

## CHAP. 67.

Passed Dec 27.

Commissioners appointed to lay out road.

May examine road from Tudor's lane to Gen Ridgely's, and straighten same.

Old road may be shut up by persons interested.

Damages to be ascertained.

Provisos.

## CHAP. LXVII.

*An Act to lay out a Road from Richard Britain's Mill and Manufactory, to intersect M-Mechen's Road, at Tudor's Lane, in Baltimore County. Lib. TH. No. 3, fol. 82.*

1. **BE IT ENACTED**, by the General Assembly of Maryland, That William Hutchins, Matthias Adrion and Bennett Jarrett, 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 petitioner, or any person or persons who may think proper to contribute thereto, a road forty feet in width, in the best and straightest direction the nature of the ground will admit of, beginning on the banks of the great falls of Gunpowder, near where an old school-house formerly stood, the place where the parties interested have agreed upon, and from thence until it intersects M-Mechen's road, at the mouth of Tudor's lane; 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 hereinafter 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.

2. **AND BE IT ENACTED**, That it shall be the duty of the said commissioners to examine and view the road from the mouth of Tudor's lane to General Ridgely's gate, and straighten the same, where, in their opinion any advantage will result, provided they have the consent of those through whose land the said road now passes; and if any alteration is made, the commissioners shall return a plot of the whole road from Britain's mill to Ridgely's gate.

3. **AND BE IT ENACTED**, That any part of the old overshot road which shall become useless and unnecessary by reason of opening the first mentioned road, as soon as the same is made passable, may be shut up by any person or persons through whose land the said old road now passes.

4. **AND BE IT ENACTED**, That the commissioners, or a majority of them, shall ascertain and value, (if required,) what damages may be sustained by any person or persons over whose lands the said road may pass, by opening the same, taking into consideration the advantages and disadvantages, (if any;) and the valuation shall be made before the said commissioners 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 themselves aggrieved by such valuation and assessment of damages by the said commissioners, it shall and may be lawful for any justice of the peace of said county, on application of the party interested, or his, her or their guardian or trustee, to issue his warrant, under his hand and seal, directed to any constable of the county, commanding him to summon twelve freeholders, not related to the person so applying for a jury, or in any way interested in the opening of the said road, to appear on a day, by the said justice to be appointed, on the land of the person or persons making application as aforesaid, or for whose benefit such application shall be made; and the said freeholders, having