

original location, where the same has been removed by individuals, and where the same can be done with advantage and convenience. C H A P.
XXXV.

IV. **Provided nevertheless, and be it enacted,** That all costs, charges and expences, attending the laying out, marking and bounding, the aforesaid road, shall be paid by the said petitioners, or such of them as shall be most benefited thereby. Proviso.

V. **And be it further enacted,** That after the said petitioners, or such of them as are most benefited in the establishment of the said road, shall have streightened, amended, and repaired the same, under the directions of the commissioners aforesaid appointed by virtue of this act, that then the aforesaid road shall be kept in repair in the same manner as other public roads are directed to be kept in repair in the said counties. Road to be kept in repair, &c.

C H A P. XXXVI.

An ACT to open a road from Shoals's mill (now the property of John Hood) to intersect the main or turnpike road leading from Baltimore-town, through Liberty-town, at or below the branch of Benjamin Bennett's. Passed December 22.

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants of Frederick and Baltimore counties, that it would be of great advantage to themselves, and the public in general, to have a road opened from Shoals's mill (now the property of John Hood) to intersect the main or turnpike road leading from Baltimore-town through Liberty-town, at or a little below where the aforesaid road crosses the branch at Benjamin Bennett's plantation, Preamble.

II. **Be it enacted, by the General Assembly of Maryland,** That William Gaither, of Frederick county, Robert Tevis and Beale Owens, of Baltimore county, or any two of them, be and are hereby appointed commissioners to survey, lay out and open, at the expence of the petitioners, or any part of them particularly interested therein, a road, not exceeding thirty feet in width, in the best and streightest direction from the aforesaid Shoals's mill, to intersect the main or turnpike road leading from Baltimore-town through Liberty-town, at or a little below where the aforesaid main road crosses the branch at Benjamin Bennett's plantation; and the said road, when so opened at the expence of the subscribers as above, 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 and Baltimore counties as the case may be, and be thereafter deemed and taken to be a public road for ever. Commissioners appointed, &c.

III. **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 is hereby authorized 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. Who may appoint a treasurer, &c.

IV. **And be it enacted,** That the commissioners aforesaid shall ascertain and value what damages may be sustained by any person or persons through whose land the said road may pass by opening the same, and the said valuation shall be made before the said commissioners shall proceed to open the same; provided always, that if any person or persons, through whose land the said road shall pass, or his, her or their guardian or trustee, shall conceive themselves aggrieved by such valuation and assessment of damages by the said commissioners, it shall and may And ascertain damages, &c.