

twenty feet in width, from the land now in possession of Allen Thomas, of Anne Arundel county, called Glen Owen, in a convenient direction to the Turnpike road leading from Baltimore to Fredericktown; and to estimate the damages which may be sustained by the person or persons through whose lands the said road shall pass, and on payment of the damages by the said Allen Thomas to the person or persons in whose favor such damages shall be adjudged, the said commissioners shall make said road at the expense of the said Allen Thomas; and the same shall be held used and repaired by him, his heirs and assigns forever thereafter for the purposes of a road as aforesaid—and a certificate of their proceedings, and a survey of said road shall be returned under their hands or the hands of a majority of them, to the clerk of Anne Arundel county court, to be by him recorded.

Damages.

Repairs.

Sec. 2. *And be it enacted*, That said road shall not pass through any building, yard, garden, orchard or meadow, without consent of the owner thereof.—And that the commissioners before they proceed to act, shall take an oath well and faithfully to discharge the duties hereby vested in them.

Prohibitions;oath.

Sec. 3. *And be it enacted*, That it shall and may be lawful for any justice of the peace of said county, on the application of any person or persons who may be aggrieved by the valuation of damages aforesaid, to issue his warrant under his hand and seal to the sheriff of the county, commanding him to summon a jury of twelve men to meet on the premises on a certain day, of which ten days notice shall be given to the parties interested. And the jurors when so met, and after each taking an oath that he will without favor, affection, partiality or prejudice, assess the damages mentioned by the person or persons at whose request such inquisition shall be taken, by reason of opening the said road, shall thereupon proceed to assess and value the damages accordingly, and which inquisition shall be final and conclusive on all parties, and be delivered over to the said commissioners to be returned and recorded as part of their proceedings.

Appeal on damages.

Jury trial.