

the discretion of the court, be paid in whole or in part by the petitioners, or levied, collected and paid as the damages herein before directed.

SEC. 12. *And be it enacted*, That wherever it shall be adjudged by the said court, that the damages, or any proportion thereof, sustained by reason of opening, widening, straightening, amending or altering any road, shall be paid by the petitioners, it shall be the duty of the petitioner or some one or more of them to prove to the satisfaction of the said court, that the said damages or such proportion thereof as aforesaid, having been fully paid or tendered to the respective parties entitled to receive the same; *Provided always*, that such proof shall be offered, and such road well and sufficiently cleared and made passable as herein before directed, when the same shall be adjudged to be done at the expense of the petitioners, within six months next after the judgment of the court, and in case the said proof shall not be offered and such road cleared and made passable as herein before directed, when the same shall be adjudged to be cleared and made passable at the expense of the petitioners within the time above limited, the said petition shall be considered as withdrawn by the said petitioners, and they are hereby declared answerable and bound for all costs and charges which may have accrued on such petition.

When expenses are adjudged, to be paid by petitioners; time limited, &c.

Proviso.

The time is elongated for twelve months, by 1831, ch. 60.

SEC. 13. *And be it enacted*, That when any old road shall be straightened, widened, altered or amended according to the provisions of this act, it shall not be lawful for the person or persons through whose lands the said road so straightened, widened, altered or amended passed, to shut up and close any such parts of the said old road as may be departed from by such straightening, widening, altering or amending, unless authorized so to do by the order of the said court.

Old road not to be shut without order of court.

SEC. 14. *And be it enacted*, That it shall be the duty of the clerk of Baltimore county court, whenever any road should be opened, widened, straightened, altered, amended or shut up agreeably to the provisions of this act, to record at length in a substantial and well bound book, to be provided and kept by him for that purpose, all and singular the proceedings which may have been had in relation thereto, together with a plot of the same, and such clerk and the sheriff of Baltimore county, shall be entitled to receive the same fees for all services rendered in virtue of this act, as are now allowed for like services to be paid as aforesaid.

Record directed, see therefor.

SEC. 15. *And be it enacted*, That all former acts and parts of acts, heretofore passed upon the subject of opening, straightening, widening, altering, amending or shutting up public roads, so far as the same relate to Baltimore county, be, and

Former acts repealed.