

C H A P.
XLIII.
Inhabitants to
meet, &c.

II. *Be it enacted, by the General Assembly of Maryland,* That the inhabitants of the said parish be and they are hereby authorized and empowered to meet at their parish church, on the first Monday in February next, and then and there proceed to elect seven vestrymen and two churchwardens for the said parish; which vestrymen and churchwardens, when so elected, shall have, and they are hereby declared to be vested with, all the power and authority of select vestries under and in virtue of the laws of this state, in as full and ample a manner as if they had been elected at the time appointed by law, and shall be subject to the same regulations and penalties.

C H A P. XLIV.

Passed De-
cember 27.

An ACT to lay off a road from New Market, in Kent county, to Isaac Perkins's mill, in said county.

Preamble.

WHEREAS sundry inhabitants of Kent county have petitioned the general assembly for laying off a public road in the most convenient direction from New Market, in the said county, to Isaac Perkins's mills,

Persons ap-
pointed to lay
off a road,
&c.

II. *Be it enacted, by the General Assembly of Maryland,* That John Lambert Wilmer, John Maxwell, Mark Alexander Cox, Nathaniel Comegys and John Browning, or any three of them, be and they are hereby appointed commissioners to lay off and open a road from New Market aforesaid to Isaac Perkins's mills aforesaid, if they shall determine one necessary, in the most convenient direction, of the same width as other public roads in the said county; and the said road, when so laid out, opened, cleared and completed, shall be recorded among the records of Kent county court, and be thereafter deemed to be a public road, and shall be kept in repair in the same manner as other public roads in the said county are kept in repair.

And value the
damage, &c.

III. *And be it enacted,* That the commissioners aforesaid, or any three of them, shall ascertain, value and determine, the damage done, and sustained by, any person or persons through whose land the said road may pass, by laying off and opening the road aforesaid, and make their return thereof, under their hands and seals, to the justices of Kent county court, at their next sitting after the passage of this law; and the said valuation shall be made before the said commissioners shall proceed to open and clear the same; and in case any proprietor or proprietors, or their guardian or trustee, or the said petitioners in case they shall be adjudged to pay the said expences and damages, shall conceive themselves aggrieved by the valuation of the said commissioners, it shall and may be lawful for any justice of the peace for Kent county, and they are hereby required so to do on application of any person or persons interested, to issue his warrant, directed to the sheriff of the county, commanding him to summon nine freeholders, disinterested as to the said road, to appear, on a day by him to be appointed, on the land of the person making application as aforesaid; and the said freeholders shall respectively repair to some magistrate of the said county, and take the following oath, or affirmation, to wit: "I, A. B. do swear, or affirm, that I will honestly and faithfully estimate and value the damage and injury sustained by C. D. by opening a road through the land of the said C. D. in pursuance of this act," and shall return the damages by them assessed to the clerk of Kent county; and the damages so assessed by the said freeholders, or a majority of them, and returned, shall be conclusive.

Proviso.

IV. *Provided,* That the said commissioners shall not stop up any part of the present road leading from March's Lane, in the county aforesaid, to New Market aforesaid.

Justices to de-
clare who is
to pay the
damage, &c.

V. *And be it enacted,* That the justices of Kent county court, when the damage is ascertained, valued, and returned to them, by the commissioners aforesaid, or any three of them, in manner aforesaid, or when the damage is ascertained, valued, and returned to the clerk of Kent county, by the freeholders aforesaid,