

C H A P.
XLIX.

of them which shall be by the said court confirmed,) and direct a supervisor or supervisors to clear and improve the same, in the same manner, and on the same terms, as other public roads in said county are by law directed to be cleared and improved; and upon completing the same, the said roads, (or road, as the case may be,) shall be deemed a public road or roads; and shall be kept in repair as all other public roads in said county are by law directed to be kept.

And agree for
damages, &c.

II. AND BE IT ENACTED, That in case the said levy court shall ratify and confirm either or both of the said roads directed by this act to be laid out, they shall be and are hereby authorized and empowered to agree and contract with the person or persons over whose land such road or roads may pass, for the amount of the damages thereby sustained, not exceeding the rate of ten pounds current money per acre, but if such agreement doth not take place, then the said court shall issue their warrant, directed to the sheriff of the county, commanding him to summon and return a jury of twelve good and lawful men of the said county, not interested or related to the party or parties, to be and appear before some one of the justices of the said court, on the premises, at a certain day in the said warrant to be expressed, which jury, on their oath, or affirmation, as the case may be, to be administered by the said justice, shall inquire who are the owner or owners of the land over which the road or roads so laid out and ratified shall pass, and what damages such owner or owners will actually suffer from the passage of such road or roads over the said land, the said jury taking into consideration all conveniencies and inconveniencies, advantages and disadvantages, if any, arising from the opening and improving of the said road or roads; and such sheriff shall return the inquisition of the said jury, under their hands and seals, and attested by his official signature, to the next levy court to be held for the county, and the amount of the damages therein expressed, if any, shall be paid, by order of the said court, out of the monies to be levied as is by law directed; provided that the said road or roads shall not be made to run through any building, enclosed yard, garden or orchard, without the consent of the owner, nor shall any field in which grain, hemp, flax, tobacco, or other cultivated vegetables are growing, be laid open until after the season for collecting and securing the crop growing in such field.

Compenation
to be made, &c.

III. AND BE IT ENACTED, That when the commissioners who may be appointed under this act shall have discharged all the duties required of them in virtue of such appointment, the levy court aforesaid shall order to be made to the said commissioners respectively, out of the monies to be levied as is by law directed, such reasonable compensation as to the said court shall seem meet, and the said commissioners respectively shall thereafter be discharged.

Parts of an act
repealed.
* Chapter 32.

IV. AND BE IT ENACTED, That such parts of an act of assembly passed at November session, one thousand seven hundred and ninety, * entitled, An act to streighten and amend the several public roads in several counties, and for other purposes therein mentioned, as direct the two following sixty feet roads in Washington county to be laid out, surveyed, marked and bounded, to wit: one leading from Elizabeth-town to the county line at Charlton's gap in the South Mountain, and the other from Elizabeth-town to the Pennsylvania line in Nicholson's gap, be and the same are hereby repealed, abrogated and annulled.

C H A P. L.

Passed 15th of
Jan. 1799.

An ACT to authorize and empower the levy court of Montgomery county to assess and levy annually a sum of money for the support of Catharine Lenham. Lib. JG. No. 3. fol. 109.

Preamble.

WHEREAS Catharine Lenham, of Montgomery county, by her petition to this general assembly hath set forth, that she is now arrived at the age of eighty-four years, and has been for several years past supported by some few charitable persons, but being now so weak, is obliged to have more attendance, and through the infirmity of her daughter, who heretofore attended her, she consequently becomes more burthenfome to her charitable benefactors, and prays an act may pass to provide for her future maintenance out of the poor's house; and the facts stated in said petition appearing to be true, therefore,

Justices to levy
money, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That the justices of the levy court of Montgomery county shall be and are hereby directed and empowered, at their levy court annually so long as they shall see cause, to assess and levy on the assessable property of said county a sum of money, not exceeding forty dollars, for the support and maintenance of the said Catharine Lenham, and that the same be collected and paid annually by the collector of Montgomery county to such person as the levy court of said county shall or may direct.

C H A P.