

CHAP. 77. proceed against collectors, and their securities, and there shall be similar proceedings and similar remedy for the recovery of the same.

Road leading from Baltimore towards Reister's-town to be first made.

23. **AND BE IT ENACTED,** That the said levy court shall cause to be made and finished first, the road leading from Baltimore towards Reister's-town, as far as George Fisher's tavern, and then the road leading from Baltimore towards York, the distance of eighteen miles, and then the road leading from Baltimore towards Frederick-town, as far as the line of the county, and then the road leading from Baltimore towards Elizabeth town, as far as Patapsco falls; and the said levy court shall then cause the supervisor to proceed to make and finish any one, or any part of the aforesaid roads, as they may think most beneficial to the county.

Monies, how to be applied.

24. **AND BE IT ENACTED,** That when the monies directed to be levied by this act, and the monies arising from tolls, fines and forfeitures, annually received, shall amount to more than the expenses of the criminals, and other expenses necessary to keep them employed, that then the surplus shall annually be applied, first in discharge of the debts already incurred, for which accounts have been passed and certificates given by the commissioners of review, and then in such manner as the levy court may judge most advantageous to the county.

Elizabeth-town turnpike road to be cleared and grubbed.

25. **AND BE IT ENACTED,** That the said levy court shall cause to be cut down, cleared and grubbed, during the ensuing winter, the Elizabeth-town turnpike road, from Captain Allen's mill, on Patapsco falls, to where it shall intersect the Reister's-town turnpike road, as it is now laid out, or as it may be laid out in consequence of any act of this session of assembly; *Provided,* that the said levy court shall be of opinion their funds are sufficient for that purpose.

Jury to be summoned to inquire into damages sustained.

26. **AND BE IT ENACTED,** That the sheriff of Baltimore county shall, on receiving a warrant for this purpose from any justice of the peace for Baltimore county, summon a jury of twelve lawful men of his county, not connected with either of the parties, and not holding any land through which any turnpike road now runs, to be and appear before two justices of the said levy court, on a certain day by the said warrant to be appointed, not less than ten days after the date of such warrant, on any lands in the York turnpike road in the said warrant mentioned, which jury, upon their oath, to be administered by a justice of the peace for Baltimore county, shall inquire what damage the party applying for such warrant hath sustained by reason of the York turnpike road passing over and through his or her lands, and the said jury are hereby required to consider the convenience and benefit, and the advantages, (if any,) by reason of such road passing through such land, and the said sheriff shall return the inquest or finding of such jury, under his and their hands and seals, to the justices of the levy court aforesaid; and the justices of the levy court are hereby authorised and required to pay all damage or value assessed under this law in the same manner as other damages or value have been paid, or which have been assessed on other turnpike roads in said county.

Powers vested in court of oyer and terminer repealed.

27. **AND BE IT ENACTED,** That all the powers vested in the court of oyer and terminer and gaol delivery of Baltimore county to levy money for the support of the criminals employed on the turnpike roads are hereby repealed.