

the plots of other public roads in the said county are recorded; and the said road shall thereupon be a public road, and shall thereupon be opened and kept in repair in the same manner that other public roads have been opened and kept in repair in the said county; and to defray the expense of doing so, the said court shall levy upon the taxable property of the said county, a sum sufficient therefor.

5. AND BE IT ENACTED, That if any of the said commissioners die, refuse to act, resign, or in any way be unable to act in the premises, the levy court of Washington county shall appoint one or more, as the case may be, to supply such vacancy.

Vacancies, how to be supplied

6. AND BE IT ENACTED, That the commissioners acting in virtue of this law, shall each of them have and receive from the levy court aforesaid, two dollars for each day they shall be actually employed about the said road; and the levy court aforesaid shall make a reasonable allowance for the surveyor and chain-carriers to be employed by the said commissioners in laying out the said road.

Commissioners compensation

CHAP. XIX.

An Act to lay out and make public a Road in Frederick County. Lib. Passed Jan 9, 1815  
TH. No. 4, fol. 249.

1. BE IT ENACTED, by the General Assembly of Maryland, That Nicholas Holtz, Isaac Mantz, Robert McPherson, Valentine Buckley and David Buckey, be and they are hereby appointed commissioners, and they, or a majority of them, are hereby authorised to lay out, make public, widen and straighten, at the expense of the petitioners, or such of them as may be willing to contribute thereto, the road now leading from George Shafer's to Bartgis's paper mill, and thence to Brown's, on the west side of the Catoctin mountain, and thence by Delawter's mill till it intersects the new cut road from Frederick-town to Hughe's coaling ground, so as to do as little injury as possible to the lands through which it passes; *Provided*, that the said road shall not pass through any houses, gardens, orchards or meadows, without the consent of the owners thereof; and that the said road, when so laid out and completed, shall be recorded among the land records of said county, and be thereafter deemed and taken to be a public road, and shall be kept in repair as other roads in said county are directed to be.

Commissioners appointed to lay out road

Proviso

2. AND BE IT ENACTED, That the commissioners aforesaid, or a majority of them, shall value and ascertain the damages that may be sustained by any person or persons through whose land the said road may pass, by opening and making the same, and the damages so ascertained, shall be paid over to the person or persons entitled to the same, before the said road shall be recorded or considered to be a public road.

Damages to be ascertained

3. AND BE IT ENACTED, That the said commissioners, or a majority of them, before they proceed to act, shall each take an oath before some justice of the peace, that he will, without favour, affection, prejudice or partiality, assess the damages sustained by the person or persons through whose land the said road shall pass; *Provided*, that no person or persons through whose land the said road shall pass, and who has signed the petition for the same, shall be entitled to any damages by virtue of this act.

Commissioners to take an oath

Proviso