

C H A P.
XXXI.
In case of
death, &c.
others to be
summoned, &c.

III. AND BE IT ENACTED, That if the persons composing the said jury, or any of them, shall be dead, sick, or absent from the city of Baltimore, at the time which may in virtue of this act be appointed by the sheriff aforesaid for the meeting of the said jury, then and in such case the said sheriff is hereby authorized and required to summon other persons, qualified according to the act to which this is a supplement, to make up the jury to the number of twelve, and the said jury, when thus made up, and being qualified, sworn, or having affirmed as aforesaid, shall have full power and authority to perform all the acts and duties imposed upon the said jury by this act, in case the same was composed of all the persons who originally acted under the act to which is a supplement.

Jury to make a
return, &c.

IV. AND BE IT ENACTED, That the jury aforesaid shall make a return of their proceedings had in virtue of this act, under their hands and seals, into the register's office of the city of Baltimore, and the same, or a copy thereof duly attested under the hand of said register and the corporate seal of the city, shall be received as evidence in any court of law or equity.

Sums assessed to
be a lien, &c.

V. AND BE IT ENACTED, That the sum or sums of money imposed and assessed upon any person or persons in virtue of this act, shall be a lien upon and bind the property of such person or persons which shall, by the jury aforesaid, be deemed and declared to be benefitted by the opening of said Second-street.

Persons to have
certain rights,
&c.

VI. AND BE IT ENACTED, That every person or persons whose property the jury under the act to which this is a supplement have declared will sustain an injury by the opening of Second-street, shall have respectively all the rights, remedies and means of recovery, in relation to the person or persons upon whom the price of such injury shall be imposed and assessed in virtue of this act, and be subjected to all the inconveniencies and obligations to which they were respectively entitled and subjected in virtue of the act to which this is a supplement.

C H A P. XXXII.

An ACT respecting the public roads in Washington county.

Passed 3d of
Jan. 1800.

Court to ap-
point commis-
sioners, &c.

BE IT ENACTED, by the General Assembly of Maryland, That the levy court of Washington county shall have power and authority to appoint three discreet persons, freeholders in said county, commissioners to examine and review that part of the main road leading from Turner's gap, in the South mountain, to William's Port, as laid out by the commissioners under the act of seventeen hundred and ninety, as far as the run crossing said road, between John Summer's land and Boonsburg, as also the old road as now used from Turner's gap to the aforesaid run, and the lands between the road laid out under the act of seventeen hundred and ninety and the old road aforesaid, and if in the opinion of said commissioners the direction of the road can be altered in the part above recited, to the advantage of the county, that then the said commissioners shall cause to be surveyed and laid out the grounds between the old road and the new road, on which, in their opinion, the road may be run with greater convenience to the public at large, and without delay execute, sign and seal, plain plots of the same, with explicit explanations thereof, and make return of such plots to the said court, who on receiving such plots and explanations, shall examine the same, and all the evidence that shall or may be offered for or against said road, as returned, and upon consideration of all circumstances, may reject or confirm the same as part of the public road leading from Turner's gap to William's Port, and shall cause the same, if confirmed, to be recorded among the land records of Washington county, in testimony of the same being established by law, and shall direct the said commissioners to mark and bound the said road sixty feet in width, and direct a supervisor or supervisors to clear and improve the same, in the same manner, and on the same term, as directed by the act of seventeen hundred and ninety, respecting the public roads in Washington county, and upon completing the same, it shall be deemed part of the public road leading from Turner's gap to William's Port, and shall be kept in repair as all other public roads in said county are by law directed to be kept, any law to the contrary notwithstanding.

Agree for da-
mages, &c.

II. AND BE IT ENACTED, That in case the said levy court shall satisfy and confirm the amendment in the road directed by this act to be made, they shall be and are hereby authorized and empowered to agree and contract with the person or persons over whose land such part of the road after amended or altered may pass, for the amount of damages thereby sustained, not exceeding the rate of ten pounds current money per acre, but if such agreement doth not take place, then the said court 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 some one of the justices of the said court, on the premises, at a certain