

CHAP. 89.

sideration, from the old Liberty road near Alexander Warfield's mill, in Frederick county, to Thomas B. Owen's mill, thence to intersect the Baltimore and Frederick-town turnpike road at Ridgeville Post-Office, on said road, and thence through Anne-Arundel and Montgomery counties to intersect the Quaker road, at some convenient point above and near Damascus; and the said commissioners, or a majority of them, shall make out a plat of that part of the road through Frederick county, and return the same to the clerk of the county court of Frederick county, to be recorded among the records of said county; they shall also in like manner make out a plat of that part of the road through Anne-Arundel county, and return the same to the clerk of Anne-Arundel county court, to be recorded among the records of said county; and they shall in like manner make out a plat of that part of the road through Montgomery county, and return the same to the clerk of Montgomery county court, 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.

Expenses to be paid by the several counties

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; the expenses of surveying and opening that part of said road in Anne-Arundel county, by Anne-Arundel county; the expenses of surveying and opening that part of said road in Montgomery county, by Montgomery county; and the levy courts or commissioners of said counties, as the case may be, are hereby authorised and required, on receiving from the commissioners appointed for each county respectively, or a majority of them, an account on oath, or affirmation, of the 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.

Damages to be ascertained

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, 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, to the persons thereunto entitled; *Provided*, that it shall not be lawful for the commissioners to act in any case, either to survey and locate said road, or to value and ascertain damages, without at least one of the commissioners of the county in which the proceedings may take place, being present.

Proviso