

1799.

NOVEMBER.

L A W S OF M A R Y L A N D.

C H A P. LIII.

or board, and shall have power, by a majority of voices, to make, ordain and establish, such rules, orders and regulations, for the management of the temporal business, and disposing of the estate of the said corporation, as they shall judge proper; provided, that such rules, orders and regulations, be not repugnant to the constitution and laws of this state.

Pastor, &c. may adjourn, &c.

V. AND BE IT ENACTED, That the pastor, or any member of the said corporation, shall have full power and authority to adjourn from day to day until a quorum shall attend; and the said corporation are hereby authorized and empowered to appoint and employ a fit and proper person as register of the said corporation, whose duty it shall be to keep a fair and regular account of their proceedings, which shall be subject to the inspection of any of the members belonging to the said congregation.

C H A P. LIV.

Passed 3d of Jan. 1800.

An ACT to open a road from the turnpike road leading towards Hanover, at or near the widow Mortar's tavern, to intersect the York turnpike road at or near Benedict Hurst's tavern, Lib. JG.

No. 3. fol. 297.

Preamble.

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants of Baltimore county, that they labour under great inconveniencies for want of a road from the main public road leading from the city of Baltimore towards Hanover, at or near the widow Mortar's tavern, and from thence by George Kerlinger's mill, and thence by Hoofman's grist and paper mill, until it intersects the York turnpike road at or near Benedict Hurst's tavern; and it appearing reasonable to grant the said petition,

Commissioners appointed, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That George Nace, William Matthews and Joseph Bollinger, be and they are hereby appointed commissioners for the purpose in this act mentioned, and the said commissioners, or any two of them, are hereby authorized to lay out and open as aforesaid, at the expence of the subscribers to said petition, a waggon road, in the most convenient direction, not exceeding thirty feet wide, from the turnpike road leading from the city of Baltimore towards M'Allister's-town, at or near the widow Mortar's tavern, to pass by the mill of George Carlinger, and from thence by the paper mills of Peter Hoofman to intersect the turnpike road leading from Baltimore towards York-town, at or near Benedict Hurst's tavern; and the said road, when so laid out and completed at the expence of the said subscribers, and after the valuations herein after directed to be made, or the damages hereby directed to be assessed, shall be paid, or secured to the individuals concerned, shall be recorded among the records of Baltimore county court, and be there after 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 appoint a treasurer, &c.

III. AND BE IT ENACTED, That the said commissioners may appoint one of their number as treasurer, who is hereby enjoined and empowered to collect and receive all monies subscribed, or that may be subscribed, for the purpose of laying out and clearing the said road, and such subscribers are hereby directed to pay their several subscriptions to the treasurer appointed as aforesaid; and if any person shall neglect or refuse to pay his subscription money, the said treasurer, or any of the said commissioners in the name of the whole, may and is hereby authorized to sue for, recover and receive the same; and the said monies, when received, shall be applied by the said commissioners, or any two of them, to the purposes of this act.

Damages to be ascertained, &c.

IV. AND BE IT ENACTED, That the commissioners aforesaid shall 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 the said valuation shall be made before the said commissioners shall proceed to open and clear the same; and in case any proprietor or proprietors, or their guardian or trustee, shall conceive themselves aggrieved by the valuation of the said commissioners, it shall and may be lawful for any justice of the peace for Baltimore county, on application by any person interested, to issue his warrant, under his hand and seal, directed to the sheriff of the county, commanding him to summon five freeholders, disinterested as to the said road, to appear, on a day by him to be appointed, on the land of the person making application as aforesaid; and the said freeholders shall respectively repair to some magistrate of the said county, and take the following oath, or affirmation, to wit: "I, A. B. do swear, or 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," and shall return the damages by them assessed to the said justice