

wheat and other produce to Lawrence and Dorsey's mills, lately erected on the western fork of Patapsco falls, and have prayed that a road may be laid out and opened, not exceeding thirty-three feet wide, from the main or turnpike road leading from Liberty-town to Baltimore-town, beginning for the same at or near Benjamin Bennett's, through a part of Baltimore and Frederick counties, to the said mills; and this general assembly thinking the prayer of the said petitioners reasonable,

C H A P.
XIII.

II. Be it enacted, by the General Assembly of Maryland, That Joshua Porter and John Evans, of Job, of Baltimore county, and Richard Simpson, junior, of Frederick county, or any two of them, be and they are hereby appointed commissioners to survey, lay out and open, at the expence of the said petitioners, a road, not exceeding thirty-three feet wide, in such direction as the situation of the ground will admit, and best answer the purposes of this act, from the said main or turnpike road, at or near Benjamin Bennett's, through a part of Baltimore and Frederick counties to the said Lawrence and Dorsey's mills; and the said road, when so surveyed, laid out and opened, and the valuation herein after directed to be made shall have taken place, shall be recorded in Baltimore county court, and shall be deemed and taken to be a public road for ever thereafter, and kept up, amended and repaired, as all other public roads in the said counties.

Commissioners appointed, &c.

III. And be it enacted, That the said commissioners shall ascertain and value what damages may be sustained by any person or persons through whose land the said road shall pass, and the same, when so assessed, shall be paid, or secured to be paid, by the said petitioners, before the said commissioners shall proceed to open the said road: Provided always, that if any person or persons, through whose land the said road shall pass, or his, her or their guardian or trustee, shall conceive themselves aggrieved by such valuation and assessment of damages by the said commissioners, it shall and may be lawful for the said commissioners, or any two of them, to issue their warrant to any constable of the county, to summon five freeholders of the county, not interested in the premises, and qualified to serve as jurors in the county court, to appear on a day by them to be appointed, on the premises; and the said commissioners are hereby authorized to administer an oath to every person so summoned, that he will, without favour, affection, prejudice or partiality, assess the damages sustained by the persons at whose request such inquisition shall be taken, by reason of opening the aforesaid road through his, her, or their land; and the persons so summoned and sworn shall thereupon proceed to assess and value the damages accordingly, of which the said petitioners, or some one of them, shall have at least five days previous notice; and such inquisition shall be final and conclusive between the parties.

Who shall ascertain damages, &c.

IV. And be it enacted, That the said commissioners shall not lay out or open the said road through the buildings, gardens or orchards, of any person, without his or her consent.

Road not to go thro' buildings, &c.

V. And be it further enacted, That nothing in this act contained shall be construed to empower the commissioners aforesaid to lay out the said road through any meadow in Frederick county without the consent of the owner or owners of said meadow.

Nor thro' any meadow, &c.

C H A P. XIV.

An ACT to enable the inhabitants of Saint-John's parish, lying in Queen-Anne's and Caroline counties, to elect vestrymen and churchwardens for said parish.

Passed December 28.

WHEREAS the inhabitants of Saint-John's parish, lying in Queen-Anne's and Caroline counties, neglected to meet and choose vestrymen and churchwardens for the said parish, agreeably to the act for the establishment of select vestries;

Preamble.

II. Be it enacted, by the General Assembly of Maryland, That the inhabitants of said parish be and they are hereby empowered to meet at their parish church,

Inhabitants to meet, &c.