

CHAP. 10.

Proviso.

Plot to be made out and returned to levy court.

land the said road may pass; *Provided*, that the said road shall not be made to pass through the buildings, yards, gardens or orchards, of any person or persons, without the consent of the owner or owners thereof.

2. **AND BE IT ENACTED**, That it shall be the duty of the commissioners aforesaid, or a majority of them, on or before the first Monday in March next, to cause a plot and certificate of said road to be made, and return the same to the levy court of Kent county, at their first sitting thereafter; and if the levy court of said county, upon consideration of all circumstances, shall be of opinion that the said road be of advantage, then and in such case the clerk of said county shall record the same plot and certificate, whereupon it shall and may be lawful for the levy court of said county to levy upon the assessable property of said county such sum of money as they may deem necessary, and to appoint and employ 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, for ever thereafter a public road, and shall be kept in repair as other public roads in said county.

Damages to be ascertained

3. **AND BE IT ENACTED**, That the said commissioners, or a majority of them, shall value and ascertain the damages that may be sustained by each and every of the persons through whose lands the said road may pass, by ascertaining the same, taking into consideration the advantage and disadvantages, and return the same to the levy court, together with the plot and certificate as above directed, and the damages so ascertained shall be levied and assessed as other county charges are, and it shall be paid over to the persons respectively who may be endamaged thereby; *Provided nevertheless*, that no money shall be levied or assessed for the purpose of paying the damages aforesaid, until the said road is opened and cleared agreeably to the directions of this act.

Proviso.

Commissioners' compensation.

4. **AND BE IT ENACTED**, That the said commissioners shall be entitled to receive as a compensation for their services a sum not exceeding two dollars per day, to be ascertained by the levy court, which is hereby directed to be levied, collected and paid, as other county charges.

CHAP. XI.

Passed Dec. 29.

*An Act for the benefit of John Fassit, of Worcester County.* Lib. TH. No. 4, fol. 7.

Levy authorised for his support

**BE IT ENACTED**, by the General Assembly of Maryland, That the justices of the levy court of Worcester county shall and they are hereby directed and empowered, at their levy court annually, so long as they shall see cause, to levy on the assessable property of said county a sum of money not exceeding forty dollars, for the support and maintenance of John Fassit, of said county, and the same, when collected, shall be paid by the collector to the said John Fassit, or his order, for the purpose aforesaid.

CHAP. XII.

Passed Dec 22

*An Act for the relief of Margaret Griffith, of Frederick-Town, in Frederick County.* Lib. TH. No. 4, fol. 8. A Private Act.

Making valid the deed for a lot in Frederick-town from Henry Garnhart to Richard Griffith.