

1799.

L A W S O F M A R Y L A N D.

C H A P. LXII.

Repository to be pulled down, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That the justices of the levy court of Prince-George's county are hereby authorized and empowered to pull down, or cause to be pulled down, the repository of the register of wills, sell the materials of the same, and to apply the money towards the erecting of a new gaol; and until an office shall be prepared in the new court-house for the register of wills of the said county, the justices of the levy court be authorized and required to provide a suitable apartment for the preservation of the papers belonging to the said office, and to levy the expences thereof in like manner as other county charges.

C H A P. LXIII.

Passed 3d of Jan. 1800.

An ACT to lay out and open a public road in the upper part of Queen-Anne's county.

Preamble.

WHEREAS sundry inhabitants of Queen-Anne's county, by their petition to this general assembly have set forth, that they sustain great inconvenience from the want of a public road from Richard Tilghman's, the fourth's, gate, standing on the side of the main road leading from Church Hill to the Beaver Dams, in the upper part of Queen-Anne's county, to intersect the main road leading from Church Hill to Sadler's cross-roads, by Joseph McConikin's, in said county; therefore,

Commissioners appointed, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That Cornelius Comegys, Elisha Deford, Thomas Seegar, Levi Sparks and John Brown Hackett, or any three of them, be and they are hereby appointed commissioners, to survey, lay out and open, at the expence of the petitioners, a road not exceeding thirty feet in width, clear of ditches, from the gate of Richard Tilghman, the fourth, until it shall intersect the public road leading from Church Hill to Sadler's cross-roads, by Joseph McConikin's, in said county; and a plot of the said road, when so surveyed and laid out, shall be returned to Queen-Anne's county court, to be recorded, and shall for ever thereafter be deemed and taken to be a public highway, and repaired and improved in the same manner as other public roads in said county.

Damages to be ascertained, &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 ascertained and 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 the sheriff of the county, to summon twelve freeholders of the county, not interested in the premises, and qualified to serve as jurors in the county court, to appear on the premises, on a day by them to be appointed; 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 person or 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 value and assess 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.

Not to go thro' buildings, &c.

IV. AND BE IT ENACTED, That the said commissioners shall not lay out or open the said road through the buildings, gardens, orchards or meadows, of any person without his or her consent.

C H A P. LXIV.

Passed 3d of Jan. 1800.

An ACT to lay out certain roads from Andrew Gore and James Cooper's mill, in Baltimore county.

Preamble.

WHEREAS it appears, by the petition of Andrew Gore and James Cooper to this general assembly, that they labour under great inconvenience for want of a road from their mill to the road leading from Elias Brown's plantation to Elk-Ridge Landing, and a road from the said mill to intersect the old road leading from the city of Baltimore to Frederick-town, at or near John Cord's blacksmith's shop, in Anne-Arundel county; and this general assembly thinking the prayer of said petition reasonable,

Commissioners appointed, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That Thomas Buifeman, Orlando G. Dorsey, Johnsa Dorsey, Vachel Dorsey, of Vachel, and Henry Cord, or any three of them, be and