

CHAP. 120. Crow's mill, on Patuxent river, to intersect the road leading from Montgomery county court-house to the city of Baltimore, at the widow Pue's lane, near Ely Davis's; that nearly all the proprietors of the land through which the said road is intended to pass, are desirous that the said road should be made the distance, being about eight miles, and have prayed that a road might be laid out and opened, of the width of forty feet, at the expense of those who are willing to contribute thereto; and the general assembly apprehending the prayer of the petitioners reasonable, therefore,

Commissioners appointed to lay out and open a road.

2. **BE IT ENACTED, by the General Assembly of Maryland, That** Henry Griffith, Brice Gassaway and Thomas Worthington, of Nicholas, are hereby appointed commissioners, and they, or any two of them, are hereby authorised to survey, lay out and open, a road, at the expense and proper cost of them who are willing to contribute to the same, forty feet wide, from a point which may be most convenient to cross Patuxent river near John Crow's mill, to intersect the road leading from Montgomery county court-house to the city of Baltimore, at the widow Pue's lane, and near Ely Davis's; and the said road, when so surveyed, laid out and opened, and the valuation herein after directed to be made shall have taken place, shall be recorded in Anne-Arundel county court, and shall be deemed and taken to be a public road for ever thereafter, and kept in repair as other public roads are in said county.

Damages to be ascertained.

3. **AND BE IT ENACTED,** That the said commissioners 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 assessed, shall be paid, or secured to be paid, by the contributors, 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 shall 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 said commissioners, or any two of them, to issue their warrant to the sheriff of the county aforesaid, commanding him to summon twelve freeholders in the county aforesaid, and not interested in the premises, and qualified to serve as jurors in the county court, to appear on a day by them to be appointed, on the premises; and the said commissioners, or any one of them, are hereby authorised to administer an oath, or affirmation, as the case may be, to every person so summoned, that he 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 reason of opening the aforesaid road through his, her or their land, and the persons so summoned and so qualified, shall thereupon proceed to assess and value the damages accordingly, of which the said commissioners, or some one of them, shall have given at least five days notice, and such inquisition shall be final and conclusive between the parties; and in assessing the damages the jury shall take into consideration the conveniencies and inconveniencies, the advantages and disadvantages, if any, arising to the proprietors of the land over which the said road may pass.

Proviso.

Not to go through any building, &c.

4. **AND BE IT ENACTED,** That the said commissioners shall not open the aforesaid road through any building, garden, orchard or