

think proper to contribute thereto, a road, not exceeding twenty-five feet in width, in the straightest and best direction the nature of the ground will admit of, from the milestone standing on the line between the states of Maryland and Pennsylvania, at the mill-race of John Shank, thence to intersect the old York road somewhere between Joseph Bolinger's and the top of Adam Feather's hill; and the road, when so laid out, and the valuation herein after directed to be made shall have taken place, and a plot thereof returned to the clerk of Baltimore county court, shall be recorded in the records of said county, and for ever thereafter be deemed and taken a public highway, and kept in repair as other public roads are in said county.

II. AND BE IT ENACTED, That the said commissioners, or a majority of them, shall ascertain and value what damages may be sustained by any person or persons through whose land the said road may pass, taking into consideration the advantages and disadvantages, if any, and the same, when so assessed, shall be paid, or secured to be paid, by the person or persons who have applied to have the said road laid out, or any other person who may think proper to contribute thereto, to the person or persons entitled to receive the same, before he or they shall proceed to open said road; provided, that the said road shall not be opened through the buildings, yards, gardens, orchards or meadows, of any person without his or her consent.

III. AND BE IT ENACTED, That if any person or persons through whose lands the said road shall pass, or his, her or their guardian or trustee, shall conceive himself, herself or themselves, aggrieved by such valuation and assessment of damages by the said commissioners respectively, it shall and may be lawful for any justice of the peace, on his, her or their application, to issue his warrant, under his hand and seal, directed to the sheriff of said county, commanding him to summon twelve disinterested men, qualified by law to serve as jurors in the county court, to meet upon the premises on a certain day, of which six days notice at least shall be given to the party or parties interested, and the said jurors when so met, and having each first taken an oath before some justice of the peace, that he will, without favour, affection, prejudice or partiality, assess the damages sustained by the person or persons at whose request such inquisition shall be taken, by reason of opening the aforesaid road through his, her or their land, shall thereupon proceed to assess and value the damages accordingly, taking into consideration the advantages and disadvantages, if any, and such inquisition and valuation shall be final and conclusive between the parties respectively.

C H A P. LXX.

An ACT to lay out, straighten and amend, a certain Road in Harford County.

Passed 6th
Jan. 1810.

BE IT ENACTED, by the General Assembly of Maryland, That William Whiteford, Sedgwick James and Josiah Johnson, be and they are hereby appointed commissioners, and they, or a majority of them, are authorised and empowered to review, survey, mark and bound, the road leading from the Maryland line near the Quaker's meeting-house, called the Fawn Meeting-House, in Pennsylvania, and from thence by William Slade's mill until it intersects the Baltimore road at or near Isaac Davis's, and make such alterations as they, in their judgment, may think right, so as to comport with public convenience, not to run through the yard, garden or orchard, of any person, without their consent, and return a plot of the same to the clerk's office of Harford county, to be there recorded.

II. AND BE IT ENACTED, That the levy court of Harford county, at their next meeting after the said plot shall have been returned, are authorised and directed to assess and levy a sum of money sufficient therefor; and the said road, when so laid out, surveyed and opened, shall be, and the same is hereby declared to be, a public road, and shall for ever thereafter be kept open and in repair as other public roads in said county.

III. AND BE IT ENACTED. That the said commissioners, or a majority of them, when they straighten and amend said road, may and they are hereby authorised to assess the damages sustained by the individuals over whose lands the said road may be straightened, taking into consideration the advantages and disadvantages, if any, and to return such assessment to the aforesaid levy court, to be levied, collected and paid, as other county charges are levied, collected and paid.

IV. AND BE IT ENACTED, That the commissioners aforesaid shall be and they are hereby entitled to receive two dollars each for every day they shall respectively attend to the discharge of the duties required by this act, to be levied, collected and paid, as other county charges are collected and paid.