

C H A P. LXXVI.

Passed 24th of Dec. 1808.

An ACT to make valid a deed from Charlotte Murray to John Murray, of Dorchester county.

Preamble.

WHEREAS it is represented to this general assembly, by the petition of John Murray, of Dorchester county, that his brother William Vans Murray, late of Dorchester county, deceased, did, by his last will and testament, devise certain real estate, lying in the county aforesaid, to his wife, Charlotte Murray, who was born in the dominions of the king of Great-Britain, and although then residing in the state of Maryland, had never been naturalized as a citizen of America: And whereas it is also represented by the said John Murray, that the said Charlotte Murray hath sold, and conveyed to him by deed, the real estate aforesaid, devised to her by her said husband, and it is apprehended that the said real estate may be liable to be escheated from the circumstance of the said Charlotte Murray having been an alien at the time of making the conveyance aforesaid, and the said John Murray praying that his title to the said estate may be confirmed so far as the state may be interested therein; therefore,

Deed to have validity, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That the deed heretofore executed by Charlotte Murray, late of Dorchester county, to John Murray, of the county aforesaid, bearing date on the twenty-sixth day of December, in the year eighteen hundred and two, conveying certain real estate therein mentioned, which was devised to her by late husband William Vans Murray, shall have the same validity and effect, to all intents and purposes, as if Charlotte Murray, grantor of the same, had been a natural born or naturalized citizen of this state at the time of the devise so as aforesaid made to the said Charlotte Murray; provided, that nothing herein contained shall be taken or construed to affect the right or title of any other person acquired in or to the said real estate.

C H A P. LXXVII.

Passed 24th of Dec. 1808.

An ACT to lay out and open a road in Prince-George's county and part in Montgomery county.

Commissioners appointed, &c.

BE IT ENACTED, by the General Assembly of Maryland, That Josiah Jones, John Woodward, James Ray, Robert Edmonston and Thomas Richardson, be and they hereby appointed commissioners to survey, lay out and open, at the expense of the petitioners, or other persons interested therein, who may subscribe to the same, a road, not exceeding thirty feet in width, in the best and straightest direction, taking all circumstances into consideration, from Crow's mill, in Anne-Arundel county, on the Patuxent river, by Bussard's mill on the Paint Branch, and by the Adelphi mills on the north-west branch in Prince-George's county, until it intersects the line of the district of Columbia; and the said commissioners are hereby required to make a plot of the road, so as aforesaid directed to be laid out and opened, and return the same to the clerks of Prince-George's and Montgomery county courts, to be recorded amongst the land records of said counties; and the said road, when so laid out and opened at the expense of the petitioners, or others interested, and the valuation herein after directed shall be paid, or secured to be paid, to the individuals concerned, shall be thereafter deemed to be a public road for ever, and shall be kept in repair in the same manner as other public roads are directed to be kept in said counties.

How vacancies are to be filled.

II. AND BE IT ENACTED, That in case of death, resignation, disqualification, or refusal to act, of any of the commissioners aforesaid, the remaining commissioners, or a majority of them, shall and they are hereby authorised and directed to fill up such vacancy or vacancies.

Damages to be ascertained, &c.

III. AND BE IT ENACTED, That the commissioners aforesaid, or a majority of them, shall ascertain and value, if required, what damages may be sustained by any person or over whose lands the said road may pass, by opening the same, and the valuation shall be made before the said commissioners shall proceed to open the said road; provided always, that if any person or persons through whose lands the said road may 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 any justice of the peace of said county, on application of the party interested, or his, her or their guardian or trustee, to issue his warrant, under his hand and seal, directed to any constable of the county, commanding him to summon twelve freeholders, uninterested in the opening of the said road, to appear, on a day by the said justice to be appointed, on the land of the person or persons making application as aforesaid, or for whose benefit such application shall be made; and the said freeholders, having first made oath before said justice of the peace, that they will, without favour, affection or partiality, assess the damages sustained by the person or persons at whose