

1793.

C H A P. LXX. missions, as if such tract had been contained wholly in one county, or wholly in this state.

Affirmation to be valid, &c.

V. And, whereas doubts have been entertained, whether any quaker, menonist or tunker, can act as a surveyor or chain carrier under the act to which this is a supplement; therefore, **Be it enacted**, That from and after the passage of this act, an affirmation made by any quaker, menonist or tunker, shall be as valid as an oath, in order to qualify the said quaker, menonist or tunker, either as a surveyor or chain carrier.

C H A P. LXXI.

Passed December 28.

An ACT for streightening and amending the road from the town of Cumberland, in Allegany county, which intersects the road leading from Union-town, in Pennsylvania, at the Winding-Ridge.

Preamble.

WHEREAS the state of Pennsylvania hath laid out, opened and amended, a road from Union-town, in Fayette county, to the division line: And whereas the said road will be of no benefit unless this state streighten and amend the road from the town of Cumberland to intersect the said road at the Winding-Ridge; and it appearing to this general assembly that the same will be of considerable advantage to this state, by opening a better communication with the Western country; therefore,

Commissioners appointed, &c.

II. **Be it enacted**, by the General Assembly of Maryland, That George Dent, William M'Mahon and Evan Gwynne, or any two of them, be and they are hereby appointed commissioners, to survey, streighten and amend, at the expence of those who have or may subscribe to the same, a road not exceeding forty feet in width, in the best and most convenient direction from the town of Cumberland, in Allegany county, to a tract of land called Good Will, and from thence to intersect the main road from Union-town, in the state of Pennsylvania, where the said road enters this state at the Winding-Ridge; and the said road, when so opened at the expence of the persons aforesaid, and the valuation herein after directed to be made shall be paid, or secured to be paid, to the individuals concerned, shall be recorded among the records of Allegany county, and be thereafter deemed and taken to be a public road for ever.

Who may appoint a treasurer, &c.

III. **And be it enacted**, That the said commissioners may appoint one of their number as treasurer, and give him a certificate under their hands of his appointment, who is hereby enjoined and empowered to collect and receive all monies subscribed, or that may be subscribed, for the purposes aforesaid, and such subscribers are hereby directed to pay their several subscriptions to the treasurer appointed as aforesaid, or to his order; and if any persons shall neglect or refuse, when applied to by the said treasurer, or any person authorized by him, to pay his subscription money, the said treasurer, or person by him authorized, may and he is hereby authorized and directed to sue for, recover, and receive the same; and the said monies, when received, shall be applied by the commissioners, or any two of them, to the purposes of this act.

And ascertain damages, &c.

IV. **And be it enacted**, That the commissioners aforesaid shall ascertain and value what damages may be sustained by any person or persons through whose land the said road may pass by opening the same, and the said valuation shall be made before the said commissioners shall proceed to open the same; 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 any justice of the peace of the county in which such aggrieved persons reside, on application of the party interested, to issue his warrant, under hand and seal, directed to any constable of the county, commanding him to summon five freeholders, disinterested as to the said road, to appear, on a day by him to be appointed, on the land of the person making application as aforesaid, and the