

245. and empowered to alter and change so much of the Columbia road as is necessary to connect it with said bridge, and to contract for the building of said bridge and making said connecting road, with a contractor or contractors, who shall give bond to be approved by said commissioners or a majority of them, conditioned for the performance of the work agreeably to the specifications of said commissioners.

To render to Commissioners of tax an account of monies expended

SEC. 3. *And be it enacted*, That the commissioners aforesaid or a majority of them shall render to the commissioners of tax of Montgomery county and Howard District in Anne Arundel county respectively at their next meeting thereafter, a true, full and fair account of all the money by them laid out and expended, in virtue of this act in building said bridge and making said road.

In case of death or refusal to act, vacancy to be filled.

SEC. 4. *And be it enacted*, That if either of said commissioners shall die or refuse to act, the remaining commissioners shall appoint some other person or persons to fill the vacancy, and the person or persons so appointed shall have the same powers as are vested in the said commissioners by this act.

Where parties cannot agree, commissioners to apply to a justice, &c.

SEC. 5. *And be it enacted*, That if the commissioners aforesaid, or a majority of them, cannot agree with the owner or owners of the lands through which the said road may pass, for the purchase thereof, then it shall be the duty of said commissioners to apply to a justice of the peace of said county or district, stating the facts in writing and the said justice shall issue his warrant under his hand and seal, directed to any constable of the county or district aforesaid, commanding him to summon twelve free holders in Montgomery county or Howard District, as the case may be, not related to the person or persons, interested in the opening of said road, to appear on a day by the said justice to be appointed, on the land to be condemned, and the said free-holders having first made oath before some justice of the peace, that they will, without favour, affection, or partiality, assess the damages sustained by the person or persons through whose land said road passes, shall proceed to assess and value the damage accordingly, taking into consideration the advantages and disadvantages (if any) of which the said commissioners or a majority of them shall have at least five days notice, and shall return the damages so assessed to the said justice of the peace, and such inquisition and valuation shall be final and conclusive.

Damages, costs &c. to be returned by commissioners.

SEC. 6. *And be it enacted*, That the damages so assessed, costs and charges of laying out and surveying said connecting road, in the county and district aforesaid,