

CHAP. 93.

Authorised to re-  
view part of the  
Joppa road, &c.

3. **AND BE IT ENACTED,** That the commissioners herein named be and they, or a majority of them, are empowered, to review that part of the Joppa road that leads from Charlesborough until it intersects the road leading from the upper cross roads to Baltimore, and to view the ground from the end of the World's-end hill to the aforesaid Joppa road, and if the commissioners should be of opinion that a road from the end of the World's-end hill to intersect the Joppa road near Gittings's orchard, would be of greater utility to the public than the old Joppa road already opened is, and should direct the same to be opened, the persons over whose land the old road doth pass, may be at liberty to shut it up; and the commissioners aforesaid are directed to return a plot of said road, when surveyed and laid out, to the clerk's office of Baltimore county court, there to be recorded: and provided, that the said last mentioned road shall not pass through the yard, garden, orchard or meadow, of any person, without his or her consent, in writing, first had and obtained.

Damages to be as-  
certained.

4. **AND BE IT ENACTED,** That the commissioners aforesaid, or a majority of them, be and they are hereby authorised and directed, to ascertain and value what damages may be sustained by any person or persons through whose lands the said road may pass, by opening and clearing the same, and the said valuation shall be made and paid, or secured to be paid, before the commissioners shall proceed to open and clear the same; and in case any proprietor or proprietors shall conceive him, her or themselves, aggrieved by the valuation of the said commissioners, it shall and may be lawful for the said commissioners, or a majority of them, on the application of any person interested, to issue their warrant, under their hands and seals, to the constable of the hundred where such lands may be, commanding him to summon twelve freeholders, not interested in the said lands, to appear on a day by them appointed on the said lands, at which time and place such freeholders, so summoned, shall respectively appear before the said commissioners, and take the following oath, to wit: "I, —, do swear, that I will honestly, without prejudice or partiality, value the damages and injury that may be sustained by opening a road through the land of —, in pursuance of this act of assembly;" and shall return an inquisition of such damages, so assessed, to clerk of Baltimore county court, and the damages so assessed shall be conclusive.

Persons benefitted  
to pay damages.

5. **AND BE IT ENACTED,** That the persons who may conceive themselves interested or benefitted by the aforesaid road, are hereby required to pay, or secure to be paid, into the hands of the commissioners aforesaid, or some one of them, for the use of the person or persons in whose favour such valuation may be made, previous to the laying out and opening the road aforesaid; and in case of compliance with the provisions of this act, the said road shall be considered a public highway, and kept up in the same manner as other public roads in said county.

Allowance to com-  
missioners.

6 **AND BE IT ENACTED,** That the commissioners respectively herein before named shall be entitled to receive two dollars for every day they shall severally attend to discharge the duties required by this act, to be paid by the person or persons applying for said road.