

CHAP. 18. "of the passage of a road laid out in virtue of this act, according to "the best of my judgment; so help me God;" and the contracts by the commissioners, or inquisition of the jury, as the case may be, shall be returned to the clerk of the county court, to be there recorded, and on the payment of the sum or sums of money contracted for or ascertained as aforesaid, the proprietor or proprietors through whose land the said road shall pass, and upon payment, or tender of such damages, by any person or persons, to the proprietor or proprietors aforesaid, the said road shall be recorded among the records of Saint-Mary's county court, and be hereafter deemed and taken to be a public road for ever, and shall be kept in repair in the same manner as other public roads are directed to be kept in the said county; *Provided*, that the said road shall not go through any houses, gardens, yards, meadows or orchards, unless with the consent of the owner thereof.

Proviso,

CHAP. XIX.

Passed Dec. 31.
* Ch. 16.

*A Supplement to an act, * entitled, An act for the relief of Joseph Forman. Lib. JG. No. 4, fol. 20.*

CHAP. XX.

Passed Dec. 31.

An Act to lay out a Road from Aquila Tarman's Tavern to Thomas Cockey's Mill, and from the said Mill to the Road called The Deer Park Road. Lib. JG. No. 4, fol. 20.

Supplements, 1802, ch. 41, and 1803, ch. 25.

Preamble.

WHEREAS it appears by the petition of Thomas Cockey, of Baltimore county, to this general assembly, that the opening of a public road from Aquila Tarman's tavern on the road leading from Reister's town to Westminster to the said Thomas Cockey's mill, and from thence until it intersects the nearest part of the Deer Park Road, in said county, would be of great public utility; and the prayer thereof appearing reasonable, therefore,

Commissioners appointed to lay out road.

2. BE IT ENACTED, by the General Assembly of Maryland, That Isaac Dickson, Samuel Hooker, and Thomas Gorsuch, or any two of them, be and they are hereby appointed commissioners to survey, mark and lay out, at the expense of the said Thomas Cockey, a road, not exceeding thirty feet wide, on the straightest and best direction that the nature of the ground will admit, from the aforesaid Aquila Tarman's tavern to the said Thomas Cockey's mill, and from thence until it intersects the nearest part of the said Deer Park road; and the said road, when so surveyed, laid out and opened, and the valuation herein after directed to be made shall have taken place, a plot thereof shall be returned to the clerk of the county, who shall record the same among the records of Baltimore county court, which shall be deemed and taken to be a public road for ever thereafter, and shall be kept up, and amended and repaired, as all other public roads in the said county.

To ascertain damages.

3. AND BE IT ENACTED, That the said commissioners shall ascertain and value what damages may be sustained by any person or persons through whose land the said road shall pass, taking into their consideration all circumstances, and the same when so assessed, shall be paid by the said Thomas Cockey, before he shall proceed to open the said road.

See 1802, ch. 41.