

2. AND BE IT ENACTED, That nothing herein contained shall extend, or be construed to extend, to prohibit any person during his actual residence in any other of the United States, and who by the laws of the state where he doth or may reside is not prohibited from practising in either of the above branches, from practising in this state within fifteen miles from the residence of such practitioner; *Provided always*, that it shall and may be lawful for any person, resident as aforesaid, and not prohibited as aforesaid, when specially sent for, to come into any part of this state, and administer or prescribe medicine, or perform any kind of surgical operation, for the relief of the person or persons to whose assistance he may be sent for as aforesaid.

CHAP. 55.

Not to extend to certain persons.

Proviso.

## CHAP. LVI.

*An Act to open a Road from below a point of Rocks in the Catoctin Mountain to Widow Kemp's Mill.* Lib. JG. No. 4, fol. 87. Passed Dec. 31.

WHEREAS, it is represented to this general assembly, by the petition of sundry inhabitants of Frederick county, that it would be of great advantage to themselves and the public in general, to have a road opened from below a point of rocks in the Catoctin mountain, on the Potomac river, by Captain Whiteneck's tavern, then in the straightest direction that the nature of the ground and other circumstances will admit by or near Late's mill unto or near the widow Kemp's mill, in Frederick county, therefore,

Preamble.

2. BE IT ENACTED, *by the General Assembly of Maryland*, That Samuel S. Thomas, Joseph Smith and Christian Kemp, of Frederick county, or any two of them, be and they are hereby appointed commissioners to survey, lay out and open, at the expense of the petitioners, or any part of them, particularly interested therein, a road, not exceeding thirty feet in width, in the best and straightest direction, from below the aforesaid point of rocks in the Catoctin mountain, on the Potomac river, by Captain Whiteneck's tavern, thence in the straightest direction that the nature of the ground and other circumstances will admit, by or near Late's unto or near the widow Kemp's mill, in Frederick county; and the said road when so opened at the expense of the petitioners as aforesaid, and the valuation herein after directed to be made shall be paid, or secured to be paid, to the individuals concerned, shall be recorded among the records of Frederick county court, and be thereafter deemed to be a public road for ever.

Commissioners appointed to lay out road.

3. AND BE IT ENACTED, That the said commissioners may appoint one of their number as treasurer, and give him a certificate, under their hands, of his appointment, who is hereby enjoined and empowered to collect and receive all monies subscribed, or that may be subscribed, for the purpose of opening the said road, and such subscribers are hereby directed to pay their several subscriptions to the treasurer appointed as aforesaid; and if any person shall neglect or refuse, when applied to by the aforesaid treasurer, to pay his subscription money, the said treasurer may and he is hereby authorised to sue for, recover and receive the same; and the said monies, when received, shall be applied by the commissioners, or any two of them, to the purpose of this act.

Treasurer to be appointed.

4. AND BE IT ENACTED, That the commissioners aforesaid shall ascertain and value what damages may be sustained by any person

Damages to be ascertained.