

clerk of Montgomery county, to be by him recorded among the records of said county, shall for ever thereafter be deemed a public road, and shall be kept in repair as other public roads in said county. CHAP. 147.

2. AND BE IT ENACTED, That the said commissioners, or a majority of them, shall ascertain and value the damages which may be sustained by any person or persons through whose land the said road may pass, and the said valuation shall be made, and the damages paid or secured to be paid, to the person or persons aggrieved, before the said commissioners shall proceed to open and clear the same; *Provided*, that if any person or persons, through whose land the said road shall pass, or his, her, or their guardian or trustee, shall conceive him, her or themselves aggrieved by such valuation and assessment of damages by the said commissioners, it shall be lawful for any justice of the peace of the said county, on application of any of the persons interested, to issue his warrant, under his hand and seal, directed to any constable of said county, commanding him to summon twelve disinterested freeholders, to appear on a day to be appointed by the said justice, on the land of the person making application; and the said freeholders, having first made oath before some justice of the peace for the said county, that they will without favour, affection or partiality, assess the damages sustained by the person or persons at whose request such inquisition shall be made, by reason of opening said road through his, her, or their lands, shall thereupon proceed to assess and value the damages accordingly, of which the said commissioners shall have at least five days previous notice, and such inquisition shall be final and conclusive; *Provided always*, that the said road shall not pass through any house, yard, garden or orchard, without the consent of the owner or owners thereof. Damages to be ascertained
Proviso

CHAP. CXLVIII.

An Act to repeal an act, entitled, An act to fix and establish the pay of the Adjutant-General and Brigade Inspectors. Lib. TH. No. 5, fol. 288. Passed Jan 17 1817

BE IT ENACTED, by the General Assembly of Maryland, That the act, entitled, An act to fix and establish the pay of the adjutant-general and brigade inspectors, passed at November session, 1807, chapter 168, be and the same is hereby repealed. Act repealed

CHAP. CXLIX.

A Supplement to the act, entitled, An act to appoint Samuel Ogle Trustee for the Sale of the Real Estate of Joseph Ogle, late of Frederick County, deceased. Lib. TH. No. 5, fol. 288. A Private Act.* Passed Jan 27 1817
* Dec 1813, ch 124

CHAP. CL.

An Act to alter, change and repeal, all such parts of the Constitution and Form of Government of this State, as relate to the Division of Washington County into Election Districts. Lib. TH. No. 5, fol. 289. Passed Jan 22, 1817

This act was not confirmed as part of the constitution.