

thence in as straight a direction as the ground will admit of, to the distillery of Mr. Elisha Howard, near the Sugar Loaf Mountain, from thence to the lane between the farms of Mr. John Willson, and Mr. John Evey, and thence until it intersect the Frederick and Georgetown road, somewhere in the neighbourhood of Clarksburg in Montgomery county; and the said commissioners shall make out a plot of that part of the road through Frederick county, and a plot of that part of the road through Montgomery county, and return the same to the clerk of the respective counties, for which the same is made out, to be recorded among the records of said county; and the said road when so opened, shall be thereafter deemed to be a public road forever, and shall be kept in repair in the same manner as other public roads are directed to be kept in said counties.

Plat—record

Public highway

Sec. 2. *And be it enacted*, That the expenses of surveying and opening that part of said road, in Frederick county, shall be paid by Frederick county, and the expenses of surveying and opening that part of said road in Montgomery county, shall be paid by Montgomery county, and the Levy court or commissioners of said counties, as the case may be, are hereby authorised and required on receiving from the commissioners appointed by this act, an account on oath, of said expenses including an allowance of two dollars per day, to the commissioners for their services, to levy the same on the assessable property of said counties respectively, to be collected as other county charges are now collected.

Expenses defrayed

Compensation

Sec. 3. *And be it enacted*, That the said commissioners 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 be made to pass, taking into consideration the advantages and disadvantages (if any) and the damages so ascertained, shall be levied and assessed as other county charges in said counties are, and shall be paid by the counties wherein such damages may be sustained; and in case any person or persons through whose lands the said road shall be made to pass, shall be aggrieved by the assessment of damages by the said commissioners, an appeal may be taken to the next county court, who are hereby authorised to take cognizance of the matter, and to pass such judgment thereon as to them shall seem agreeable to the justice and right of the case.

Damages—levy

Appeal provided