

CHAP. 14. person or persons entitled to receive the same, before he or they shall proceed to open the said road.

Jury may be summoned when persons conceive themselves aggrieved.

4. AND BE IT ENACTED, That if any person or persons through whose lands the said road shall pass, or his, her or their guardian or trustee, shall conceive himself, herself or themselves, aggrieved by such valuation and assessment of damages by the said commissioners respectively, it shall and may be lawful for any justice of the peace, on his, her or their application, to issue his warrant, under his hand and seal, directed to the sheriff of the county, commanding him to summon twelve disinterested men, qualified by law to serve as jurors in the county court, to meet upon the premises on a certain day, of which ten days notice at the least shall be given to the party or parties interested; and the said jurors, when so met, and having each first taken an oath before some justice of the peace, that he will, without favour, affection, prejudice 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, and such inquisition and valuation shall be final and conclusive between the parties respectively; *Provided*, that the said road shall not be opened through the buildings, gardens, yards or orchards, of any person, without his or her consent.

Proviso.

CHAP. XV.

Passed Dec. 31.

*An Act for opening and establishing a Road in Baltimore County therein mentioned. Lib. JG. No. 4, fol. 369.*

Preamble.

WHEREAS it has been represented, by the petition of sundry inhabitants of Baltimore county, that they are desirous of having a road opened and established by law from the Reister's-town turnpike road unto, (what is commonly called,) the Soldier's Delight Old Road, beginning for the same at the Reister's-town turnpike road, and running on the divisional line of two lots of ground sold by Philip Hammond to John Sweitzer and Richard Clark, and from thence on the lands of Philip Hammond until it intersects the lands of Richard Clark, and from thence on the dividing line of said Hammond and Clark's land until it intersects the aforesaid Soldier's Delight Road: And whereas it is further represented, that the whole of the proprietors of the land through which the said road may pass have given their consent to the same, and prays that commissioners may be appointed to lay out said road; therefore,

Commissioners appointed to survey and lay out road.

2. BE IT ENACTED, by the General Assembly of Maryland, That Richard Clark, Austin Choat and Isaac Dixon, or a majority of them, be and they are hereby appointed commissioners to survey, lay out and open, at the expense of the petitioners, a road, not exceeding twenty feet in width, beginning for the same at the Reister's-town turnpike road, and running on the divisional line of two lots of ground sold by Philip Hammond to John Sweitzer and Richard Clark, and from thence on the lands of Philip Hammond until it intersects the lands of Richard Clark, and from thence on the dividing line of said Hammond and Clark's land until it intersects the aforesaid Soldier's Delight Road.