

1812.

in the same penalty, and on the same terms and conditions as is prescribed in the aforesaid act for the commissioners of Kent and Queen Ann's county; and the monies arising from said Lottery shall be applied agreeably to the provisions of the said act.

CHAPTER 63.

Passed Dec. 14, 1812.

*An act to lay out and make public a road therein mentioned, in Cecil county.*

Preamble.

WHEREAS, Sundry respectable inhabitants of Cecil county, have preferred a petition to this general assembly, praying that a road may be opened and laid out in said county, and the prayer of the petitioners appearing reasonable: *Therefore,*

Commissioners—they are required to lay out said road—its width and direction.

SEC 1. BE IT ENACTED by the General Assembly of Maryland, That Samuel Hayes, John Pittner, John Gibbons, Levi Tyson and William Hollingsworth Junr. be, and they are hereby appointed commissioners for the purposes of this act; and that they, or a majority of them, are hereby authorised and required to survey and lay out a waggon road, not exceeding forty feet in width, beginning on the public road leading from Elkton to New London cross roads, at or near a school-house called Union school-house, in New Munster, thence running northwardly until it intersects the Pennsylvania line, near the lane leading from the dwelling house of John Jordon, and in a direction for Septamas Evans's lime-kilns in Pennsylvania: *Provided always,* That the said road shall not be made to pass through the buildings, yards, gardens or orchards, of any person without the consent of the owner or owners thereof.

Duty of commissioners—expense to be levied.

2. AND BE IT ENACTED, That it shall be the duty of the commissioners aforesaid, on or before the first day of May next, to cause a plot and certificate of said road to be made, and return the same to the levy court of Cecil county at their first sitting thereafter, whereupon it shall and may be lawful for the levy court of said county, to levy upon the assessable property of the said county, a sum of money, such as they may deem necessary, and to appoint an overseer to open and clear said road, agreeably to the plot and certificate aforesaid; and the said road, when opened and cleared as aforesaid, shall be, and the same is hereby declared to be, forever thereafter, a public road, and shall be kept in repair as other public roads in said county.