

C H A P.
XL.

said county, and be thereafter deemed and taken to be a public road, and shall be kept in repair as other public roads in said county are directed to be kept.

Freeholders to
be summoned,
&c.

III. AND BE IT ENACTED, That the commissioners aforesaid shall and they are hereby directed to apply to any justice of the peace for the county aforesaid, who shall issue his warrant, under hand and seal, directed to any constable of the said county, commanding him to summon twelve freeholders, disinterested as to the lands, and not connected with any person through whose lands the said road may pass, to appear at a place and on a day by him to be appointed, and after taking the following oath, or affirmation, as the case may be, 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 damage 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," shall proceed to ascertain and value what damages may be sustained by any person or persons through whose land the said road may pass, by opening and clearing the same, and shall return the damages by them assessed to the clerk of the said county, and the damages so assessed shall be conclusive; and after the valuation so made, the said commissioners shall proceed to open and clear the same, provided that the said road shall not pass through any houses, gardens, orchards or meadows, unless with the consent of the owner thereof.

Damages to be
laid before the
court, &c.

IV. AND BE IT ENACTED, That the clerk of the said county, at their next levy court following, shall lay the damages so assessed before the said court, and the justices of the said court shall levy upon the assessable property of the said county the damages so adjudged to be sustained by the persons through whose lands the road as aforesaid shall pass, and which sum, when collected, shall be paid to the person or persons sustaining such damages by the collector of the said county.

C H A P. XLI.

Passed 15th of
Jan. 1799.

An ACT to authorise the building a market-house on the county wharf in Chester-town, in Kent county, and for the regulation of the said market. Lib. JG. No. 3. fol. 96.

A Supplement ch. 91.

Preamble.

WHEREAS it has been represented to this general assembly, by the memorial of fundry inhabitants of Chester-town, in Kent county, that the market-house at present in the said town is too small for the accommodation of the inhabitants thereof, and is situated at such a distance from the water as to make it inconvenient to many persons to attend the same, and they have prayed for the liberty of erecting another market-house on the county wharf in the said town, at their own expense, and to establish the same as a market, when it shall be completely finished; and the same appearing reasonable to this general assembly, therefore,

Commissioners
appointed, &c.

II. BE IT ENACTED; by the General Assembly of Maryland, That Richard Tilghman, the fourth, William McKenny and Robert Anderson, be and they are hereby appointed commissioners for the purposes in this act mentioned; and the said commissioners, or any two of them, are hereby authorised to receive, by subscription or otherwise, such sum or sums of money as they may think necessary for the purpose of building a market-house on the public ground adjoining the county wharf in Chester-town, in Kent county, and the said commissioners, or any two of them, be and they are hereby empowered, as soon as a sufficient sum of money shall be subscribed, and such part thereof collected as they may think necessary, to contract and agree with any person or persons they may think proper to erect and build a market-house on some part of the public ground adjoining the county wharf in Chester-town, in Kent county, to be fixed and agreed on by the said commissioners, or any two of them, sufficiently large for the accommodation of the inhabitants of the said town.

Provisions to be
extended, &c.
* 1784, ch. 2.

III. AND BE IT ENACTED, That as soon as the said market-house shall be finished, all and singular the provisions mentioned in the act, * entitled, An act to establish a market at the market-house in Chester-town, in Kent county, and for the regulation of the said market, and the different supplements passed thereto, shall be and the same are hereby extended to the market-house to be built and established by virtue of this act, so far as the same shall not be inconsistent with any of the provisions herein contained.

Market-days.

IV. AND BE IT ENACTED, That Tuesdays (a) and Fridays in every week shall be set apart, appointed and held, as market-days for said market, as soon as the same shall be completely finished.

(a) By chapter 91, Mondays are substituted for Tuesdays.

V. AND