

1811.

or through the lands of Thomas Cottingham and Rachel Coulbourn, until it intersects the road leading to Salisbury, in such direction as the nature of the ground and the convenience of the landholders over which the same may run, will admit.

Commissioners shall ascertain damages.

AND BE IT ENACTED, That the said commissioners, or a majority of them, shall ascertain the damages which any person or persons may sustain by reason of the same road being laid out through his, her or their lands, which shall be first paid, or secured to be paid by the persons interested in opening said road, before the said road shall be opened.

Commissioners shall return a plot to clerk of county court to be recorded. It shall be deemed public under a certain provision.

AND BE IT ENACTED, That the said commissioners, or a majority of them, are hereby directed to return a plot of the said road when surveyed, marked and laid out as aforesaid, to the clerk of the county court, to be by him recorded; which road, when laid out, cleared and made passable, shall be deemed and taken as a public road forever thereafter; and shall be kept up and repaired as all other public roads in said county are; *Provided*, That nothing herein contained shall in any manner authorise the said commissioners to lay out and open the said road through the buildings, garden, orchard, yard or meadow of any person or persons, without his, her or their consent.

Persons interested shall pay expenses of surveying, &c.

AND BE IT ENACTED, That the persons interested in opening the said road, shall pay to the commissioners the reasonable expenses for surveying and laying out the said road, and making out and returning the said plot.

A discretionary power.

AND BE IT ENACTED, That the said commissioners, or a majority of them, if they should be of opinion that the convenience of the people of the neighborhood would be better advanced thereby, shall be, and are hereby empowered to commence the said road at any other place upon the said road leading from the plantation of said William Townsend to Lawes' mill aforesaid, and lay out the same in any other direction than that before described, until it intersects the road aforesaid, leading to Salisbury.

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CHAPTER 107.

Passed Dec. 27, 1811. *An act for the benefit of the heirs of James Cain, late of Harford county, deceased.*

Preamble.

WHEREAS, It hath been represented to this General Assembly by the petition of John Cain and