

public convenience in their opinion requires it, to survey, lay out and open a road not exceeding thirty feet in width, commencing at some point on the ~~road~~ leading from Westminster to Liberty Town, between Philip Nicodemus' Mill and Poulson's Meeting house, in Frederick county, and running by the nearest and most practicable route, to the deer park road in Baltimore county, near Frizzell's black smith's shop, and the said Commissioners shall make out a plat of that part of the road through Frederick county and return the same to the clerk of the county court, to be recorded among the records of said county; they shall likewise make out a plat of that part of the road through Baltimore county, to be recorded among the records of said county, and the said road when so opened shall be thereafter deemed to be a public road forever, and shall be kept in repair in the same manner as other public roads are directed to be kept up in said counties.

CHAP. 158.  
Dimensions &c  
prescribed.

Plat.

Record.

Sec. 2. *And be it enacted*, That the expenses of surveying and opening the said road, shall be paid by Frederick and Baltimore counties, in proportion to the distance it may pass through each county, and the Levy Court of Frederick county and Commissioners of Baltimore county are hereby authorised and required, on receiving from the Commissioners an account on oath of the said expenses including an allowance of two dollars per day to the Commissioners for their service, to levy the same in proportion before stated, on the assessable property of said counties, to be collected as other county charges are now collected.

Expenses appor-  
tioned.

Sec. 3. *And be it enacted*, That the Commissioners, or a majority of them, shall value and ascertain the damages that may be sustained by any person or persons, through whose land the said road may be made to pass, taking into consideration the advantages or disadvantages, if any, and the damages so ascertained, shall be levied and assessed as other county charges in said counties are, and shall be paid by the county, wherein such damages may be sustained.

Damages.

Sec. 4. *And be it enacted*, That the said Commissioners before they proceed to act, shall take an oath or affirmation before some Justice of the Peace that they will without favour, partiality or prejudice, assess the damages sustained by the persons through whose land the said road may pass.

Oath of Commis-  
sioners.