

CHAP. 116

CHAPTER 116.

Passed March 3.
1828.

An act to alter and improve the road from Port Deposit to Chesapeake, in Cecil county.

Preamble

WHEREAS, it is represented to this General Assembly, that a public road in Cecil county, running from Port Deposit to Chesapeake, in said county, encounters, from its present location, such serious obstacles as to require, for the safety and convenience of travellers, a change in part of the route and location of said road: Therefore,

Commissioners to locate

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That David Gilmore, John Creswell, Thomas L. Savin, George Gale and George A. Thomas, be, and they are hereby appointed commissioners, with power to fill up vacancies in their body, to lay out and make such alterations in the location of said road from Port Deposit to Chesapeake as they may think most eligible and proper for the public safety and convenience.

Appoint temporary supervisor or compensate him

SEC. 2. *And be it enacted,* That the said commissioners shall have power to appoint a supervisor to make and repair said road, in such manner as they, the said commissioners shall think proper to direct, and to allow him such a salary as they may think him entitled to, until said alterations and improvements in said road are completed, after which they shall deliver the said road up to the levy court of Cecil county, to be kept by them in repair as other roads are in said county.

Old road revert to former owners

SEC. 3. *And be it enacted,* That all that part of the old road which shall be left out of the route by the commissioners, shall revert back to the landholders of the land through which it passes, provided said landholders are willing to receive the same in lieu of the land that may be condemned by the commissioners for the new route.

Method of assessing damages

SEC. 4. *And be it enacted,* That should there be any landholder, who shall refuse to receive those parts of the old road in place of the land condemned by the commissioners, he, she or they shall have a right to apply to the levy court of said county, who shall thereupon issue their warrant to the sheriff of the county to summon a jury of disinterested men, who are not related to any of the parties, to value the damages, bring into consideration the advantages and disadvantages, and whatever the said jury may allow, shall be paid to the parties, and the decision of the jury shall be considered final.

Levy of \$100 for expenses

SEC. 5. *And be it enacted,* That the levy court of Cecil county, shall be and they are hereby authorised and required, on the first annual levy made after the passage of this act, to levy upon the assessable property of said county, the sum of one hundred dollars, which sum, as soon as collected, shall be paid to the said commissioners, or to any person who a majority of said commissioners may authorise to receive the same, for the purposes of making the alterations and repairs in the said road.