

An ACT to authorise the laying out of certain roads in Baltimore county. Lib. JG. No. 1. fol. 411.

Passed 27th of Dec. 1791.

WHEREAS Elisha Tyson, William and Charles Jessop, John Ellicott and George Leggett, of Baltimore county, have, by their petition to this general assembly, set forth, that they have no permanent public road from their millseats on Jones's Falls, in said county, to Baltimore-town, and prayed that an act may pass authorising and directing a road to be laid out and opened from the said Ellicott's millseat to Elisha Tyson's mill on the said falls, from thence to the mill of the said William and Charles Jessop, from thence to the mill of John Baxly, from thence to the fording place on said falls next below the mill of the said George Leggett, and from thence to Baltimore-town, and, together with the said John Baxly, have consented that a law should pass containing the provisions and regulations herein after mentioned,

Preamble.

II. BE IT ENACTED, by the General Assembly of Maryland, That Robert Long, Jacob Hart and John Stricker, or a majority of them, be and they are hereby authorised and empowered to lay out a road, not exceeding forty feet wide, from Ellicott's millseat, on Jones's Falls, by Tyson's mill, from thence to Jessop's mill, from thence to Baxly's mill, from thence to the fording place on Jones's Falls next below Leggett's mill, and from thence near the east corner of the poor-house ground.

R. Long, &c. to lay out a road, &c.

III. AND BE IT ENACTED, That that part of the said road which leads from Ellicott's millseat to Tyson's mill, shall be opened by the said John Ellicott, and at his expence, and if he shall proceed to open the same, he shall pay all damages occasioned, to any individual or individuals through whose lands the same shall pass.

Part to be opened by J. Ellicott.

IV. AND BE IT ENACTED, That that part of the said road leading from the said Tyson's mill to Jessop's mill, and from thence to Baxly's mill, shall be opened by, and at the expence of, the said William and Charles Jessop, and they shall pay all damages as aforesaid occasioned to any individual or individuals by the passage thereof through his or their land.

Part by W. and C. Jessop.

V. AND BE IT ENACTED, That that part of the said road leading from Baxly's to the ford below Leggett's mill, shall be opened by, and at the expence, and the damages to individuals as aforesaid paid, by the said John Baxly.

Part by J. Baxly.

VI. AND BE IT ENACTED, That that part of the said road leading from the said Leggett's mill to the east corner of the poor-house ground, shall be opened by, and at the expence of, the said George Leggett, and the damages occasioned to individuals through whose lands the same may pass shall be paid by the said John Ellicott, Elisha Tyson, William and Charles Jessop, John Baxly and George Leggett, in equal proportions.

And part by G. Leggett, &c.

VII. PROVIDED ALWAYS, That no damages shall be allowed to the said John Ellicott, Elisha Tyson, William and Charles Jessop, John Baxly or George Leggett, for any of their, or either of their, lands, through which the said road, or any part thereof, may pass.

Proviso.

VIII. AND BE IT ENACTED, That the said road, when made and opened, or such part thereof as shall be made and opened, shall be a public road, and kept up and supported at the county expence.

Road deemed public, &c.

IX. AND BE IT ENACTED, That if the person or persons appointed by this act to pay the damages occasioned to individuals as aforesaid cannot agree with them as to the compensation, the commissioners aforesaid shall issue their warrant to the sheriff of Baltimore county, commanding him to summon and return a jury of twelve good and lawful men of the said county, to be and appear before two or more of the said commissioners, on the premises, at a certain day in the said warrant to be expressed; which jury, upon their oath, to be administered by any one of the said commissioners, shall inquire who is or are the owner or owners of the land through which the said road may pass, and what damages such owner or owners will actually suffer therefrom, taking into consideration all circumstances; and the said commissioners shall lodge the inquest of the said jury, or any eight of them agreeing, under the hands and seals of the said commissioners and jurors, with the clerk of the county court; and the amount of the damages therein expressed shall be paid as herein before mentioned.

A jury to be summoned, &c.

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