

first made oath, before some justice of the peace, that they will, without favour, affection 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,) of which the said commissioners, or a majority, shall have at least five days notice, and shall return the damages so assessed to the said justice of the peace, and such inquisition and valuation shall be final and conclusive; *Provided*, that the said road shall not pass through any house, yard, garden or orchard, without the consent of the owner or owners thereof.

CHAP. 67.

CHAP. LXVIII.

*An Act to lay out and open a Road in Prince-George's and Anne-Arundel Counties.* Lib. TH. No. 3, fol. 84. Passed Dec 27

WHEREAS sundry inhabitants of Prince-George's and Anne-Arundel counties have set forth by their petition to this general assembly, that a road leading from the forked road in Edward Hall's field, to Benjamin Boyd's mill, in Prince George's county, would be of considerable public utility; therefore, Preamble.

1. BE IT ENACTED by the General Assembly of Maryland, That George Tyler, Leonard Sellman and John Hail, be and are hereby appointed commissioners, and they, or a majority of them, are hereby authorised and directed to survey, lay out and open, (at the expense of the petitioners or any other person or persons who may think proper to contribute thereto,) a road from the forked road in Edward Hall's field, to Benjamin Boyd's mill, in Prince-George's county, and from thence to intersect the road leading from the city of Annapolis to the city of Washington, at such place as they may deem eligible; and the said commissioners, or a majority of them, shall return a plot and certificate of their proceedings when such road is laid out, surveyed and opened, to the levy courts of Anne-Arundel and Prince-George's counties, to be there recorded; and the said road, (when opened and cleared as aforesaid, and the valuation hereinafter directed to be made shall have been paid, or secured to be paid,) shall for ever after be deemed a public highway, and kept in repair as other public roads in said counties. Commissioners appointed to lay out road.

2. AND BE IT ENACTED, That the commissioners aforesaid, or a majority of them, shall ascertain and value (if required) what damages may be sustained by any person or persons over whose land the said road may pass, and the valuation shall be made, and the amount thereof paid as aforesaid, to the parties respectively interested, before the said commissioners, or a majority of them, shall proceed to open the said road; *Provided nevertheless*, that said road shall not be carried or conducted through any yard, garden or orchard, against the consent of the owner or owners. To value damages

CHAP. LXIX.

*An Act to authorise the Levy Court of Baltimore County to assess and levy a sum of money for the purposes therein mentioned.* Lib. TH. No. 3, fol. 86. Passed Dec. 27.

A Supplement, November 1812, ch. 58.

WHEREAS it is represented to this general assembly by the petition of a number of inhabitants of the city and precincts of Balti- Preamble