

1811.

sembly, by the petition of sundry inhabitants of Cecil county, that the road from the Presbyterian meeting-house in West Nottingham, to Creswell's ferry, is very circuitous, and almost impassable for loaded waggons, and that the convenience of the public would be greatly promoted by laying out the same to run along, or near where a private road now runs through the lands of the Reverend James Magraw, Abner Coulson, Amos Erving, Henry Broughton, Alexander Nesbitt, Robert McMaster, George Kidd, John Patterson, Samuel Gay, jun. and Thomas Patton, until it intersects the public road leading from the Brick meeting-house to Creswell's ferry, below the said Samuel Gay's: *Therefore,*

Levy court to
appoint com-
missioners.
Their duty.

BE IT ENACTED by the General Assembly of Maryland, That the levy court of Cecil county are hereby authorised and empowered to appoint three commissioners to view said ground, and lay out a road not exceeding thirty feet in width, along or near the private road aforesaid.

Commissioners
powers. Levy
court to appoint
superior
Expenses to be
levied on the
county if the
road is deter-
mined to be of
public utility.

AND BE IT ENACTED, That the commissioners aforesaid shall have the said road surveyed, and shall have power to bargain and contract with any person or persons through whose land the said road may pass, or to adjudge the damages any person may sustain by the same, and make a return of all contracts by them made for land or damages adjudged by them, by reason of opening said road; and shall return the same with a plot of said road, under their hands, to the levy court aforesaid; and the said court may order the same to be recorded, or reject the same or any part thereof that they may think proper; and shall levy on the assessable property of said county, the expense of the commissioners for viewing and surveying said road; and if the levy court shall confirm said road agreeable to the return of the commissioners, and cause the same to be recorded, the levy court shall then appoint a supervisor or supervisors, to clear and open said road, not exceeding thirty feet in width, as aforesaid; and may levy the expense of said road upon the assessable property of Cecil county; or should the levy court be of opinion that said road is not of public utility, but is only calculated to serve private individuals, in that case the levy court shall grant said road on the application of petitioners, upon their paying all damages and expenses of said road; and if the levy court confirm said road, and have it recorded, it shall then be under the same rules and regulations as other roads are in Cecil county.