

running reverse with the said line to intersect the main road leading from Hager's-town through Charlton's Gap to Baltimore, and the said road, when so laid out and opened, and the valuation hereafter directed to be made shall have taken place, shall be deemed and considered as a public road, and be kept open and repaired as all other public roads in said county.

CHAP. 45.



3. AND BE IT ENACTED, That the aforesaid commissioners, or any two of them, shall ascertain and value what damages may be sustained by the person or persons through whose land the said road may pass, by opening the same, and the said valuation shall be made before the said commissioners proceed to open the same; *Provided* Damages to be ascertained. *always*, that if any person or persons, through whose land the said road shall pass, 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 Frederick county, on application of the party interested, to issue his warrant, under his hand and seal, directed to any constable of the county, commanding him to summon five freeholders, disinterested as to the said road, to appear on a day by him to be appointed, on the land of the person making application as aforesaid; and the said freeholders, having first made oath before some justice of the peace, that they will, without favour, affection, prejudice or partiality, assess the damages sustained by the person or persons at whose request such inquisition shall be taken, by reason of opening the aforesaid road through his land, shall thereupon proceed to assess and value the damages accordingly, of which the said commissioners shall have at least five days previous notice, and shall return the damages so assessed to the said justices of the peace, and such inquisition and valuation shall be final and conclusive; and the party or parties in whose favour the valuation ascertained by the said commissioners, or the damages assessed by the said freeholders, shall be made, shall be entitled to receive the same from the said commissioners, and the said commissioners shall pay, or secure to be paid, the amount of the said valuation or damages to the respective parties entitled to the same, before they shall proceed to affect the lands of the person or persons concerned. Proviso.

CHAP. XLVI.

An Act authorising the Justices of the Levy Court for Baltimore County to lease and exchange the Property therein mentioned. Passed Jan 20 1808 Lib. TH. No. 1, fol. 352.

Supplement, 1811, ch 111. Other acts 1805, ch. 95, and 1817, ch. 87.

WHEREAS it is represented to this general assembly, that by the extension of Howard-street through the ground appropriated to the use of the alms-house of Baltimore county, a part of said ground lying on the east side of said street, in a triangular figure, is cut off and separated from the residue of said ground in such manner as to render it of little or no advantage to the said alms-house: And whereas it is further represented, that the said justices of the levy court could, if authorised by law so to do, exchange a part of said triangular piece of ground, so as to render the same of a more advantageous figure, and could also lease the same on terms which would yield a handsome revenue to Baltimore county, and highly promote its interests; therefore, Preamble: