

C H A P. XX.

An ACT to lay out a road from Aquila Tarman's tavern to Thomas Cockey's mill, and from the said mill to the road called the Deer Park Road.

Passed 31st of
Dec. 1801.

WHEREAS it appears by the petition of Thomas Cockey, of Baltimore county, to this general assembly, that the opening of a public road from Aquila Tarman's tavern, on the road leading from Reister's-town to Westminster to the said Thomas Cockey's mill, and from thence until it intersects the nearest part of the Deer park road, in said county, would be of great public utility; and the prayer thereof appearing reasonable, therefore,

Preamble.

II. BE IT ENACTED, by the General Assembly of Maryland, That Isaac Dickson, Samuel Hooker and Thomas Gorsuch, or any two of them, be and they are hereby appointed commissioners to survey, mark and lay out, at the expence of the said Thomas Cockey, a road, not exceeding thirty feet wide, on the streightest and best direction that the nature of the ground will admit, from the aforesaid Aquila Tarman's tavern to the said Thomas Cockey's mill, and from thence until it intersects the nearest part of the said Deer park road; and the said road, when so surveyed, laid out and opened, and the valuation herein after directed to be made shall have taken place, a plot thereof shall be returned to the clerk of the county, who shall record the same among the records of Baltimore county court, which shall be deemed and taken to be a public road for ever thereafter, and shall be kept up, and amended and repaired, as all other public roads in the said county.

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, taking into their consideration all circumstances, and the same when so assessed, shall be paid by the said Thomas Cockey, before he shall proceed to open the said road.

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.

Not to go thro' buildings, &c.

C H A P. XXI.

An ACT authorising the levy court of Washington county to lay out a road from Elizabeth-town, in Washington county, by Barnett's fording to the Pennsylvania line.

Passed 31st of
Dec. 1801.

BE IT ENACTED, by the General Assembly of Maryland, That George Nigh, William Hyser and Josiah Price, be and they are hereby appointed commissioners to lay out and survey a road from Elizabeth-town, in Washington county, by Barnett's fording to the Pennsylvania line, not exceeding forty feet in width, in as streight a line as the nature of the ground and the restrictions herein after mentioned will admit of, and without delay execute, sign and seal, plain plots of the same, with explicit explanations thereof, and make return of such plots and explanations to the levy court of the said county, who on receiving such plots and explanation shall examine the same, together with all the evidence that shall or may be offered for or against the road so returned, and upon consideration of all circumstances, may reject or confirm the said report, and may direct the said commissioners to alter and amend the said plots, confining the said road to the points above mentioned, and when so amended, are hereby ordered to confirm the same, and when so confirmed, shall cause the same to be recorded among the land records of the said county, in testimony of the same being established by law as a public road, and shall direct the said commissioners to mark and bound the said road as confirmed by the said court, and direct a supervisor or supervisors to clear and improve the same in the same manner and on the same terms as other public roads in the said county are by law directed to be cleared and improved, and upon completing the same, the said road shall be deemed a public road, and shall be kept in repair as other public roads in the aforesaid county are by law directed to be kept.

Commissioners appointed, &c.

II. AND BE IT ENACTED, That upon the said levy court confirming the said road, they shall be and are hereby authorised and empowered, to agree and contract with the person or persons on whose lands the said road may be laid out for the amount of damages thereby sustained, not exceeding the rate of ten pounds per acre, but if such agreement should not take place, then the said court shall issue their warrant, directed to the sheriff of the said county, commanding him to

Court to agree for damages, &c.