

or orchard, without the consent of the owner or owners thereof.

1811

CHAPTER 68.

*An act to lay out and open a Road in Prince George's and Anne-Arundel counties.* Passed Dec. 27, 1811.

WHEREAS, Sundry inhabitants of Prince George's and Anne-Arundel counties have set forth by their petition to this General Assembly, that a road leading from the forked road in Edward Hall's field, to Benjamin Boyd's mill, in Prince George's county, would be of considerable public utility: *Therefore,*

BE IT ENACTED *by the General Assembly of Maryland,* That George Tyler, Leonard Sellman and John Hall be, and are hereby appointed commissioners; and they, or a majority of them are hereby authorised and directed to survey, lay out and open (at the expense of the petitioners or any other person or persons who may think proper to contribute thereto) a road from the forked roads in Edward Hall's field, to Benjamin Boyd's mill, in Prince George's county, and from thence to intersect the road leading from the city of Annapolis to the city of Washington, at such place as they may deem eligible; and the said commissioners, or a majority of them, shall return a plot and certificate of their proceedings when such road is laid out, surveyed and opened, to the levy courts of Anne-Arundel and Prince George's counties, to be there recorded; and the said road, (when opened and cleared as aforesaid, and the valuation here-in-after directed to be made shall have been paid, or secured to be paid,) shall forever after be deemed a public highway. and kept in repair as other public roads in said counties.

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 persons over whose land the said road may pass, and the valuation shall be made, and the amount thereof paid as aforesaid, to the parties respectively interested, before the said commissioners or a majority of them shall proceed to open the said road; *Provided nevertheless,* That said road shall not be carried or conducted through any yard, garden or orchard, against the consent of the owner or owners.