

C H A P.  
XXXIX.  
Damages to be  
ascertained,  
&c.

III. AND BE IT ENACTED, That the said commissioners, or a majority of them, shall ascertain and value what damages may be sustained by any person or persons through whose land the said road shall pass, taking into consideration the advantages and disadvantages, if any, and the same, when so assessed, shall be paid, or secured to be paid, by the person or persons who may apply to have the said road laid out and straightened as aforesaid, to the person or persons entitled to receive the same, before he or they shall proceed to open the said road; provided, that the said road shall not be opened through the buildings, yards, gardens or orchards, of any person, without his or her consent.

Old road may  
be shut up, &c.

IV. AND BE IT ENACTED, That after the above-mentioned road is laid out and made passable, it shall be lawful for any person or persons through whose lands the old road leading from Frederick Smith's aforesaid, in a direction towards Manchester-town, to shut up and enclose the same, any law to the contrary notwithstanding.

## C H A P. XL.

Passed 20th of  
Dec. 1808.

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

Justices to levy  
money, &c.

BE IT ENACTED, by the General Assembly of Maryland, That the justices of the levy court of Washington county be and they are hereby authorised and empowered, to levy on the assessable property of said county, annually hereafter, such sum of money as the said levy court may deem adequate for providing an apartment for the register's office, and the safe keeping of the papers belonging thereto, and for the accommodation of the orphans court, and they are further authorised and empowered to levy the sum of one hundred and sixty dollars to defray the expense already incurred by the said register of wills in providing such apartments.

## C H A P. XLI.

Passed 20th of  
Dec. 1808.

An ACT for the support of Anne Ricketts.

Preamble.

WHEREAS Sarah Dudley, of Baltimore county, by her petition to this general assembly, has set forth, that she has a daughter, named Anne Ricketts, who is subject to fits, and that she is not able to maintain her, and prays that an act may pass for her relief; therefore,

Justices to levy  
money, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That the justices of the levy court of Baltimore county shall and they are hereby empowered, at their levy court annually, so long as they shall see cause, to assess and levy on the assessable property of said county a sum of money, not exceeding thirty dollars, for the support and maintenance of Anne Ricketts, and the money, when collected, shall be paid by the collector of said county to Sarah Dudley for the use aforesaid.

## C H A P. XLII.

Passed 20th of  
Dec. 1808.

An ACT to open and establish a road from near the old glass works, called New Bremen, in Frederick county, to intersect the Baltimore and Frederick turnpike road at the town of New-Market, in the said county.

Commissioners  
appointed, &c.

BE IT ENACTED, by the General Assembly of Maryland, That Matthew Brown, Richard Roberts, Roger Johnson, Thomas Sprigg and Henry M-Elfresh, be and they are hereby appointed commissioners for the purposes of this act, and that they, or a majority of them, be and are hereby authorised to open and lay out, at the expense of Frederick county, a wagon road, not exceeding thirty feet wide, to the town of New-Market, in the county aforesaid, from George Messicope's blacksmith's shop, near the old glass works, in said county, called New Bremen, as the said shop now stands, on the road leading from Hardinge's ford, on the river Monocacy, to Johnson's mill, and that in opening and laying out the said road directed by this act, the commissioners aforesaid, or a majority of them, shall pursue the route now used as a private road, as far as it may be practicable, and not greatly inconvenient, by widening, straightening, extending and repairing the same, provided always, that the said road shall not be made to pass through any houses or out-houses, barns, gardens, orchards or meadows, without the consent of the owner or owners thereof.

Road to be re-  
corded, &c.

II. AND BE IT ENACTED, That the said road, when so laid out and completed, shall be recorded among the records of the said county, and be hereafter deemed and taken to be a public road, and shall be kept in repair as other public roads of the said county are directed to be kept.