

their respective counties, regarding the situation and quantity of labour necessary for the improvement of such roads, except as above excepted with respect to Cæcil county, and to anticipate the collection of any of the said taxes, by permitting, (if expedient,) the supervisor or supervisors to accept of labour in lieu thereof at the customary rate of labour for the time, which supervisor or supervisors shall issue orders to those by whom such labour may be rendered, expressing therein, in writing, the duration or time of such labour, the rate thereof by the day or month, as the case may be, by whom and for whose account the same was rendered, and the whole amount or value thereof, to be received in taxes by the collector or collectors of his county in discharge of monies due or owing for this particular tax.

III. AND BE IT ENACTED, That the justices of the counties aforesaid shall, at their meeting under this law, and on every annual meeting thereafter, for the regulation of the conduct of the supervisors, fix and establish proper and reasonable rates or prices for the hire of labourers, horses, carts, waggons or other carriages, to be worked or used on the roads of their respective counties, and shall publish the same in every hundred of their respective counties.

To fix rates,  
&c.

This section and the next are repealed, as far as they relate to Baltimore county, by 1797, ch. 109.

IV. AND BE IT ENACTED, That the justices of the levy court, at every such meeting, shall make out separate and distinct lists of all the taxable persons in each hundred within their county, together with the amounts of their respective road taxes, and shall furnish the collector of the county with copies thereof within ten days after their said meeting, and the said collector shall leave with every taxable person in the hundreds an account of his said road tax, within sixty days thereafter, under the penalty of five shillings for every such omission.

Make out lists,  
&c.

By 1795, ch. 43, so much of this section as directs the collectors to deliver accounts of the road tax, is repealed, except in Prince-George's and Montgomery counties.

V. AND BE IT ENACTED, That when a majority of the justices of the peace in any one county named in this act meet in session at their levy court, that then they, or a majority of them, on application in writing, signed by two thirds (a) of the inhabitants of any hundred or hundreds through which any roads do or may pass, to widen and streighten any old road heretofore laid out as a public road, shall have power and authority to appoint three discreet persons, freeholders in the said county, commissioners, who shall not hold any part of the lands through which the said road or roads may pass, nor be related to the person or persons holding the land that may be affected by the running of the said roads, to view, survey and plot, the said road so applied for, and make a return thereof to the said court at their next meeting, who, on receiving such plot or plots, shall examine the same, and all the evidence that shall or may be offered for or against the said road or roads, as returned, and may reject or confirm the same as a public road, or may direct the said commissioners to alter and amend the said plot, and when so amended, may reject or confirm the same, and when confirmed, shall accordingly direct the commissioners to mark and bound the said road or roads, not exceeding forty feet in width clear of ditches, and direct a supervisor or supervisors to clear and improve the same, in the same manner, and on the same terms, as other roads, and upon completing the same, the said road shall be deemed a public road, and shall be kept in repair as all other public roads in said county are by this law directed to be kept; provided also, that notice be set up in writing, by advertisement, at least three weeks, in the most public places in such hundred or hundreds, by some one inhabitant or inhabitants thereof, previous to their offering a petition or petitions, declaring their intention to apply to the justices of the levy court for the purposes aforesaid.

On application  
appoint com-  
missioners, &c.

(a) So much of this section as required the application to be signed by two thirds of the inhabitants, is repealed by 1797, ch. 109, as far as it concerns Baltimore county, in which an application, signed by a number of respectable inhabitants, is to be sufficient.

VI. AND BE IT ENACTED, That whenever any old road shall be altered in its breadth or direction as aforesaid, the justices aforesaid, or a majority of them, shall be and they are hereby empowered and authorised to agree with the persons over whose land such road or roads may pass for the amount of the damages thereby sustained, but if such agreement doth not take place, then the said justices shall issue their warrant, directed to the sheriff of the county, commanding him to summon and return a jury of twelve good and lawful men of the said county, not interested or related to the party or parties, to be and appear before one of the said justices, on the premises, at a certain day in the said warrant to be expressed, which jury, on their oath, or affirmation if a quaker, menonist or tunker, to be administered by some one of the said justices, shall inquire who is or are the owner or owners of the land over which any such road or roads so widened or laid out shall pass, and what damages such owner or owners will actually suffer from the passage of such road or roads over the said land, the said jury taking into consideration all conveniencies and inconveniencies, advantages and disadvantages, if any,

Agree for da-  
mages, &c.