

NOV. 1809.

LAWS OF MARYLAND.

CHAP. 67.

Passed Jan 6, 1810

*An Act annulling the Marriage of Ephraim Furniss, and Polly his Wife, of Somerset County. Lib. TH. No. 2, fol. 219.*

CHAP. LXVII.

Passed Jan 6, 1810

*An Act providing for the payment of the Costs which accrued upon the Trial of Thomas Burk in Washington County, at March Term, one thousand eight hundred and nine. Lib. TH. No. 2, fol. 220.*

CHAP. LXVIII.

Passed Jan 6, 1810

*An Act to lay out a Road in Baltimore County. Lib. TH. No. 2, fol.*

CHAP. LXIX.

221.

Commissioners appointed to lay out and open a road.

1. BE IT ENACTED, by the General Assembly of Maryland, That Alexis Lemmon, Christian Hively and Peter Kitter, he and they are hereby appointed commissioners, and they, or a majority of them, are hereby authorised to survey, lay out and open, at the expense of such persons who may think proper to contribute thereto, a road, not exceeding twenty-five feet in width, in the straightest and best direction the nature of the ground will admit of, from the mile-stone standing on the line between the states of Maryland and Pennsylvania, at the mill-race of John Shank, thence to intersect the old York road somewhere between Joseph Bolinger's and the top of Adam Feather's hill; and the road, when so laid out, and the valuation herein after directed to be made shall have taken place, and a plot thereof returned to the clerk of Baltimore county court, shall be recorded in the records of said county, and for ever thereafter be deemed and taken a public highway, and kept in repair as other public roads are in said county.

To ascertain damages sustained.

2. AND BE IT ENACTED, That the said commissioners, or a majority of them, shall ascertain and value what damages may be sustained by any person or persons through whose land the said road may pass, taking into consideration the advantages and disadvantages, if any, and the same, when so assessed, shall be paid, or secured to be paid, by the person or persons who have applied to have the said road laid out, or any other person who may think proper to contribute thereto, to the person or persons entitled to receive the same, before he or they shall proceed to open said road; *Provided*, that the said road shall not be opened through the buildings, yards, gardens, orchards or meadows, of any person without his or her consent.

Proviso.

In case any person conceives himself aggrieved by such valuation, jury may be summoned, &c.

3. 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 said 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 six days notice at 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