

CHAP. 83.



ryland, That Henry Nyman, David Brookhart and Doctor Ezra Slifer, or a majority of them, be appointed commissioners for the purpose of opening a street in Boonsborough called Patrick-street, commencing at the front of the lots of Patrick Carney, and the heirs of John Root, running back on the division line of said lots, to a stake planted between the lots of John Waggoman, senior, and George Fague, running thence to a stake planted nearly opposite to Conrad Dagenhart's dwelling, running thence to a stake planted opposite to Jacob Norris's dwelling, and thence running on an alley of ten feet wide to the Baltimore and Frederick-town turnpike road, the said street not to exceed sixteen feet in width.

Damages to be ascertained

Sec. 2. *And be it enacted*, That the said commissioners, after giving ten days notice in two of the public papers of Hager's-town, shall proceed to ascertain and determine what damages will be sustained by the owners of property lying within or adjacent to said street, by reason of opening thereof, taking into consideration all advantages and disadvantages, and that the said commissioners return to the levy court the amount of damages ascertained and assessed as aforesaid.

Levy court must first determine it is necessary

Sec. 3. *And be it enacted*, That before the commissioners aforesaid shall proceed to act, the levy court of Washington county shall first determine that the opening of the said street is right and necessary, and in such case they are hereby authorised to levy on the taxable property of said county the amount of damages ascertained as aforesaid, for the purpose of paying over to the persons aggrieved the damages arising from the opening said street, and returned by the commissioners aforesaid.

Commissioners to take an oath

Sec. 4. *And be it enacted*, That the said commissioners, before they proceed to perform the duties assigned them by this act, shall take the following oath, or affirmation, before some justice of the peace: "I, A B, do solemnly swear, (or affirm,) that I will forthwith, and to the best of my abilities, execute the duties assigned me by the act, entitled, An act for the opening a street in Boonsborough, in Washington county, to be called Patrick-street, without favour or partiality."

Their compensation

Sec. 5. *And be it enacted*, That the said commissioners shall receive as a compensation for their services two dollars per day, for every day they may act, which compensation is to be paid by the levy court of Washington county as a part of the expenses of opening said street, which shall be assessed and collected in manner aforesaid.