

12. *And be it enacted,* That when any road shall be opened or straightened according to the provisions of this act, and well and sufficiently cleared, it is hereby declared that the same shall be for ever thereafter a public road, and shall be kept in repair as other public roads are.

When opened and cleared to be a public road for ever.

Compensation to commissioners.

13. *And be it enacted,* That the said commissioners shall be entitled to receive a compensation for their services and attendance, not exceeding two dollars a day, to be ascertained by the county court of the county to which the said plot or certificate shall be returned, which, together with all charges arising from the survey or attendance of witnesses, or other process of the court, shall in the discretion of the said court, be paid by the petitioners, or levied, collected and paid, by the county, as herein before directed.

14. *And be it enacted,* That the officers of the several county courts of this state shall be entitled to receive the same fees for all business done in virtue of this law, as are now allowed for like services, to be paid as aforesaid.

Fees of officers of county courts.

15. *And be it enacted,* That nothing in this act shall be construed to repeal the power heretofore vested in the several levy courts of this state, in and relating to the altering of public roads through the lands of persons petitioning for such alteration.

Nothing in this act to repeal power vested in levy courts relating to altering public roads.

16. *And be it enacted,* That whenever it shall be adjudged by the county court that the damages, or any proportion thereof sustained by reason of opening, straightening or shutting up, any road, shall be paid by the petitioners therefor, the clerk of the county court shall not transmit to the levy court a copy of the said judgment as aforesaid, until the said petitioners shall have proved to his satisfaction that the said damages, or such proportion thereof as aforesaid, have been fully paid or tendered to the respective persons authorised to receive the same; *Provided always,* that such proof shall be offered within six months next after the judgment of the court; and in case the said proof shall not be made within the time above limited, the same proceedings shall be had as if the judgment of the court had been against the petitioners, and the said petition shall be considered as withdrawn by the said petitioners.

When court shall adjudge damages to be paid by petitioners, judgment not to be transmitted until damages are paid.

Proviso.

17. *And be it enacted,* That the act, entitled, An act to empower and authorise the several county courts of this state to direct the opening, straightening, or shutting up, of public roads, passed at December session eighteen hundred and sixteen, be and the same is hereby repealed; *Provided always,* that any proceedings heretofore begun under the provisions of that law, may be proceeded on, and shall have the same effect, as if the above mentioned act had not been passed.

Act repealed.

Proviso.

18. *And be it enacted,* That nothing in this act contained shall be construed to extend to Worcester county.

This act not to extend to Worcester county.

CHAPTER 90,

An act to Quiet Possessions, and to prevent Suits at Law. Passed Jan 26 1819

Sec. 1. *Be it enacted, by the General Assembly of Maryland,* That wherever land shall be taken up, under a common or special warrant, or warrant of resurvey, any person or persons, bodies corporate or politic, may give in evidence, under the general issue, his, her, or their possession thereof; and if it shall appear in evidence that the person or persons, bodies corporate or politic, or

Where land shall be taken up under a common or special warrant, persons may give in evidence their possession thereof.