

1. BE IT ENACTED, by the General Assembly of Maryland, That William Hutchings, Thomas Watts and Dickson Brown, be and they are hereby appointed commissioners, and they, or a majority of them, are hereby authorised and empowered to survey and lay out, at the expense of the petitioners, or any person or persons who may think proper to contribute thereto, a road forty feet in width, in the best and straightest direction the nature of the ground will admit of, beginning at Robert Wilson's tavern, on the old York road, and from thence to intersect a road laid out from near Richard Brittain's mill; and the said commissioners, or a majority of them, shall make out a plot of said road, and return the same to the clerk of Baltimore county court, to be recorded amongst the records of said county; and the said road, when opened and recorded as aforesaid, and the valuation hereinafter directed to be made shall have taken place, and the damages paid, or secured to be paid, to the person or persons entitled to receive the same, shall for ever thereafter be deemed a public highway, and kept in repair as other public roads in said county.

CHAP. 103.

Commissioners appointed to survey and lay out road.

2. AND BE IT ENACTED, That the commissioners, or a majority of them, shall ascertain and value, (if required,) what damages may be sustained by any persons over whose lands the said road may pass by opening the same, taking into consideration the advantages and disadvantages, (if any,) and the valuation shall be made before the said commissioners shall proceed to open the said road; *Provided always*, that if any person or persons, through whose land the said road may pass, or his, her or their guardian or trustee, shall conceive themselves aggrieved by such valuation and assessment of damages by the said commissioners, it shall and may be lawful for any justice of the peace of said county, on application of the party interested, or his, her or their guardian or trustee, to issue his warrant, under his hand and seal, directed to any constable of the county, commanding him to summon twelve freeholders, not related to the person so applying for a jury, or in any way interested in the opening of the said road, to appear on a day by the said justice to be appointed on the land of the person or persons making application as aforesaid, or for whose benefit such application shall be made, and the said freeholders having 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 of them, 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 owners thereof.

Damages, persons aggrieved.

Proviso.

Proviso.

CHAP. CIV.

An Act for the relief of Nancy Rouse, of Caroline County. Lib. TH. Passed Dec. 21. No. 3, fol. 441.

WHEREAS it is represented to this general assembly by the petition of Nancy Rouse, of Caroline county, that she is now old and

Preamble.