

1866.

LAWS OF MARYLAND.

CHAP. 72.

said, and collected and paid to the person or persons entitled to the same; *Provided*, that nothing in this act contained shall authorise the commissioners to lay out a road through the buildings, garden, yard, orchard or meadow, of any person or persons, without his, her or their consent in writing being first had and obtained.

Proviso.

Damages to be assessed.

4. **AND BE IT ENACTED**, That if any person or persons through whose land said road shall pass, or his, her or their guardian or trustee, shall conceive themselves aggrieved by the valuation and assessment of the damages by the said commissioners, or a majority of them, it shall and may be lawful for any justice of the peace of the aforesaid county, on application of the party interested, to issue his warrant, under his hand and seal, directed to the sheriff of the county, to summon twelve persons, qualified to serve as jurors in the county court, to appear, on a day by the said justice to be appointed, on the premises of the person making such application, and the said twelve persons, having first made oath before a 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, shall thereupon proceed to assess and value the damages accordingly, and the sum so ascertained and paid as aforesaid shall be final and conclusive.

CHAP. LXXIII.

Passed Jan. 4, 1867 *An Additional Supplement to an act, entitled, An act to straighten part of the Road in Harford County which leads from Underhill's Mill to the City of Baltimore.* Lib. TH. No. 1, fol. 268.

This act repealed by h. 95, s. 2.

CHAP. LXXIV.

Passed Jan. 4, 1867 *An Act to authorise the Levy Court of Montgomery County to assess and levy a sum of money for the purpose therein mentioned.* Lib. TH. No. 1, fol. 269.

CHAP. LXXV.

Passed Jan. 4, 1867 *An Act to lay out and make public a Road in Charles County.* Lib. TH. No. 1, fol. 269.

Preamble.

WHEREAS it is represented to this general assembly by the petition of sundry inhabitants of Charles county, that they labour under many inconveniencies for the want of a public road, leading from the post road across by Basil Spalding's and Sarah Coomes's, leaving the post-road opposite Joseph Green's, and passing through the land of Henry M'Pherson, to intersect the road leading from Port-Tobacco by Charles Coomes's and Troy to Parcataway, then to cross the said road, on the line between the lands of Charles Coomes and George H. Spalding, then to pass through the land of the late Walter Smith, now the property of James R. Green, and thence through the land of Henry Green, senior, and praying that commissioners may be appointed to lay out the same; and the prayer thereof appearing reasonable, therefore,

2. **BE IT ENACTED**, by the General Assembly of Maryland, That William M'Pherson, Joseph Green and William P. Ford, be and they are hereby appointed commissioners, and they, or a majority of them, are hereby authorised and empowered to review the private road, now leading from the post-road across by Basil Spald-

Commissioners appointed to review a private road.