

1804.

NOVEMBER.

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

C H A P. XLII.

Passed January 12, 1805.

An ACT extending the time for taking the bond of the sheriff of Anne-Arundel county.

Preamble.

WHEREAS it is provided by an act of the general assembly, passed at November session, seventeen hundred and ninety-four, entitled, An act for the amendment of the law in certain cases, that the sheriffs bonds shall be hereafter taken on some day between the eighth of October and the first day in January in each year: And whereas Jasper Edward Tilley, the sheriff of Anne-Arundel county, hath not entered into bond agreeably to the above recited act; therefore,

Time extended, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That the time for taking the bond of the sheriff of Anne-Arundel county be extended to the first day of February next, and that if the said sheriff shall, at any time before or on the first day of February next, give a bond, agreeably to the provisions of the said recited act, the said bond shall have the same effect, to all intents and purposes, as if the said bond had been taken on the thirty-first day of December, eighteen hundred and four.

C H A P. XLIII.

Passed January 12, 1805.

An ACT to lay out and make public several roads in Queen-Anne's county.

Preamble.

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants of Queen-Anne's county, that they sustain great inconveniencies from the want of several public roads in said county; therefore,

Commissioners appointed, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That Henry Covington, Thomas Seegar, George Palmer, Benjamin Holding and Joseph Sparks, or a majority of them, be and they are hereby appointed commissioners to survey, lay out, open and clear, to wit, one road to lead from Emory's cross roads to a place called the Forge Mill; one other road leading from a place called Blue Ball, as it now runs by said mill, until it intersects the public road leading to the head of Chester at or near the lands belonging to Sarah Falconer, and the heirs of Elizabeth Massey, deceased, whereon Richard Simmonds now lives; and one other road to begin at such part of the road leading from the Blue Ball to said mill as the commissioners shall direct, and to run from said road, in such direction as they shall think best, until it shall intersect the road leading from Sudler's cross roads, by Hemsley Massy's, to Well's warehouse, in said county; and the said roads, when surveyed, laid out, opened and cleared as aforesaid, and the valuation herein after directed to be made, or the damages, if any, herein after directed to be assessed, shall be paid, or secured to be paid, to the person or persons concerned, shall be recorded among the records of Queen-Anne's county, and shall for ever thereafter be deemed public highways, and shall be kept in repair in the same manner as other public roads are kept in said county; provided, that the said commissioners shall not lay out or open the said roads, or any of them, through the buildings, gardens, meadows or orchards, of any person, without his or her consent.

Damages to be ascertained, &c.

III. AND BE IT ENACTED, That the commissioners aforesaid, or a majority of them, be and they are hereby authorised and directed to ascertain and value what damages may be sustained by any person or persons through whose land the said roads, or either of them, may pass, by opening and clearing the same, and the said valuation shall be made and paid, or secured to be paid, before the commissioners shall proceed to open and clear the same; and in case any proprietor or proprietors shall conceive him, her or themselves aggrieved by the valuation of the said commissioners, it shall and may be lawful for the said commissioners, or a majority of them, on the application of any person interested, to issue their warrant, under their hands and seals, to the constable of the hundred where such lands may be, commanding him to summon twelve freeholders, not interested in the said lands, to appear, on a day by them to be appointed, on the said lands, at which time and place such freeholders, so summoned, shall respectively appear before the said commissioners, and take the following oath, to wit: "I, —, do swear, that I will honestly, without favour, prejudice or partiality, value the damages and injury that may be sustained by opening a road through the lands of —, in pursuance of this act," and shall return an inquisition of such damages to the clerk of the county court of Queen-Anne's county, and the damages so assessed shall be conclusive.

Persons to pay, &c.

IV. AND BE IT ENACTED, That the persons who may conceive themselves interested or benefited by such road or roads as aforesaid, are hereby required to pay, or secure to be paid, into the