

DEC. Sess. 1814. construed as to impose upon said minor any part of the charge and expence incurred by opening, clearing and making the said change and alteration in the road.

## CHAPTER 18.

Passed Jan 9, 1815. *An act to lay out, open and establish a new road in Washington county.*

Commissioners—their powers—plot—damages—appeals—costs to be levied, &c.

SEC. 1. BE IT ENACTED by the General Assembly of Maryland, That Denton Jacques, John Brewer, senior, and Jonathan Nesbett, of Washington county, be and they are hereby appointed commissioners to survey, lay out and open a new road twenty five feet wide, to commence at the Pennsylvania line in Jacob Sear's field, where the new road from Mercersburg to that point ends, and to continue the said road from thence in the nearest and most practicable direction to Potomac river, having due regard to the interests of the proprietors of the land through which the said road shall pass. And that the said commissioners or a majority of them shall have full power to lay out and establish the said road for the distance aforesaid as they or a majority of them may think proper, making the same twenty five feet in width, and return a plot of the same to the levy court of Washington county, designating and shewing the said road as by them or a majority of them laid out. And the said commissioners or a majority of them shall have full power and authority to contract with the owner or owners of the land over which the said road shall pass (except as is hereinafter provided) for any damage which the said owner or owners may sustain, and if the said commissioners or a majority of them cannot agree with such owner or owners for the damages by him, her or them sustained by reason of such road running upon and through his, her or their land, then the said commissioners or a majority of them shall proceed to value and estimate the value of the land so to be occupied by the said road, and the damages sustained by the said owner or owners of the land upon which the same shall run by reason thereof, and report the same to the levy court aforesaid. And the said levy court at their next levy thereafter, shall levy the amount of such damages upon the assessable property of the said county. But if the owner or owners of such land shall appear before the levy court before the levy for raising the same is laid, and object to the valuation of the land and estimate of damages, or either of them so made by the commissioners, and demand a jury to value his, her or their land so to be occupied by the said road, or to assess the damages to him, her or them, occasioned by the said road, the levy court shall direct the sheriff of Washington county to summon twelve freeholders of the said county not related to the person or persons demanding the same, and shall fix a day when the said jury is to attend on the said land so to be occupied or dam-

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