

C H A P. XXXIX. Plot, &c to be recorded, &c.

IV. AND BE IT ENACTED, That the said commissioners, or any four of them, shall cause the said plot, when finished, together with the depositions by them taken, to be entered on the records of Somerset county, and the same shall be thereafter considered, deemed and taken to be, the true plot of Salisbury aforesaid, and the proprietors of lots and houses in said town shall be vested with as good, sure and indefeasible estate of inheritance, in fee-simple, of, in and to their several and respective lots and houses, laid down in the manner herein directed, as if the original plot had never been lost.

How vacancies are to be filled.

V. AND BE IT ENACTED, That if any one or two of the commissioners aforesaid shall die, refuse, neglect, or be rendered incapable to act, a majority of the remaining commissioners may appoint some other in place of the person who shall die, refuse, neglect, or be incapable to act; and if any three or more of the said commissioners shall die, refuse, neglect, or be incapable to act, the governor, with the advice of the council, may appoint some person or persons in his or their place or places, so as to make up the remaining vacancies in manner aforesaid.

Allowance to commissioners, &c.

VI. AND BE IT ENACTED, That the said commissioners shall be allowed the sum of ten shillings per day for every day they shall attend as commissioners aforesaid; and that the surveyor shall be allowed the sum of fifteen shillings per day for every day he shall be employed by the commissioners aforesaid for the purpose aforesaid.

Proprietors to pay expences, &c.

VII. AND BE IT ENACTED, That the several proprietors of the lots in the said town shall, at their joint expence, pay to the said commissioners the aforesaid sum of ten shillings per day, to be levied on their property, and all other expences, in equal proportions to the value of the property held by them severally, to be adjudged by the said commissioners.

Commissioners to take an oath.

VIII. AND BE IT ENACTED, That before any commissioner shall proceed to the execution of his office, he shall take an oath, or affirmation, before some justice of the peace, or some other of the commissioners, that he will well and truly discharge the duties enjoined upon him by this law, according to the best of his experience and judgment.

And ascertain the location, &c.

IX. AND, whereas it has become doubtful where the public road that divides Somerset and Worcester counties originally run, and inasmuch as the ascertaining the location thereof would be of public as well as private utility, BE IT ENACTED, That the commissioners aforesaid, in manner aforesaid, shall have full power and authority to ascertain the original and true location of the said road where it divides Worcester and Somerset, near the town of Salisbury, as far as it shall be necessary to the ascertaining the location of the said town, or any part thereof, and also to ascertain the true location of the road or roads leading from the said public road through the said town of Salisbury to the bridge across Wiccomico river, according to the best evidence that can be obtained, and shall cause an accurate plot thereof, when made out, to be recorded in Somerset county court.

In certain cases the marking to be conclusive, &c.

X. AND BE IT ENACTED, That in case no suit or action shall be brought within one year next after the recording such return, to call in question the adjudication of the commissioners relative to their ascertaining the original location of the public road aforesaid that divides Worcester and Somerset counties, the marking and bounding the same as aforesaid, and the record thereof, shall be conclusive evidence of its original location; provided, if any person or persons should conceive him, her or themselves aggrieved, by the adjudication of the commissioners aforesaid, relative to the location of the said road, he, she or they, may, at any time within one year after the return aforesaid, appeal to the next county court to be held in either of the said counties; and if the adjudication of the commissioners, respecting the location of the divisional road aforesaid, shall be confirmed by the verdict of a jury on any appeal as aforesaid, the same, so confirmed by the jury, shall be conclusive to every intent and purpose whatsoever.

C H A P. XL.

Passed 29th of Dec. 1793.

A Further supplement to an act, entitled, An act to streighten and amend the several public roads in the several counties, and for other purposes therein mentioned. Lib. JG. No. 2. fol. 38.

Preamble.

WHEREAS it is represented to this general assembly, that the vesting the justices of the levy court of Washington county with power and authority to alter the direction of a public road from William's Port to Elizabeth-town, established by an act of assembly passed November session, seventeen