

lay out a public road not less than twenty feet nor more than forty feet wide, in such direction and place as they, under all circumstances, shall think proper, from the said town to Cow Landing aforesaid (except through buildings or orchards); and that the commissioners aforesaid, or a majority of them, shall ascertain and value what damage may be occasioned to any person or persons by such road passing through his, her, or their lands.

C H A P.
XXIV.

III. *And be it enacted*, That the inhabitants of the town of Talbot aforesaid shall raise, by subscription or otherwise, such sum or sums of money as will be sufficient to lay out, make and complete, the said road in the first instance, and shall, within the term of twelve months, and before the said road shall be opened, pay the sums which shall be ascertained as aforesaid to the person or persons who shall be entitled to receive the same.

Inhabitants to
raise money,
&c.

IV. *And be it enacted*, That the said commissioners, or a majority of them, shall make, or cause to be made, a fair plot or survey of the said road, and return the same, with their proceedings, to the next June county court of Talbot county aforesaid, which shall be received by the clerk of the said county, and be recorded amongst the records of said county; and the said road, when completed, shall be received by the justices of the said county, and shall be for ever thereafter deemed and taken a public highway.

A fair plot to
be made, &c.

V. *And be it enacted*, That the said commissioners shall have full power to employ a surveyor to lay out the said road and make a plot thereof, who shall be allowed the sum of fifteen shillings per day for every day he shall be employed on the business aforesaid; and the said commissioners shall be allowed the sum of ten shillings per day each for every day they shall be employed on the said business, to be paid by the inhabitants of the said town within three months from the return of the plot as aforesaid directed.

Commission-
ers may em-
ploy a sur-
veyor, &c.

C H A P. XXV.

An ACT giving a more speedy remedy against delinquent subscribers to the Patowmack company.

Passed De-
cember 17.

WHEREAS it hath been represented to this general assembly, that the opening of the navigation in Patowmack river hath been retarded by the failure of many of the members of the company instituted for the purpose of effecting the same to pay their respective subscriptions: And whereas the mode of recovery now established by law, hath been found wholly inadequate thereto, and a work of such general utility, to which the state hath already advanced several sums of money from time to time, ought not to be frustrated by the delinquency of individuals:

Preamble:

II. *Be it enacted, by the General Assembly of Maryland*, That if any subscriber to the Patowmack company now is, or hereafter shall be, in arrear for any sum or sums of money called for in pursuance of an act, entitled, An act for establishing a company for opening and extending the navigation of the river Patowmack, it shall and may be lawful for the president and directors of the Patowmack company, or a majority of them, in the name of the said company, to recover any such sum or sums of money from such subscriber, in the general court, or in the county court of the county in which he shall reside, at any additional or other session of such respective court, together with all legal costs, by way of motion to the court, provided the person against whom such motion may be made hath ten days previous notice thereof; provided also, that if the person against whom such motion may be made, or his attorney, shall desire a jury to be empannelled, the court shall direct a jury to be immediately charged to try whether he did assume to pay, and whether he hath paid, but the said president and directors shall not be required to prove that he did so assume, until he shall first have made oath that he did not so assume; and it shall be lawful for the said court to direct judgment to be entered on the verdict rendered, with costs, and execution shall issue thereupon returnable to any day of the session of the same court, which the said court shall direct.

President, &c.
may recover
money due;
&c.