

therein, and make compensation for the injury, if any, which may have been sustained by any inhabitant of the said town, to be ascertained by any two disinterested persons, inhabitants as aforesaid, and shall not pay for every such sheep or swine the sum of one shilling for every day it shall have been so impounded, it may be lawful for the person or persons so impounding as aforesaid to sell or kill the same for his, her, or their use and benefit.

C H A P.  
V.

III. And be it enacted, That if any person or persons shall be sued and impleaded for killing, destroying or selling, any such sheep or swine as aforesaid, the defendant or defendants may plead the general issue, and give this act and the special matter in evidence; and if the plaintiff shall be nonsuit, or discontinue his suit, he shall pay costs, and such damages to the defendant or defendants as the court shall adjudge.

Persons sued  
may plead,  
&c.

C H A P. VI.

An ACT concerning Temple-street, in Baltimore-town, in Baltimore county.

Passed De-  
cember 28.

WHEREAS it has been represented to this general assembly, by the petition of the owners of lots on Temple-street, and others, in Baltimore-town aforesaid, that that part of Temple-street which is situated on the north side of Pitt-street, in Baltimore-town, is unnecessary, and does not contribute in any degree to the convenience or accommodation of the inhabitants of the said town, but on the contrary, that it is highly injurious and inconvenient to the proprietors of the lots situate thereon, and praying that the said part of Temple-street might be stopped up, and be no more a public street of the said town; and the prayer of the said petitioners appearing reasonable,

Preamble.

II. Be it enacted, by the General Assembly of Maryland, That that part of Temple-street aforesaid, which is situated on the north side of Pitt-street, in the town aforesaid, shall not from henceforth be or remain a part of Temple-street aforesaid, and that the owners and proprietors of the ground thereof shall have the same right and benefit to the same as if the same had not been laid out as a part of Temple-street aforesaid, and may enclose the same accordingly, any law to the contrary notwithstanding.

Part of the  
street not to  
remain, &c.

C H A P. VII.

An ACT to establish the road from the Turkey Foot road towards Bradock's road as a public road, and for other purposes therein mentioned.

Passed De-  
cember 28.

WHEREAS sundry inhabitants of Allegany county, by their petition to this general assembly have set forth, that there hath been a road from the Turkey Foot road, above the fork of Jennings Run, leading up the said run by Oswalt's saw-mill to the foot of Mount-Pleasant, and from thence until it intersects Bradock's road at a tract of land called The Mountain, and that, it never having been made a public road by law, they are deprived of the benefit and utility of the same, to their great injury and inconvenience, by its not being established a public road as aforesaid; and the prayer of the said petitioners appearing to this general assembly to be reasonable,

Preamble.

II. Be it enacted, by the General Assembly of Maryland, That the aforesaid road leading from the Turkey Foot road by the aforesaid places until it intersects Bradock's road at the said tract of land called The Mountain, be and the same is hereby declared, deemed and taken to be, a public road for ever, any law to the contrary in anywise notwithstanding.

Road declared  
public, &c.

III. And be it enacted, That Michael Oswalt, Garret Snedeker, senior, and Edward Grimes, or any two of them, be and are hereby appointed commissioners on the aforesaid road, and that they, or any two of them, are hereby authorised and empowered to lay out, mark and bound, the same, not more than thirty feet

Commission-  
ers appointed,  
&c.