

C H A P. LIX.

Courts may direct the surveyors, &c.

VI. AND, whereas frequent applications are made to the general assembly for acts authorising the laying out of new roads in the counties aforesaid, where the proprietors of the land through which the said roads prayed for and intended to pass are willing that the same should be granted: And whereas by vesting a power in the levy courts of the said counties to determine on the propriety of such applications no inconvenience can arise to the citizens thereof; therefore, BE IT ENACTED, That upon application, in writing, from all of the proprietors of the lands through which any public road is intended to pass, for the purpose of obtaining any such road, the levy courts of the counties aforesaid respectively, being satisfied that the granting the same will be of public convenience, shall have full power, and they are hereby authorised, to direct the surveyor of their county to lay out any such road, not exceeding twenty feet in breadth, and to make return thereof to the said levy court; and after the road shall be surveyed and laid out agreeably to this act, the said court shall direct the application of such road, and the return thereof, to be recorded by the clerk of the county court among the records thereof, and thereafter and thereupon such road shall be considered as a public road, and shall be kept up as other public roads are in the said counties respectively.

This act, so far as it relates to Somerset county, is repealed by 1798, ch. 38, sect. 28.

C H A P. LX.

Passed 31st of Dec. 1796. 1794, ch. 52.

An additional supplement to an act, \* entitled, An act relating to public roads in this state, and to repeal the acts of assembly therein mentioned, as far as relates to Cæcil, Talbot and Kent counties.

Lib. JG. No. 2. fol. 515.

Preamble.

WHEREAS it is represented to this general assembly, that in Kent and Talbot counties a sufficient number of hands cannot be hired for reasonable wages to repair the public roads in said counties, by which means they remain in bad condition, and the supervisors subjected to a fine for neglect; for remedy whereof,

Supervisors may require slaves, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That the supervisors in the said counties of Kent and Talbot (a) shall have full power and authority, whenever it may be necessary, except in time of harvest, to require of the owner or owners thereof, in their respective counties, as many male able bodied slaves, most convenient to the roads to be repaired, as may be necessary to work on the same, not exceeding one half of the said slaves belonging to any person on any one day, nor shall any person be compelled to render more service in any one year than his or her road taxes amount to.

(a) The parts of this act respecting Talbot county are repealed by 1797, ch. 63.

Penalty for not furnishing, &c.

III. AND BE IT ENACTED, That for every slave so required by the supervisor, and not furnished, the owner thereof shall forfeit and pay the sum of five shillings to be recovered by the supervisors in the said counties respectively, as in case of small debts, and when received shall be accounted for on oath, and paid to the levy court of the respective counties annually, or to their order, to be applied to repairing the public roads in their county.

Seven justices to act, &c.

IV. AND BE IT ENACTED, That in Cæcil county seven justices of the peace, or any greater number of said justices, shall be and they are hereby empowered to act as a levy court, and a majority of such court shall decide in all cases arising under the act to which this is an additional supplement, and the supplements thereto.

Part of an act extended, &c. Chapter 43.

V. AND BE IT ENACTED, That in Cæcil, Kent and Talbot counties, all that part of an act passed at November session, seventeen hundred and ninety-five, \* entitled; A supplement to an act relating to public roads in this state, and to repeal the acts of assembly therein mentioned, which relates to opening, clearing, improving or keeping in repair, roads upon contracts be applicable and extend to such roads as were laid out previous to the passing the said act.

Damages to be valued, &c.

VI. AND BE IT ENACTED, That in Cæcil county where any sum of money shall be claimed for damages done to any person or persons by a new road going through his, her or their land, or by the straightening or widening of an old road, the levy court may appoint three persons, not related to such claimant, nor interested in the claim, as commissioners, to value, on oath or affirmation, such damages; and any sum agreed on by any two of such commissioners, may be considered as the damages allowable, and paid accordingly, if the levy court, and the person or persons claiming damages, shall approve thereof; and if the person or persons claiming such damages shall not be content with the