

CHAP. 174. intersect the turnpike at or near Garrett's tavern, it would be on good ground, consequently it would be attended with less expense to the county in keeping it in repair; therefore,

Commissioners appointed to lay out and open road.

2. BE IT ENACTED, by the General Assembly of Maryland, That Thomas Talbot, William Dorsey and George Hampshire, be and are hereby appointed commissioners, and they, or a majority of them, are hereby authorised to lay out and open a road, at the expense of the petitioners, from Woolf's tavern, in the straightest and best direction, to the turnpike at or near Garrett's tavern, and with as little inconvenience to the landholders through whose land it may pass as possible; and the said road, when so laid out and opened, and a plot thereof made out and returned to the clerk of Baltimore county court, there to be recorded among the records of said county, shall be deemed and taken as a public highway, and kept in repair as other public roads are in said county; *Provided*, the said commissioners shall not lay out the said road through any orchard, yard, garden or meadow, without the consent of the owner or owners thereof.

Provide.

To ascertain damages.

3. 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 land the said road shall pass, taking into consideration the advantages and disadvantages, if any, and the same, when so assessed, shall be paid, or secured to be paid, by the person or persons who may apply to have the said road laid out and opened as aforesaid, to the person or persons entitled to receive the same, before he or they shall proceed to open said road.

Persons conceiving themselves aggrieved may have a jury summoned to ascertain them.

4. AND BE IT ENACTED, That if any person or persons through whose lands 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 sheriff of said county, commanding him to summon twelve disinterested men, qualified by law to serve as jurors in the county court, 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.

CHAP. CLXXV.

Passed Jan. 7, 1810. *An Act authorising the Levy Court of Baltimore County to levy a sum of Money for the purposes therein mentioned. Lib. TH. No. 2, fol. 392.*

A Supplement, 1811, ch. 8.

Preamble.

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants of Baltimore county, that it is very dangerous at times to cross the Patapsco falls at Baseman's ford,