

of the city of Baltimore, if extended, would pass said stream, and to enter upon, locate, condemn and open the road leading from the termination of Baltimore street, in the direct line thereof, to the Garrison Forest Road running between the Calverton Turnpike Road and the Baltimore and Frederick Turnpike Road, and to change the grade of said road to be condemned and opened, and to gravel, curb and pave the same; and also to change the grade of the Calverton Turnpike Road where it crosses Gwynn's Run; *provided*, that the written consent of the owners of said Calverton Turnpike to any proposed change of grade of said road shall be first obtained.

Proviso.

Repealed.

Sec. 2. *And be it enacted*, That so much of the section second, of the aforesaid original act, as declares that no allowance shall be made to any of the property holders for any land required for the bed of said street or road, or for any material on, adjacent to, or in the vicinity of the line of said street or road, be and the same is hereby repealed.

Condemnation of land.

Sec. 3. *And be it enacted*, That said commissioners, or a majority of them, shall have power to condemn any land required for the bed of the said street or road, and also to condemn and take away any material on, adjacent to, or in the vicinity of the line of said street or road that may be required for the construction of said bridge, or the grading and construction of the bed of said street or road and shall have power to assess and value the damages sustained by the owners of the lands over which the said road is to be located, or from which the said material may be taken, taking into consideration the benefits or disadvantages of said road as the case may be, to such owners; this section not to be construed to interfere with the proviso in the fourth section.

Apportionment of costs.

Sec. 4. *And be it enacted*, That the said Commissioners shall after having ascertained the whole amount of damages as aforesaid, and the aggregate of the cost, (according to the contracts entered into,) for building said bridge and grading, curbing and paving said road as provided in the second section of said act, and after having added thereto, an estimate made by them of the probable amount of expenses to be incurred in the performance of the duties herein required of them, shall proceed to assess and apportion the cost of said improve-