

same, at or near the bridge crossing the Linganore creek, on the main road leading from the town of Liberty to the town of New-Market in Frederick county, and running thence up said Linganore to Adam Nusbaum's mill, thence to Henry Hartsock's mill, and from thence on the east side of Linganore to Woodville, and from thence by the most favorable route, to Mount Ary depot, in Carroll county.

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SEC. 3. *And be it enacted*, That the commissioners aforesaid, or a majority of them, shall make out a plat of that part of the road, lying in Frederick county, and returning the same to the clerk of Frederick county court, to be recorded among the records of said county, and also in like manner shall make a plat of that part of the road lying in Carroll county, and return the same to the clerk of Carroll county court, to be recorded among the records of said county; and the said road when so opened, shall forever thereafter be deemed to be a public road, and shall be kept in repair in the same manner as other public roads are directed to be kept in said counties.

Make out a plat.

SEC. 4. *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, and that part lying in Carroll county, shall be paid by Carroll county; and the levy court of Frederick county and the commissioners of tax of Carroll county, as the case may be, are hereby authorised and required as soon as they shall receive from the commissioners aforesaid, or a majority of them, an account rendered on oath or affirmation, of all expenses attending the survey and laying out of said road, including two dollars per day to the commissioners for their services, to levy the same upon the assessable property of their respective counties, to be collected as other county charges are now collected.

Expenses paid by Frederick and Carroll counties.

Oath or affirmation.

SEC. 5. *And be it enacted*, That the said commissioners, or a majority of them, shall value and ascertain the damages that may be sustained by any person or persons, through whose land the said road may pass, taking into consideration the advantages and disadvantages, if any, and damages so ascertained, shall be levied and assessed as other county charges are, in said counties, 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 assess damages, without at least a majority of the commissioners being present.

Value and ascertain damages.

Provido.