

CHAP. 46. also for the payment of such compensation to the commissioners as is herein after directed to be paid.

Compensation to  
commissioners.

5. AND BE IT ENACTED, That when the commissioners aforesaid shall have discharged all the duties required of them by this act, the levy court aforesaid shall order to be made to the said commissioners respectively, out of the monies to be levied as is by this act directed, such compensation as to the court shall seem meet, and the said commissioners respectively shall be thereafter discharged.

CHAP. XLVII.

Passed Jan. 3, 1807 *An Act to alter, change and amend, a Road in Anne-Arundel County.*  
Lib. TH. No. 1, fol. 243.

Preamble.

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants of Anne Arundel county, that the convenience of the public would be greatly promoted by altering and changing the direction of a road therein mentioned;

Commissioners appointed to lay out and open a road.

2. BE IT ENACTED, by the General Assembly of Maryland, That Philip Hammond, Brice J. Worthington and Joshua C. Higgins, be and they are hereby appointed commissioners, to lay out, open, and change and amend, at the expense of the petitioners, a road from the uppermost gate of Richard Higgin's farm, on the head of South river, to a farm known by the name of The Green Spring Quarter, in the best direction, taking into consideration the convenience of the public, and the interest of the individuals over whose land the said road may pass; and the said road, when so opened and amended at the expense of the petitioners, shall be deemed a public road, and shall be kept in repair in the same manner as other public roads are directed to be repaired in said county.

Damages to be ascertained.

3. AND BE IT ENACTED, That the commissioners aforesaid, or a majority of them, shall ascertain and value what damages may be sustained by any person or persons over whose land the said road may pass, by opening the same, taking into consideration the advantages and disadvantages arising therefrom, and the valuation shall be made, and payment secured, before the said commissioners, or a majority of them, shall proceed to open the said road; *Provided*, that if any person or persons over whose lands the said road may pass, shall conceive himself, herself or themselves, aggrieved by such valuation of damages by the said commissioners, or a majority of them, it shall and may be lawful for any justice of the peace of Anne-Arundel county, on application of the party interested, to issue his warrant under his hand and seal, directed to any constable of the county, commanding him to summon five freeholders, who do not hold lands over which the said road may pass, to appear on a day by the said justice to be appointed, on the land of the person or persons making application as aforesaid, and the said freeholders, having first made oath before a justice of the peace of the county aforesaid, that they will, without favour, affection, partiality or prejudice, assess the damages sustained by the person or persons at whose request such inquisition shall be taken, by opening the said road through his, her or their lands, taking into consideration the advantages and disadvantages, if any, and shall thereupon proceed to value and assess the damages accordingly, and such inquisition and valuation shall be final, and the person or

Revised.