

1792.

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

C H A P. XXVI.

An ACT to open a road through part of Montgomery county.

Passed December 22.
Preamble.

WHEREAS application has been made to this general assembly, by the inhabitants of Montgomery county, praying that a law may pass for the purpose of opening a road from the dividing line between Frederick and Montgomery counties to Thomas Morton's mills, from thence to the mills of Zachariah Maccubbin, and from thence to intersect the main road leading to George-town and the federal city,

A road to be laid out, &c.

II. **Be it enacted, by the General Assembly of Maryland,** That Montgomery county court, on application, be authorized and required to direct the surveyor of the said county to lay out the said road, not exceeding twenty feet wide, in as direct and straight a manner as the nature of the ground and legal restrictions will admit, and to make return thereof to the said court; and if any person, through whose land the said road shall pass, or if the persons applying for the said road, shall object to its running in the manner returned by the surveyor, the court may make such alterations as they may think proper; and after the road shall be surveyed and laid out agreeably to this act, the court shall direct the return thereof to be recorded, and the same shall, for ever thereafter, be deemed a public road; and, if required, the court shall determine the compensation to be made to the owner or owners so applying for compensation, through whose land the said road shall pass, which compensation shall be paid by the person or persons applying for such road.

Court may, on application by the party aggrieved, issue their warrant, &c.

III. **And be it enacted,** That if either party interested shall think themselves aggrieved by the determination of said court, then the court, on application by the party so aggrieved, 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, to be and appear before one or more of the said justices, on the premises, at a certain day in the said warrant to be expressed; which jury, upon their oath, to be administered by some one of the justices aforesaid, 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 passing of the road over the land as aforesaid; and such sheriff shall return the inquest of the jury aforesaid, or of any eight of them agreeing, under their hands and seals, and attested by his official signature, to the next county court to be held for the county wherein such inquest shall have been taken, and the amount of damages therein expressed shall be paid, by order of said court, by the persons aforesaid; and the said road shall be kept open and repaired in the same manner that other public roads of the said county are; and any person or persons that shall in any manner stop, change or obstruct, the said road, shall forfeit and pay the sum of five pounds current money for every offence.

Proviso.

IV. **Provided always,** That the said road shall not pass through any yard, orchard, garden or meadow, without the consent of the proprietor thereof.

C H A P. XXVII.

An ACT to extend the several streets in Baltimore-town therein mentioned.

Passed December 22.
Preamble.

WHEREAS several inhabitants of Baltimore-town, by their petition to this general assembly, have set forth, that there is no other commodious way for the inhabitants of the western part of Baltimore-town, and the parts adjacent, to approach the Centre-Market, but through Baltimore, commonly called Market-street, which is so often crowded with carts, waggons and drays, that there is not sufficient room for the inhabitants to pass and repass to and from the said market, without incommoding and mutually obstructing each other, and have prayed that an act may pass, empowering and appointing commissioners to extend and open the following streets, to communicate with each other; that is to say, Fayette-street, in Howard's Addition to the said town,