

seventeen hundred and ninety, * entitled, An act to streighten and amend the several public roads in the several counties, and for other purposes therein mentioned, will tend to lessen the expences of said county; therefore,

C H A P.
XL.
Chapter 32.

II. BE IT ENACTED, *by the General Assembly of Maryland,* That the justices of the levy court of Washington county be and they are hereby authorized and empowered, at the time of laying the county levy, to alter and amend the road leading from William's Port to Elizabeth-town, with the consent of the proprietors of the ground through which the road so altered or amended shall run, in such manner as they may think necessary, either by the commissioners of the said road, or other persons appointed by them for that purpose; and upon its being so altered, amended and repaired, to direct the supervisor of said road to settle with the person or persons so employed out of the monies appropriated on said road.

Justices to alter the road, &c.

III. AND BE IT ENACTED, That the road leading from William's Port, in Washington county, to intersect the road from Elizabeth-town to the Green Spring furnace, at or near Little Cohoccheague, shall be opened, streightened, marked and bounded, as and for a public road of the said county, and that the same shall be done at the expence of the county, agreeably to the provisions of the original or supplementary acts.

Road to be opened, &c.

IV. AND BE IT ENACTED, That all laws heretofore passed contrary to the provisions of this act, be and the same are hereby repealed.

Laws repealed.

C H A P. XLI.

An ACT to establish a public road from the main road leading from George-town into Still Pond Neck to the main road leading from the head of Churn creek to Worton, in Kent county. Lib. JG. No. 2. fol. 39.

Passed 28th of Dec. 1793.

WHEREAS John Newel, of Kent county, by petition to this general assembly, hath set forth, that he is in possession of a valuable grist mill, situated on the head of a creek in said county, called Still Pond Creek; that the roads leading to and from said mill, though long used, are private ones; that an agreement under seal, with penalties, mutually took place between said John Newel and the proprietors of all the lands through which the said roads pass, except the heirs of a certain John Unick, who are minors, appointing Jeremiah Ford and Donaldson Yates to have said roads laid down on a plot, and ascertain the amount of damages incurred by the said proprietors of the land, to be paid by the petitioner, which said referrees have caused a plot of said roads to be made, which is now produced to this general assembly; and the said John Newel hath prayed the said road may be made a public road, which prayer seems reasonable and proper to be granted, under such regulations as will secure a due regard to the interest of the heirs of the said John Unick; therefore,

Preamble.

II. BE IT ENACTED, *by the General Assembly of Maryland,* That on application of the said John Newel to any justice of the peace in Kent county, such justice may and shall issue his warrant to the sheriff of said county, directing him to summon twelve freeholders of said county, not interested in the premises, or related to either of the parties, to appear on a day by the said sheriff to be appointed, on the lands of the said minors, and said sheriff shall give ten days previous notice of such day of meeting to the guardian or guardians of said minors; and the said freeholders shall respectively repair to some magistrate of the county, and take an oath, or affirmation, that they will honestly and faithfully, and without favour, affection, prejudice or partiality, assess and value the damages sustained by the minor heirs of said John Unick, by occasion of the intended road passing through their land, and shall thereupon proceed to assess and value the damages accordingly, which valuation shall be final and conclusive; and shall return the said valuation, under their hands and seals, to the orphans court of the county aforesaid, who shall cause the same to be recorded among their records; and the said orphans court are hereby directed and required to take bond, with good security, from the said John Newel, to insure the payment of the amount of said valuation, with interest thereon, to the said minor heirs of the said John Unick, on their arrival at age.

On application, justice may issue his warrant, &c.

III. AND BE IT ENACTED, That as soon as the said valuation shall be thus made, and the amount thereof secured to be paid, the plot of said road, thus laid out by the said Jeremiah Ford and Donaldson Yates, in pursuance of the agreement before recited, from the great road leading from George-town into Still Pond Neck to the great road leading from the head of Churn creek to Worton,

Plot to be recorded, &c.