

C H A P.
LXIV.

dennen and William Whiteford, were appointed to examine the situation of the neighbourhood lying between Slade's tavern, in Baltimore county, and the upper cross roads in Harford county, and report to the next general assembly whether a road commencing at or near Thomas Hope's, and thence running until it intersects the road leading from Slade's tavern to Cromwell's bridge, would, if opened and laid out, be conducive to the public convenience, and if they should be of opinion it would be proper to open the said road, that they should make a location of the same, and return it with their proceedings to the next general assembly: And whereas the said commissioners did, in pursuance of the authority vested in them by the said resolution, take into consideration the situation of the neighbourhood, and were unanimously of opinion that the public convenience required that a road should be opened in the place contemplated by the said resolution, and having located the same have made return thereof to this general assembly, under their hands and seals: And whereas this general assembly are willing to promote the public convenience, therefore,

II. BE IT ENACTED, *by the General Assembly of Maryland*, That the plot and survey of the road returned by the commissioners aforesaid, so far as the same may lie between Thomas Hope's and the Little Falls of Gunpowder, in Harford county, and from said Falls to a stake placed in the ground on the east side of the road leading from Slade's tavern to Cromwell's bridge, near Captain Hitchcock's in Baltimore county, be and the same is hereby confirmed, and the said road is hereby declared to be a public road, and shall be kept in repair as other public roads in said counties are kept in repair; and the levy court of Harford county are hereby empowered and directed, to assess and levy on the assessable property of said county, at their next meeting after said plot shall be returned and the damages ascertained, a sum sufficient to open and clear said road, and pay the damages, so far as the same runs through Harford county, and to appoint an overseer to open the same.

III. AND BE IT ENACTED, That William C. Goldsmith, Abraham Cole, John S. Belt, John Clendennen and William Whiteford, 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 has been laid, from the Little Falls of Gunpowder to a stake placed on the east side of the road leading from Slade's tavern to Cromwell's bridge, near Captain William Hitchcock's, in Baltimore county, taking into consideration all advantages and disadvantages, if any, and the same, when so assessed, shall be paid, or secured to be paid, by the person or persons applying to have the said road laid out, to the person or persons entitled to receive the same; and the parties applying for said road, when they shall have paid, or secured to be paid, the damages assessed as aforesaid, may proceed to open and clear the said road, and the levy court of Baltimore county, at their next meeting after said road shall be so laid out, opened and cleared, shall appoint an overseer to keep said road in repair, so far as the same shall be in Baltimore county.

IV. AND BE IT ENACTED, That each commissioner herein named shall be entitled to receive two dollars per day for each and every day they shall attend to discharge the duties required by this act.

V. AND BE IT ENACTED, That if any person or persons through whose land 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 sheriffs of said counties, commanding them to summon six disinterested men, qualified by law to serve as jurors in the county courts, 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; provided, the person or persons summoning a jury shall pay all cost and expense of said jury in case the jury does not award a greater sum than was assessed by the commissioners aforesaid.

VI. AND BE IT ENACTED, That the said commissioners, or a majority of them, are hereby requested and directed, to return a plot of said road to the clerks of Harford and Baltimore counties, to be by them recorded among the public records of said counties.