

AN ACT to regulate the manner of obtaining and altering Public Roads in Montgomery County.—1835, ch. 220.

**SEC. 1.** *Be it enacted, by the General Assembly of Maryland,* Application  
That from and after the passage of this act, the levy court of Montgomery county, upon the petition of any five or more freeholders, in said county, describing sufficiently any road which they may wish to have opened, straightened, altered or shut up, be and they are hereby authorized to issue a commission to three examiners, discreet, disinterested citizens, and freeholders of said county, authorizing them, or a majority of them, to meet upon the premises and enquire and examine whether the public convenience requires that the road should be opened, straightened, altered or shut up, agreeably to the petition, and if in their judgment the public convenience does not require the road to be opened, straightened, altered or shut up as prayed for, they shall make their return accordingly, and thereupon the proceedings shall end, and the petition be dismissed, and the petitioner shall pay all costs incurred; but Unfavourable report.  
if in their opinion the public convenience does require such road to be opened, straightened, altered or shut up, they shall make or cause to be made in their presence, and under their direction, a location of such road in the manner in which they shall believe the public interest and convenience will be best promoted, and also of such other portions of the adjacent country, roads, and streams of water, as they shall deem necessary to a clear understanding of the case, and shall cause a plat of the same to be made out with suitable explanations, and shall return the same, together with a full report of their proceedings under their hands, to the said court, and also the reasons whereon their opinion is founded. Costs.  
If favourable report.  
Location directed.  
Report.

**SEC. 2.** *And be it enacted,* That the said examiners, before they shall proceed to execute such commission, shall take an oath or affirmation, as the case may be, before a justice of the peace of the county aforesaid, to be by him certified upon said commission, that they will execute the said commission truly and faithfully, without favour, affection or partiality. Oath of examiners.

**SEC. 3.** *And be it enacted,* That the said examiners, or a majority of them, before they proceed to execute such commission, shall give at least thirty days public notice thereof to all persons concerned, by advertisement, describing the road proposed to be opened, straightened, altered or shut up, and appointing the day of meeting of said examiners upon the premises as aforesaid, which advertisement shall be published thirty days previous to said meeting, in one newspaper printed in said county, if any be published therein, a copy of which shall also be set up at five public places in the neighborhood, Notice required.