

1812.



ceeding thirty feet in width, from New-Town to Buckey's-Town, leaving the present public road leading towards Michael Late's smith-shop, opposite the widow Thomas' grave-yard, then by Joseph Smith's and Harget's to Buckey's-Town, then from Buckey's-Town or from the nearest point of the aforesaid new road, by the merchant's mill now building on the river Monocassy, by Ignatius Davis and Davis Richardson's, on the most direct and convenient route, to intersect the road aforesaid, at or near William Atkins', so as to do as little injury as possible to the lands through which it may pass: *Provided*, That the said road shall not pass through any houses, gardens, orchards or meadows, without the consent of the owners thereof; and that the said road when so laid out and completed, shall be recorded among the land records of the said county, and be thereafter deemed and taken to be a public road, and shall be kept in repair as other roads in the said county are directed to be.

Proviso.

Valuation of damages—to be assessed on the county.

2. AND BE IT ENACTED, That the commissioners aforesaid, 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 pass by opening of the same; and the damages so ascertained, or in the event of their being ascertained by a jury, shall be levied and assessed as other county charges are, and shall be paid over to the person or persons entitled to the same.

Persons aggrieved—a jury to be summoned, &c.—their duty—cost to be paid by the county.

3. 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, conceive himself, herself or themselves aggrieved by such valuation or assessment of damages by said commissioners, it shall and may be lawful for a justice of the peace of the said county, on his or their application, to issue his warrant, under his hand and seal, directed to the constable of the hundred, commanding him to summon twelve disinterested men qualified by law to serve as jurors in the county court, to meet upon the premises upon a certain day, of which ten days notice shall be given to the party or parties interested; and that the said jurors when so met, and having each first taken an oath before some justice of the peace, that he will without favor or 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 lands, shall thereupon