

Dec. Ses. 1816. court, during the time apportioned as before directed, shall be summoned from the county without the limits of the city or precincts, and for the residue of the term from the city or precincts.

## CHAPTER 140.

Passed Jan 28 An act to lay out and make public a Road in Harford County.

Commissioners appointed to lay out road.

Sec. 1. *Be it enacted by the General Assembly of Maryland,* That John Slade, Abel Alderson, and John Clendinen, be and they are hereby appointed commissioners to review the old private road leading from the black horse tavern, in Harford county, to the road leading from the black horse to William Nelson's mill at the east end of William Amos's orchard; and if the said commissioners, or a majority of them, are of opinion that public convenience require that the said road be made a public one, they are hereby authorised to lay out, alter, straighten and amended the same, as they in their judgment shall think proper, not exceeding thirty feet in width, and to survey, mark and bound the same, and return a correct plot thereof, with a certificate of the courses and distances, to the clerk of Harford county court, to be by him recorded; *Provided,* that the said road shall not be made to pass through the buildings, gardens or orchards, of any person or persons, without the consent of the owner or owners thereof.

Proviso.

Levy to be made.

2. *And be it enacted,* That the levy court of Harford county be, and they are hereby directed, upon the plot of such road being returned to the clerk's office of said county, to levy such sum of money as they in their discretion shall deem necessary, for straightening, opening, and making conveniently passable, the said road, and shall appoint an overseer for that purpose, and the said road shall thereafter be deemed a public highway, and shall be kept in repair as other public roads in said county are.

Damages to be ascertained.

3. *And be it enacted,* That the said commissioners, or a majority of them, shall ascertain and value the damages, (if any) that may be sustained by individuals through whose lands the said road may pass, taking into consideration the advantages and disadvantages, and return the same to the levy court of said county, together with the plot and certificate as above directed; and the damages so ascertained shall be levied and collected as other county charges in said county are, and shall be paid over to the persons entitled to receive the same; *Provided nevertheless,* that no money shall be levied or assessed for the purpose of paying the damages aforesaid, until the said road shall be opened and cleared agreeably to the provisions of this act.

Proviso.

Commissioners allowance.

4. *And be it enacted,* That the said commissioners shall be entitled to receive as a compensation for their services in performing the duties required by this act, the sum of two dollars per day, to be levied, collected and paid, in the same manner as are other county charges in said county.

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