

C H A P.
LXXX.

abouts, above the ferry kept by Matthew Wigfield, at a place where it will be necessary to make a causeway at a considerable expence; and it also appearing that the said road will more certainly, and with more expedition, be brought into use, if the location thereof should be altered, so that the same may pass over at the ferry kept by Matthew Wigfield; therefore,

Commissioners
appointed, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That Thomas Duckett, Levi Gantt and Jacob Duckett, of Prince-George's county, and William Harwood, Leonard Sellman, Edward Hall and James Williams, of Anne-Arundel county, shall be and are hereby appointed commissioners of said road, and that they, or any four of them, be and are hereby authorized to alter the location of said road, so that the same shall pass over the Eastern Branch at the ferry kept by Matthew Wigfield as aforesaid, and when the direction shall be altered, the said commissioners, or any four of them, may and shall cause the plot of said road to correspond with such location.

Who are to
open a road, &c.

III. AND BE IT ENACTED, That the said commissioners, or any four of them, are hereby authorized and empowered to open, clear and grub said road; not exceeding thirty feet wide; and the said road, so opened, cleared and grubbed, shall be recorded among the records of Anne-Arundel and Prince-George's counties respectively; and shall for ever be deemed a public road, and shall be kept in repair as other public roads.

Their allow-
ance.

IV. AND BE IT ENACTED, That each commissioner shall be allowed two dollars for every day he shall attend in discharge of the duties herein imposed.

Damages to be
ascertained, &c.

V. AND BE IT ENACTED, That where any person or persons shall require compensation for any damages sustained by reason of the said road passing through his, her or their land, the commissioners aforesaid shall and they are hereby directed to apply to any justice of the peace for the counties of Anne-Arundel and Prince-George's respectively, who shall issue his warrant, under hand and seal, directed to any constable of the said county, to command him to summon twelve freeholders, disinterested as to the lands, and not connected with any person through whose lands the said road shall pass, to appear at a place and on a certain 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 clerks of Anne-Arundel and Prince-George's counties respectively, and the damages so assessed shall be conclusive, and shall be levied by the levy courts of Anne-Arundel and Prince-George's counties respectively, and paid to the person or persons for whose use the same was levied; 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, yards, orchards or meadows, unless with the consent of the owners thereof, if of age, and of the guardian or guardians where such person or persons are under age.

Justices to levy
money, &c.

VI. AND BE IT ENACTED, That the justices of the levy courts of Anne-Arundel and Prince-George's counties respectively, at their next levy court, shall and they are hereby directed to levy upon the assessable property of the inhabitants of each county, a sum not exceeding five hundred dollars, for the purpose of defraying the expences of clearing the aforesaid road, and the said sum, when collected, shall be paid to the person or persons employed to carry this act into effect, who shall expend as much of the said money so levied as may be necessary on the road in each county respectively, and shall account for the expenditure of the same to the levy courts of the said counties.

An act repealed.
* Chapter 91.

VII. AND BE IT ENACTED, That an act of assembly passed at November session, one thousand seven hundred and ninety-seven, * to lay out and establish a road from the city of Annapolis to the city of Washington, be and the same is hereby abrogated and repealed.

C H A P. LXXXI.

Passed 16th of
Jan. 1799.

An ACT to alter and change the time for holding the county courts in Washington county. Lib. JG. No. 3. fol. 158.

Preamble.

WHEREAS by an act of assembly, passed at November session, seventeen hundred and ninety-six, the courts in Washington county are to be held on the first Monday in April and January, and that the January court is found to be inconvenient; therefore,

II. Be