

Passed 8th of
January, 1803.

An ACT to lay out a road from William Sinklair's plantation to Vaughn's mine-run and Gunpowder mills, and from thence to the Owl branch.

Preamble.

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants of the upper part of Baltimore county, that a public road leading from William Sinklair's plantation, and from thence to Vaughn's mine-run and Gunpowder mills, and from thence to the Owl branch where it crosses the York road, will be of great public convenience, and is essentially necessary; therefore,

Commissioners
appointed, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That Abraham Hicks, Joshua Kidd and William Johnson, of William, be and they are hereby appointed commissioners, or any two of them, to survey, mark, bound and lay out, a public road, not exceeding thirty feet in width, in the straightest and nearest direction that the nature of the ground will admit of, at the expence of the petitioners, beginning at or near William Sinklair's plantation, from thence to Vaughn's mine-run and Gunpowder mills, and from thence to the Owl branch, or near to where it crosses the York road; in laying out the said road the commissioners are hereby directed to lay out the same with as little injury to private property as will comport with the public convenience.

Who are to re-
turn a plot, &c.

III. AND BE IT ENACTED, That the said commissioners, or a majority of them, are hereby directed to return a plot of said road, when so surveyed, marked, bounded and laid out, to the clerk of the county, to be by him recorded, which shall be deemed and taken a public road for ever thereafter, and shall be kept up and repaired as all other public roads in said county, and shall ascertain and value what damages may be sustained by any person or persons through whose land the said road may pass, and the said valuation shall be made and paid by the petitioners aforesaid before the said commissioners shall cause the same to be opened and cleared; and in case any proprietor or proprietors shall conceive him, her or themselves aggrieved by the valuation of the said commissioners, or shall be an infant, *feme-covert*, or *non compos mentis*, it shall and may be lawful for any justice of the peace for said county, upon application of any person or persons through whose lands the said road may pass, to issue his warrant, under his hand and seal, to the constable of the hundred wherein such lands may be, commanding him to summon twelve freeholders, disinterested in the said road, to appear on a day by him to be appointed on the said lands, at which time such freeholders, so summoned, shall respectively appear before such justice, and take the following oath, or affirmation, to wit: "I, A. B. do swear, or affirm, that I will honestly and impartially value the damages and injury sustained by the opening of a road through the lands of C. D. in pursuance of this act," and shall return an inquisition of such damages by them assessed to the clerk of the said county, to be by him kept in his office, which damages so assessed shall be conclusive; provided nevertheless, that nothing herein contained shall authorise the said commissioners to open the said road through the buildings, gardens, orchards or meadows, of any person without his consent; and provided also, that nothing herein contained shall authorise the said commissioners to lay out the said road through the land of any infant, *feme-covert*, or person *non compos mentis*.

Passed 8th of
January, 1803.

An ACT to empower the levy court of Talbot county to assess and levy a sum of money for the purposes therein mentioned.

Preamble.

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants of Talbot county, that the causeways of the public roads in said county, particularly those over King's creek, are become difficult to pass at the time of high water, and praying that the levy court of said county may be empowered to levy on the said county a sum necessary for repairing the same; therefore,

Justices to levy
money, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That the justices of the levy court of Talbot county be and they are hereby authorised and empowered to levy on the assessable property of said county such sum or sums of money as they may deem necessary to complete the repairs of said causeways.