders, or a majority of them, and returned, shall be conclusive.

Proviso.

IV. PROVIDED, That the said commissioners shall not stop up any part of the present road leading from March's lane, in the county aforesaid, to New-Market aforesaid.

Justices to declare who is to pay, &c.

V. AND BE IT ENACTED, That the justices of Kent county court, when the damage is ascertained, valued, and returned to them, by the commissioners aforesaid, or any three of them, in manner aforesaid, or when the damage is ascertained, valued, and returned to the clerk of Kent county, by the freeholders aforesaid, in case they should be called in to value and ascertain the damage aforesaid, in manner aforesaid, shall declare and determine whether the damage and expence shall be paid by the petitioners, or such of them as the court may think interested in the said road; or by the county, to be assessed and levied like other county assessments, as the court shall determine.

If by petitioners, road not to be public, &c.

VI. AND BE IT ENACTED, That if it shall be determined that the said expence shall be paid by the petitioners, or any of them, the said road shall not be deemed a public road until the damages hereby directed to be assessed shall be paid, or secured to be paid, to the satisfaction of the parties concerned.

Proviso.

VII. PROVIDED, That the said road shall not go through any houses, gardens, orchards or meadows, unless with the consent of the owner thereof, or their guardian or trustee.

Allowance to commissioners, &c.

VIII. AND BE IT ENACTED, That the said commissioners, and each of them, shall be allowed at the rate of seven shillings and six-pence for each day they shall act as aforesaid, to be paid either by the petitioners, or the county, as the county court shall determine, in manner aforesaid.

C H A P. XLV.

Passed 19th of Dec. 1791.

An ACT concerning the territory of Columbia and the city of Washington. Lib. JG. No. 1. fol. 431.

Supplements November, 1792, ch. 59, 1793, ch. 58.

Preamble.

WHEREAS the president of the United States, by virtue of several acts of congress, and acts of the assemblies of Virginia and Maryland, by his proclamation, dated at George-town on the thirtieth day of March, seventeen hundred and ninety-one, did declare and make known, that the whole of the territory of ten miles square, for the permanent seat of government of the United States, shall be located and included within the four lines following; that is to say, beginning at Jones's Point, being the upper point of Hunting creek, in Virginia, and at an angle in the outlet of forty-five degrees west of the north, and running a direct line ten miles for the first line, then beginning again at the same Jones's Point, and running another direct line at a right angle with the first, across the Patowmack, ten miles, for the second line, then from the terminations of the said first and second lines, running two other direct lines ten miles each, the one crossing the Eastern Branch and the other Patowmack, and meeting each other in a point; which has since been called the Territory of Columbia: And whereas Notley Young, Daniel Carroll, of Duddington, and many others, proprietors of the greater part of the land herein after mentioned to have been laid out in a city, came into an agreement, and have conveyed their lands in trust to Thomas Beall, son of George, and John Mackall Gantt, whereby they have subjected their lands to be laid out as a city, given up part to the United States, and subjected other part to be sold to raise money as a donation to be employed