

CHAP. 62.

Expenses to be paid by proprietors.

Oath to be taken.

Constable to be appointed for town.

be allowed three dollars per day for each and every day he shall be employed by the commissioners for the purpose aforesaid.

7. AND BE IT ENACTED, That all expenses incurred in the execution of this act, shall be paid by the proprietors in the proportions to the number of lots they may severally own or possess.

8. AND BE IT ENACTED, That before any commissioner or surveyor shall proceed to the execution of the duties required of them by this act, he shall take an oath or affirmation, (as the case may be,) before some justice of the peace for the county aforesaid, that he will well and truly discharge the duties enjoined upon him by this act, according to the best of his judgment, without favour, affection or partiality.

9. AND BE IT ENACTED, That the levy court, at the time of appointing constables for the county aforesaid, shall appoint a constable in and for said town, who shall have the same power and authority that constables in the different hundreds have.

CHAP. LXIII.

Passed Dec 27.

An Act to survey and lay out a Road from near the dwelling of the late John Stevenson, to intersect the Old York Road near Jessop's Mill. Lib. TH. No. 3, fol. 79.

Commissioners appointed to lay out road—Its width, &c.

1. BE IT ENACTED, by the General Assembly of Maryland, That John M'Gaw, Thomas Price and William Hitchcock, be and they are hereby appointed commissioners, and they or a majority of them, are hereby authorised and empowered to survey and lay out, at the expense of the petitioners, or any person or persons who may think proper to contribute thereto, a road thirty feet in width, in the best and straightest direction the nature of the ground will admit of, beginning at a road near the dwelling of the late John Stevenson, to pass on the north-east side of the late Elijah Merryman's mill, and on the west side of the house that Walter Tebets lately occupied, and from thence to intersect the old York road on the north-east of Abednego Green's dwelling, near Charles Jessop's mill, and the said commissioners, or a majority of them, shall make out a plot of said road, and return the same to the clerk of Baltimore county court, to be recorded among the records of said county; and the said road, when opened and recorded as aforesaid, and the valuation herein after directed to be made shall have taken place, and the damages paid or secured to be paid to the person or persons entitled to receive the same, shall for ever thereafter be deemed a public highway, and kept in repair as other public roads in said county.

Damages to be ascertained.

2. AND BE IT ENACTED, That the commissioners aforesaid, or a majority of them, shall ascertain and value (if required) what damages may be sustained by any person or persons over whose land the said road may pass, taking into consideration the advantages and disadvantages (if any;) and the valuation shall be made and the amount thereof paid as aforesaid to the parties respectively interested, before the said commissioners or a majority of them shall proceed to open the said road; *Provided always*, that if any person or persons through whose land the said road may pass, or his, her or their guardian or trustee, shall conceive himself, herself or themselves, aggrieved by such valuation and assessment of damages by the said commissioners, it shall and may be lawful for any justice

Provides.