

1812.

may confirm
said road.

and they are hereby authorised and empowered to review the said part of the said road, (although a plot of the said road as laid out under the act to which this is a further additional supplement has not been returned to the clerk of Baltimore county court, by the commissioners as directed under the said act,) and in case the said commissioners of review shall be of opinion that the location made by the commissioners appointed under the act to which this is a further additional supplement, of that part of the said road from Benjamin Price's shop aforesaid, to Darby Ensor's mill-race, above Black Rock mills, is laid out according to law, and in a direction most convenient to the inhabitants of the neighbourhood, then and in that case the said commissioners of review or a majority of them, are hereby authorised and directed to confirm the said location.

Discretionary
powers of the
commission-
ers of review—
road may be
laid out—at
whose ex-
pence—plot to
be recorded.

3 AND BE IT ENACTED, That if the said commissioners of review shall be of opinion that the said location is not made according to the act to which this is a further additional supplement, or in a direction most convenient to the inhabitants of the neighbourhood, then and in that case the said commissioners of review are hereby authorised and empowered to lay out and make a road forty feet in width, at the expense of the petitioners, or any person or persons who may think proper to contribute thereto, from Benjamin Price's shop to Ensor's ford; from thence to the intersection of the roads at Davis' tavern, and from thence to Darby Ensor's mill race, above Black Rock mills; and the said commissioners or a majority of them, shall make a plot of the said road, and return the same to the clerk of Baltimore county court, to be recorded among the land records of said county; and the said road when so laid out, and a plot thereof returned as aforesaid, and the damages herein after directed to be made shall be paid or secured to be paid. shall forever thereafter be deemed a public highway, and as part of the road leading from the end of the Fall's turnpike, to intersect the main road near George Carlenger's mill, and shall be kept in repair as directed by the original act to which this is a further additional supplement: *Provided always*, That the said road shall not be laid out through any orchard, yard or garden without the consent of the owner or owners thereof.

Proviso.

Damages—to
whom to be
paid—how to
be ascertained.

4. AND BE IT ENACTED, That the said commissioners or a majority of them be, and they are hereby authorised and directed to ascertain and value