

and recorded as aforesaid, the same shall then, and for ever thereafter, be deemed and taken as a public highway, and kept in repair in the same manner as other public roads in said county are.

CHAP. 33.

5. AND BE IT ENACTED, That the expenses arising in the execution of this act shall be paid by the said Levin Lockett.

Expenses to be paid by L. Lockett.

CHAP. XXXIV.

An Act to lay out and open a Road from John Orme's Plantation to intersect the Main Road leading from William Darnes' to Montgomery County Court House. Lib. JG. No. 4, fol. 41.

Passed Dec. 31.

WHEREAS sundry inhabitants of Montgomery county have, by petition to this general assembly, prayed that a road may be opened from John Orme's plantation to intersect the main road leading from William Darnes' to Montgomery county court house; and the same appearing reasonable, therefore,

Preamble.

2. BE IT ENACTED, by the General Assembly of Maryland, That Charles Goswamy, William Darnes and Richard West, or any two of them, be and they are hereby appointed commissioners to survey, lay out and open a road, to intersect the main road leading from William Darnes' to Montgomery County Court-House, at the expense of the petitioners, not exceeding thirty feet in width, in the following direction, to wit: Leaving the old public road opposite Archibald Orme's plantation, and running with the lands of Thomas Beall, of George, and the heirs of Johnsey Gaither, as the road now runs, thence with the lands of Thomas Beall, of George, and the heirs of Samuel Clagett, as the road now runs, by the Union mills, then through the lands of James Lackland and Elisha O. Williams, leaving their plantations to the south, to the Union Chapel, then from said Chapel, through the land called The Pines, till it intersects the main road leading from William Darnes' to Montgomery County Court House, at or near the upper end of the plantation of Thomas Nicholls, of Simon; and a plot of said road, when surveyed and laid out, together with a certificate and courses of the same, shall be returned by the commissioners to the levy court of Montgomery county, to be there recorded; and the said road when opened, shall for ever thereafter be deemed and taken to be a public highway, and repaired in the same manner as other public roads in said county are repaired.

Commissioners appointed to lay out road.

3. AND BE IT ENACTED. That on application of the party or parties interested, the said commissioners, or any two of them, shall ascertain and value what damages may be sustained by any person or persons through whose land the said road shall pass, and the same, when so ascertained and assessed, shall be paid, or secured to be paid, by the said petitioners, before the commissioners appointed by this act shall proceed to open the said road; Provided always, that if any person or persons through whose land the said road shall pass, or his, her or their guardian or trustee, shall conceive themselves aggrieved by such valuation and assessment of damages, it shall and may be lawful for the said commissioners, or any two of them, to issue their warrant to the sheriff of the county, to summon twelve disinterested freeholders of said county, to appear on the premises, on a day by them to be appointed, and the commissioners are hereby authorised to administer an oath to every person so summoned, that he will, without favour, affection, partiality or

Damages to be ascertained.

Proviso.