

aforesaid, in case they should be called in to value and ascertain the damage aforesaid, in manner aforesaid, shall declare and determine whether the damage and expence shall be paid by the petitioners, or such of them as the court may think interested in the said road, or by the county, to be assessed and levied like other county assessments, as the court shall determine.

C H A P.  
XLIV.

V. **And be it enacted,** That if it shall be determined that the said expence shall be paid by the petitioners, or any of them, the said road shall not be deemed a public road until the damages hereby directed to be assessed shall be paid, or secured to be paid, to the satisfaction of the parties concerned.

If by the petitioners, road not to be public, &c.

VI. **Provided,** That the said road shall not go through any houses, gardens, orchards or meadows, unless with the consent of the owner thereof, or their guardian or trustee.

Provido.

VII. **And be it enacted,** That the said commissioners, and each of them, shall be allowed at the rate of seven shillings and six-pence for each day they shall act as aforesaid, to be paid either by the petitioners, or the county, as the county court shall determine, in manner aforesaid.

Commissioners allowance, &c.

C H A P. XLV.

An ACT concerning the territory of Columbia and the city of Washington.

Passed December 19.

**W**HEREAS the president of the United States, by virtue of several acts of congress, and acts of the assemblies of Virginia and Maryland, by his proclamation, dated at George-town on the thirtieth day of March, seventeen hundred and ninety-one, did declare and make known, that the whole of the territory of ten miles square, for the permanent seat of government of the United States, shall be located and included within the four lines following; that is to say, beginning at Jones's Point, being the upper point of Hunting Creek, in Virginia, and at an angle in the outset of forty-five degrees west of the north, and running a direct line ten miles for the first line, then beginning again at the same Jones's Point, and running another direct line at a right angle with the first, across the Patowmack, ten miles, for the second line, then from the terminations of the said first and second lines, running two other direct lines ten miles each, the one crossing the Eastern Branch and the other Patowmack, and meeting each other in a point; which has since been called the Territory of Columbia: And whereas Notley Young, Daniel Carroll, of Duddington, and many others, proprietors of the greater part of the land herein after mentioned to have been laid out in a city, came into an agreement, and have conveyed their lands in trust to Thomas Beall, son of George, and John Mackall Gantt, whereby they have subjected their lands to be laid out as a city, given up part to the United States, and subjected other part to be sold to raise money as a donation to be employed according to the act of congress for establishing the temporary and permanent seat of the government of the United States, under and upon the terms and conditions contained in each of the said deeds; and many of the proprietors of lots in Carrollsburgh and Hamburgh, have also come into an agreement, subjecting their lots to be laid out anew, giving up one half of the quantity thereof to be sold, and the money thence arising to be applied as a donation as aforesaid, and they to be reinstated in one half the quantity of their lots in the new location, or otherwise compensated in land in a different situation within the city, by agreement between the commissioners aforesaid and them, and, in case of disagreement, that then a just and full compensation shall be made in money; yet some of the proprietors of lots in Carrollsburgh and Hamburgh, as well as some of the proprietors of other lands, have not, from imbecility and other causes, come into any agreement concerning their lands within the limits herein after mentioned, but a very great proportion of the landholders having agreed on the same terms, the president of the United States directed a city to be laid out, comprehending all the lands beginning on the east side of Rock Creek, at a stone standing in the middle of the road leading from George-town to Bladenburgh,

Preamble.