

1809.

NOVEMBER.

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

C H A P.
CLXXXIX.

by appointed commissioners to survey, lay out and open, a road, from the mouth of Bernard Gilpin's lane, to intersect the old road leading to Montgomery court-house at or near Anne Slater's plantation, at the expense of the petitioners, not exceeding thirty feet in width; and a plot of said road, when laid out and opened, together with a certificate and courses of the same, shall be returned by the petitioners to the levy court of Montgomery county, to be there recorded; and the said road, when opened, shall for ever thereafter be deemed and taken to be a public highway, and repaired in the same manner as other public roads in said county are repaired.

III. AND BE IT ENACTED, That on application of the party or parties interested, the said commissioners, or any three of them, shall ascertain and value what damages may be sustained by any person or persons through whose land the said road shall pass, and the same, when so ascertained and assessed, shall be paid, or secured to be paid, by the said petitioners, before the commissioners appointed by this act shall proceed to open the same; provided always, that any person or persons through whose land the said road shall pass, or his, her or their guardian or trustee, shall conceive themselves aggrieved by such valuation and assessment of damages, it shall and may be lawful for the said commissioners, or any three of them, to issue their warrant to the sheriff of the county, to summon twelve disinterested freeholders of said county, to appear on the premises on a day by them to be appointed, and the commissioners are hereby authorised to administer an oath, or affirmation, to every person so summoned, that he will, without favour, affection, partiality or prejudice, assess the damages sustained by the person or persons at whose request such inquisition shall be taken, by reason of opening said road through his, her or their land; and the persons so summoned, sworn or affirming, shall thereupon proceed to value and assess the damages accordingly, of which the said petitioners, or some one of them, shall have five days previous notice at least, and such inquisition shall be final and conclusive between the parties.

IV. AND BE IT ENACTED, That the said commissioners shall not lay out or open the said road through the buildings, gardens, yards, orchards or meadows, of any person or persons, without his or their consent.

C H A P. CXC.

Passed 7th of
Jan. 1810.

An ACT for the relief of John Hunter, late Collector for Baltimore County.

BE IT ENACTED, *by the General Assembly of Maryland*, That the levy court for Baltimore county shall be and they are hereby authorised and empowered, to credit John Hunter, late collector for Baltimore county, with all such insolvencies for the years eighteen hundred and six and eighteen hundred and seven, as in their judgment and opinion ought to be allowed, consistent with equity and justice.

C H A P. CXCI.

Passed 8th of
Jan. 1810.

An ACT to open a Road down Patapsco Falls in Baltimore County.

WHEREAS application has been made to this general assembly, by sundry inhabitants of Baltimore and Anne-Arundel counties, representing that they suffer an inconvenience for want of a road down Patapsco Falls, from the Baltimore and Frederick-town turnpike road, near Conrad, Lucas & Co's. paper mill, to Elk-Ridge Landing, to leave the turnpike road at or near the paper mill aforesaid, and to intersect the road leading from Baltimore to the City of Washington at or near Norwood's ferry, the distance being about five miles, and have prayed that a law may pass appointing commissioners to lay out and open a road, of the width of two perches, at the expense of those who may be willing to contribute thereto; and this general assembly apprehending the prayer of the said petitioners reasonable, therefore,

II. BE IT ENACTED, *by the General Assembly of Maryland*, That Richard Caton, Allen Dorsey and John Ellicott, or any two of them, be and they are hereby appointed commissioners to survey, lay out and open, a road, at the expense and proper cost of those that may be willing to contribute to the same, of the width of two perches, from the said turnpike road near Conrad, Lucas & Co's. paper mill, down the main Falls of Patapsco, keeping as near the water as the nature of the ground will admit, but so as not to injure any mill-seat on said Falls, to intersect the road leading from Baltimore to the City of Washington at or near Norwood's ferry; and the said road, when so surveyed, laid out and opened, and the valuation herein after directed to be made shall have taken place, shall be recorded in Baltimore county court, and shall be deemed and taken to be a public road for ever thereafter, and kept in repair by the persons willing to contribute thereto.