

1812.

Bond shall be lodged with the clerk of county court—suits may be instituted thereon.

3. AND BE IT ENACTED, That the said bond shall be lodged with the clerk of Baltimore county court, to be by him recorded among the records of the said county, and upon such bond, or any office copy thereof, suit or suits may be instituted for any breach or non-compliance with the condition thereof.

CHAPTER 74.

Passed Dec. 15, 1812.

*An act to lay out a public road from M'Shan's or Taylor's Ferry, on the Potomac, to Crampton's Gap, on the South Mountain, in Washington county.*

Commissioners—they may lay out said road—its width and direction—a plot to be recorded.

SEC. 1. BE IT ENACTED by the General Assembly of Maryland, That John Brien, Hezekiah Boteler and Thomas Crampton, be and they are hereby appointed commissioners, and they or a majority of them, are hereby authorised and empowered to lay out and open a road not exceeding forty feet in width from the ferry on the Potomac, below the mouth of Antietam, commonly known by the name of M'Shan's or Taylor's ferry; from thence to Macpherson's and Brian's iron works, and from thence to Crampton's Gap, on the South Mountain, on the straightest and best direction the nature of the ground will admit of, and with as little inconvenience to the land-holders as possible; and the said road when so laid out and a plot thereof made out and returned to the clerk of Washington county court, to be recorded among the records of said county, shall forever thereafter be deemed a public highway, and kept in repair as other public roads are in said county.

Damages—who shall ascertain them—by whom to be paid, and to whom.

2. 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 lands the said road shall pass, taking into consideration the advantages and disadvantages, (if any;) and the same when so assessed shall be paid by the parties who are interested in opening of said road, or by any person who may contribute thereto.

Persons aggrieved by valuation of damages—how to obtain remedy.

3. AND BE IT ENACTED, That if any person or persons, or his, her or their guardian, through whose land the said road shall pass, shall conceive himself, herself or themselves aggrieved by such valuation of damages made as aforesaid, it shall and may be lawful for any justice of the peace of said county, upon application, to issue his warrant under his hand and seal, to any constable of said county,