

Dec Ses 1817. any person or persons, without the consent of the owner or owners first obtained in writing.

Plot to be returned—Overseer to be appointed.

2. *Be it enacted*, That it shall be the duty of the commissioners aforesaid to cause plots and certificates of said road to be made, and return the same to the levy courts of Frederick and Montgomery counties, to be recorded among the records of said counties; whereupon the levy courts of said counties shall appoint an overseer to open and clear said road, agreeably to the plots and certificates aforesaid; and said road when cleared and opened as aforesaid, shall be and the same is hereby declared to be, for ever afterwards, a public road.

Levy to be made.

3. *And be it enacted*, That the said levy courts of the counties aforesaid are hereby authorised to open the said road at the expense of the said counties, by a levy on the assessable property of the said counties, if in the judgment and discretion of the said levy courts the public utility and advantage require it.

Damages to be ascertained.

4. *And be it enacted*, That the said commissioners, or a majority of them, shall value and ascertain the damages that may be sustained by each and every of the persons through whose lands the said road may pass, by the opening the same, taking into consideration the advantages and disadvantages, if any, and the damages so ascertained shall be levied and assessed as other county charges are, and shall be paid over to the persons respectively through whose land the said road may pass; *Provided however*, That no person or persons through whose land the said road may pass, and who has signed the petition for the same, shall be entitled to any damages by virtue of this act.

Proviso.

Jury to be summoned in certain cases.

5. *And be it enacted*, That if any person or persons through whose land the said road may pass, or his or their guardian or trustee, shall conceive himself, herself, or themselves, aggrieved by such valuation or assessment of damages by the commissioners aforesaid, it shall or may be lawful for a justice of the peace of said counties, on his or their application, to issue his or their warrant, under seal, directed to a constable of the hundred, commanding him to summon twelve disinterested men, qualified to serve as jurors in the county courts aforesaid, to meet upon the premises upon a certain day, of which ten 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 said road through his, her, or their land, shall thereupon value and ascertain 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.

CHAPTER 66.

Passed Jan 27 An act extending the time for taking the Bond of the Sheriff of Baltimore County.

Time extended for taking bond.

Sec. 1. *Be it enacted by the General Assembly of Maryland*, That the time for taking the bond of the sheriff of Baltimore county be extended to the fifteenth day of February next, and that if the said