

cis Valdenar, Henson Clark, and Joel Simpson, of Montgomery county, be and they are hereby appointed commissioners to survey, lay out, straighten and amend, the public road from John Barnes' tavern in said county, to the Burnt Mills, and thence to the cross roads near the house of Thomas Gittings, wherever they may believe the public interest and convenience may require it; *Provided*, that the said road shall not exceed thirty feet in width.

1830.
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Sec. 2. *And be it enacted*, That the said commissioners, or a majority of them, are hereby authorised and empowered, to cause a plat of the road, so straightened and amended, to be made and returned to the clerk of Montgomery county court, to be by him recorded, and the said road, when so straightened and amended, and the plat thereof recorded as aforesaid, shall be deemed 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 county; *Provided*, that the said road so altered, straightened and amended, shall not pass through any house, yard, garden, orchard, or meadow, without the consent in writing of the owner or owners of the same.

Provisos

Plat thereof to be made.

Proviso.

Sec. 3. *And be it enacted*, That the said commissioners, or a majority of them, shall value and ascertain the damage that may be sustained by any person or persons through whose land the said road may be made to pass, and the damage so ascertained, shall be levied and assessed as other county charges are, and shall be paid over to the person or persons entitled to the same.

Damages.

Sec. 4. *And be it enacted*, That the aforesaid commissioners, or a majority of them, before they proceed to act, shall take an oath, or affirmation, before some justice of the peace in said county, that they will without favour, partiality or prejudice, assess the damage sustained by the person or persons through whose lands the said road may pass.

Oath.

Sec. 5. *And be it enacted*, That nothing herein contained shall be construed to authorise the commissioners aforesaid to straighten and amend the said road, until the privilege of the Columbia Turnpike Company to make a turnpike road from or near Ellicott's Mills to the line of the District of Columbia, in a direction to George-Town, shall relinquish, by writing, under the seal of said company, so far as the privilege extends to making the said turnpike road through Montgomery county, which relinquishment, when so made, shall be recorded in the office of the clerk of Montgomery county court, an office copy thereof shall be evidence of such relinquishment.

Relinquishment of rights.

Sec. 6. *And be it enacted*, That so soon as the said turnpike company shall have made such relinquishment,

Levy authorised.