

C H A P.
LXXVII.

and open, at the expence of the subscribers to the said petition, a good and sufficient waggon road, not exceeding in breadth thirty-three feet, from Rock creek church to the nearest landing next below the locks to Patowmack river; and the said road, when so laid out, opened, cleared and completed, at the expence of the said subscribers, and after the damages herein after directed shall be assessed and paid, or secured to be paid, to the individuals interested, to their satisfaction, shall be recorded among the records of the territory of Columbia, and shall be thereafter deemed and taken to be a public road for ever; and shall be kept in repair in the same manner as other public roads are directed to be kept in said county.

Who may ap-
point a re-
ceiver, &c.

III. AND BE IT ENACTED, That the said commissioners, or any two of them, may appoint one of their number to be receiver and treasurer, and he is hereby authorized and empowered to collect and receive all monies that now are, or hereafter may be subscribed, for opening the said road, and such subscriptions are hereby directed and enjoined to be paid to such receiver or treasurer, so appointed as aforesaid; and if any subscriber shall neglect or refuse to pay the sum by him subscribed, the said receiver or treasurer is hereby authorized and empowered to warrant or sue for the same, as the case may require; and the said sums, when so received, shall be applied by the commissioners aforesaid to the purposes before mentioned.

And ascertain
damages, &c.

IV. AND BE IT ENACTED, That the commissioners aforesaid, or any two of them, shall ascertain the damages which may be sustained by any person or persons through whose lands the said road may pass, by opening and clearing the same; and the said commissioners shall not previously proceed to open and clear the same, provided a request for that purpose shall be made by any person or persons interested therein, after notice thereof by said commissioners; provided always, that the said commissioners, before they shall proceed to assess the said damages, shall respectively, before some justice of the peace for Montgomery county, take the following oath, or affirmation, to wit: "I, —, do solemnly swear, or sincerely and truly affirm and declare, that I will honestly, justly and fairly, estimate the damages sustained by —, by opening the road through the lands of the said —, or for which he is trustee or guardian, in pursuance of this act;" and shall return the damages by them so assessed to the next county court to be held for Montgomery county; and provided any person or persons through whose land said road shall pass shall think him, her or themselves aggrieved by the determination of the commissioners aforesaid, then the said commissioners 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, (who shall be allowed the same as jurors to the county court,) not interested or related to the party or parties, to be and appear before one of the commissioners, 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 commissioner, shall inquire who is or are the owner or owners of the land over which any such road shall pass, and what damages such owner or owners will actually suffer from the passage of such road over the said land, the said jury taking into consideration all conveniencies and inconveniencies, advantages and disadvantages, if any, arising thereby; and all expences accruing in consequence of any jury as aforesaid shall be paid by the aforesaid commissioners, out of any monies by them collected from the subscriptions to said road, and the party in whose favour made, shall be entitled to receive the same from the said commissioners, and they shall pay, or secure the same to be paid, to those interested, out of the amount of subscriptions to said road, within six months after the ascertainment of such valuation or damages, and before they shall proceed to affect the lands of any person or persons interested.

Not to pass
thro' houses,
&c.

V. AND BE IT ENACTED, That the said road shall not pass through any houses, gardens, orchard or meadow, of any person or persons whatsoever, unless with the full consent of such person or persons.

C H A P. LXXVIII.

Passed 15th of
Jan. 1799.

An ACT to incorporate the trustees of George-town school, in Kent county. Lib. JG. No. 3. fol. 155.

Preamble.

WHEREAS the trustees of George-town school, in Kent county, have petitioned this general assembly to be erected into a corporation, for the purpose of receiving funds for, and managing the concerns of, the said school,

Persons incor-
porated, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That the reverend doctor Read, the reverend George Dashiield, the reverend Jeremiah Golden, John Lambert Wilmer, William Matthews, William Ward, John Rumsey, Alexander Stuart, John Thomas, William Gleaves, Augustine Boyer, Thomas Harris and James Pearce, be and they are hereby erected into a corporation,

by