

## CHAP. 173.

Damages to be ascertained.

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, and the same when so ascertained shall be paid, or secured to be paid, by the persons who may apply to have the said road laid out, to the person or persons who may be entitled to receive the same, before they proceed to open the said road.

## CHAP. CLXXIV.

Passed Dec. 29.

*An Act for the relief of Charles Thompson, of Dorchester County. Lib. TH. No. 3, fol. 509. A Private Act.*

## CHAP. CLXXV.

Passed Dec 29

*An Act for the benefit of James Gouty, Mary Gouty, Lucretia Gouty and John Stevens Gouty, Orphan Children of Zachariah Gouty, late of Caroline County, deceased. Lib. TH. No. 3, fol. 510. A Private Act.*

## CHAP. CLXXVI.

Passed Dec. 20.

*An Act to lay out a Road in Baltimore County. Lib. TH. No. 3, fol. 511.*

Commissioner appointed to lay out and open a road

1. BE IT ENACTED, by the General Assembly of Maryland, That Charles Jessop, Nathaniel Childs and Amos Ogden, jun. 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, a road not exceeding thirty feet in width, commencing at a public road near Nicholas M. Bosley's gate, thence running for the middle of the road, on the division line between said Bosley and Morthland, until it intersects a tract of land called Gearn, the property of John C. Owings, thence east on the dividing line of said land, for the middle of the road, between the said Owings, Morthland, and Joseph Thornburgh, until it intersects the Baltimore and York turnpike road; and the said commissioners shall make a plot of the road as aforesaid directed to be laid out and opened, and return the same to the clerk of Baltimore county court, to be recorded among the records of said county; and the said road, when so laid out and opened as aforesaid, and the valuation hereinafter directed to be made shall be paid or secured to be paid to the individuals concerned, and shall for ever thereafter be deemed and taken to be a public road, and shall be kept in repair as other public roads in said county.

Damages to be ascertained

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 person or 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,

Proviso.