

CHAP. 78. affirmation: "I, A. B. appointed a commissioner to lay out and mark a public road from the district of Columbia to the city of Baltimore, do swear, or affirm, (as the case may be,) that I will lay out and mark the same according to the best of my skill and judgment, and according to the directions of an act of assembly, entitled, An act to incorporate a company to make a turnpike road from the district of Columbia to the city of Baltimore; I do further swear, (or affirm,) that I am not interested in any lands through which the said road is likely to pass."

Direction of road.

10. AND BE IT ENACTED, That the commissioners shall lay out a road from the city of Baltimore to the district of Columbia, by way of Norwood's ferry, on the Patapsco river, M. Coy's tavern, Vansville, White House, Ross's tavern and Bladensburgh, on as straight a line between each of said places as the nature of the country will admit.

Plot to be made & returned to clerk of county, &c.

11. AND BE IT ENACTED, That the commissioners aforesaid, after they shall have laid out and marked the said road, are hereby directed to return a true and correct plot, specifying the courses and bounds thereof, to each of the clerks of Baltimore, Anne-Arundel and Prince-George's county courts, to be by them recorded at the expense of the said body corporate; and the said road, so laid out and returned as aforesaid, and made, shall be for ever thereafter taken, held and adjudged, a public road and common highway.

Damages.

12. AND BE IT ENACTED, That in all cases where damages are claimed by the owner or owners of land through which said road may pass, or where stone, gravel, earth or sand, not already quarried or dug for the use of the owner, or for sale, shall be necessary for making or repairing the said turnpike road, the president and managers of the said company, or a majority of them, or any person authorised by them, may agree with the owner or owners of such land for such damages as may be sustained by the said road passing through the same, or with the owner or owners of said materials for the purchase of the same, or with the said owner or owners of the land, on which the same may be, for the purchase of said land; and in case of disagreement, or in case the owner shall be a *feme covert*, under age, or *non compos*, or out of the state or county, the president of the company, or any person authorised by him for that purpose, shall apply to a justice of the peace of the county where such land shall lie, which justice shall thereupon issue his warrant, directed to the sheriff of the county, commanding him to summon twelve disinterested persons, qualified to serve as jurors in the county court, to meet at the place where the said land or materials may be; and the said sheriff shall qualify the said persons, either by oath, or affirmation, (as the case may be,) justly, truly and impartially, to value the damages which may be sustained by the owner or owners of the land through which the said road may pass, or the materials required by such company; and the said persons shall, after valuing the damages, return, under their hands and seals, to the justice who issued the warrant, one copy of their said valuation, one other copy to the president of the company, and one other copy to the owner or owners of the said land or materials, if such owner shall reside in the county, and shall not be under any legal disability to receive the money ad-