

C H A P. XXIX.

An ACT for the division of Washington county, and for erecting
a new one by the name of Allegany. Passed December 25.

WHEREAS a number of the inhabitants of Washington county, by their petition to the general assembly, have prayed that an act may pass for a division of said county by Sideling Hill Creek, and for erecting a new one out of the western part thereof; and it appearing to this general assembly that the erecting such new county will conduce greatly to the due administration of justice, the speedy settling and improving the western part thereof, and the ease and convenience of the inhabitants thereof, Preamble.

II. *Be it enacted, by the General Assembly of Maryland,* That all that part of Washington county which lies to the westward of Sideling Hill Creek, shall be and is hereby erected into a new county, by the name of Allegany county, and the inhabitants thereof shall have, hold and enjoy, all such rights and privileges as are held and enjoyed by the inhabitants of any other county in this state. A new county erected, &c.

III. *And be it enacted,* That the county court and orphans court for Allegany county shall be held at the town of Cumberland, until the voters of said county, by election to be held as herein after provided, shall determine on some other place; and until a place shall be fixed on by the said election, and a court-house shall be built, the justices of said county may contract and agree, at the county charge, for a convenient place in the said town to hold their courts, and for a convenient place in the said town for the keeping their books, papers and records. Where the courts are to be held, &c.

IV. *And be it enacted,* That all causes, pleas, process and pleadings, which now are, or shall be depending in Washington county court before the first Monday in December, seventeen hundred and ninety, shall and may be prosecuted as effectually in that court as if this act had not been made; and in case any deeds or conveyances of land in that part of Washington county now called Allegany county, have been, or shall be before the first Monday in December, seventeen hundred and ninety, acknowledged according to law, the enrolment or recording thereof, in either of the said counties, within the time limited by law, shall be good and available. Causes, &c. may be prosecuted, &c.

V. *And be it enacted,* That the county charge of Washington county, heretofore assessed, shall be collected and applied as if this act had not been made. Charge to be collected, &c.

VI. *And be it enacted,* That the county court and orphans court of Allegany county, shall first be held on the first Monday in April, seventeen hundred and ninety-one, and the said county court be afterwards held on the first Mondays in the months of April and September yearly, and the said orphans court shall be afterwards held on the second Monday in the months of June, August, October and December, and the same courts shall have the same powers and jurisdiction respectively, as other county and orphans courts within this state. When courts are to be held, &c.

VII. *And be it enacted,* That all civil causes to be brought in Allegany county, shall be determined within two courts from the appearance court, and none shall continue longer, unless under such circumstances as civil causes in other county courts may be continued longer than three courts from the appearance court. Causes, how long to continue, &c.

VIII. *And be it enacted,* That the governor and council be authorized and required to commission fit and proper persons in the said county to act as justices of the peace, and fit and proper persons as justices of the orphans court, as also surveyor and other officers, and that a fit and proper person be appointed by the governor and council sheriff of Allegany county, and be commissioned and qualified in the usual manner, to continue in office until a new appointment shall take place in the other counties of this state, under an election according to the constitution and form of government. Governor, &c. to commission justices, &c.

IX. *And*