

owner or owners of the land over which such road so laid out shall pass, and what damages such owner or owners will actually suffer from the passage of such road over the said land, the said jury taking into consideration all conveniencies and inconveniencies, advantages and disadvantages, if any, arising thereby or therefrom, by the opening of said road; and such sheriff shall return the inquisition of the jury aforesaid, under their hands and seals, and the hand and seal of said sheriff, to the levy court of the county, and the amount of damages therein expressed, if any, shall be paid, or secured to be paid, agreeably to the direction of the levy court, or may be levied, collected and paid, as other county taxes are levied, collected and paid; *Provided*, that no road shall be made to run through any building, enclosed garden, yard or orchard, without the consent of the owner or owners, nor shall any field in which grain, hemp, flax, tobacco, meadow, or other cultivated vegetables are growing, be laid open until after the season for collecting and securing the crop growing in such field.

Proviso.

4. AND BE IT ENACTED, That the levy court of Allegany county shall have all the power and authority of granting private roads that by law is now vested in the county courts; *Provided*, that there may be an appeal from the decision of the levy court to the county court, in the same manner as from the county court to the general court, and the county court, on such appeal, shall have the same authority as the general court would have had on an appeal from the county court.

Levy court authorised to grant private roads.

5. AND BE IT ENACTED, That so much of the act,* entitled, An act to declare and ascertain the right of citizens of this state to private roads or ways, as is inconsistent with the provisions of this act, be and the same is hereby repealed.

Part of an act repealed. 1785, ch. 49.

6. AND BE IT ENACTED, That the levy court of the said county be and they are hereby vested with power and authority to apportion the labourers on the several public roads in the said county, and to make such further regulations to carry the road laws of said county into effect as they may think proper.

Court authorised to apportion labourers.

See 1804, ch. 81.

7. AND BE IT ENACTED, That a road already laid out from the town of Cumberland to Sidling Hill Creek, by virtue of an act, † entitled, An act to lay out, alter and confirm, certain roads in Allegany county, so far as the same is opened, shall be deemed and considered as a public road, and shall be cleared and kept in repair in manner as is provided for the repairing the public roads of said county; and upon the further opening of the said road, such part thereof shall immediately be considered as part of the public roads of the said county, and shall be cleared and kept in repair in manner aforesaid.

A certain road made public. † 1799, ch. 78.

8. AND BE IT ENACTED, That this act shall be in force for three years, and to the end of the next session of assembly that shall happen thereafter.

Duration.

Continued by 1804, ch. 81, to 30th October 1807, &c. and by 1805, ch. 89, for four years, &c. Further continued by 1810, ch. 147, and other annual continuing acts.