

CHAP.
XXX.

individuals through whose lands the same may pass, shall be paid by the said John Ellicott, Elisha Tyson, William and Charles Jeffop, John Baxly and George Leggett, in equal proportions.

Proviso.

VII. **Provided always,** That no damages shall be allowed to the said John Ellicott, Elisha Tyson, William and Charles Jeffop, John Baxly or George Leggett, for any of their, or either of their, lands, through which the said road, or any part thereof, may pass.

Road to be
deemed
public.

VIII. **And be it enacted,** That the said road, when made and opened, or such part thereof as shall be made and opened, shall be a public road, and kept up and supported at the county expence.

In case of dis-
agreement, a
jury to be
summoned,
&c.

IX. **And be it enacted,** That if the person or persons appointed by this act to pay the damages occasioned to individuals as aforesaid, cannot agree with them as to the compensation, the commissioners aforesaid shall issue their warrant to the sheriff of Baltimore county, commanding him to summon and return a jury of twelve good and lawful men of the said county, to be and appear before two or more of the said commissioners, on the premises, at a certain day in the said warrant to be expressed; which jury, upon their oath, to be administered by any one of the said commissioners, shall inquire who is or are the owner or owners of the land through which the said road may pass, and what damages such owner or owners will actually suffer therefrom, taking into consideration all circumstances; and the said commissioners shall lodge the inquest of the said jury, or any eight of them agreeing, under the hands and seals of the said commissioners and jurors, with the clerk of the county court; and the amount of the damages therein expressed shall be paid as herein before mentioned.

Damages to
be first paid.

X. **And be it enacted,** That no part of the road aforesaid shall be opened, until the damages to individuals, occasioned by the passage thereof through their lands, agreed on or assessed by a jury, shall have been paid, or tendered and refused.

Road to be
laid out from
Jeffop's mill,
&c.

XI. **And be it enacted,** That the said commissioners be and they are hereby authorized and directed to lay out another road from Jeffop's mill to the most convenient part of the present road leading from Tyson's to Baxly's mill; and the same, so laid out, shall be made and opened, and all expences and damages as aforesaid paid, by the said William and Charles Jeffop; which damages shall be ascertained, in case of disagreement, as aforesaid; the said road, when made and opened, to be a public road, and supported at the county expence.

Road to be
public, &c.

XII. **And be it enacted,** That the present road leading from Tyson's to Baxly's mill, shall be a public road, and supported at the county expence, until the road directed to be laid out and opened by this act from the said Tyson's to Baxly's mill shall be completed by the said William and Charles Jeffop, and no longer, saving, however, to the said John Baxly, any rights or advantages he may have acquired, respecting the present road, in virtue of any verbal or written contract with the aforesaid Elisha Tyson.

Commission-
ers to lay out
a road, &c.

XIII. **And be it enacted,** That the said commissioners be and they are hereby authorized to lay out another road, branching from the road directed to be laid out by this act, near Leggett's Ford, down the east side of Jones's Falls by Hanlon's upper mill, from thence by the north corner of Tagart's dam, until it intersects the old road leading to Baltimore-town, near the said dam; and the same, when laid out, shall be opened, and the expences and damages to individuals paid, by Josias Pennington, William Askew, Jonathan Rutter, John Rutter, Jonathan Askew and Patrick Mullun; which damages, in case of disagreement, shall be ascertained as aforesaid; and the said road, when made and opened, shall be a public road, and supported at the county charge.