

4. *And be it enacted*, That it shall not be lawful for any road opened, straightened, widened, altered or amended in virtue of this act, to pass through the buildings, yards, gardens or orchards of any person or persons, without the consent of the owner or owners thereof, nor shall any field, in which grain, hemp, flax, tobacco or other cultivated vegetables are growing, be laid open until after the season for collecting and securing the crop growing in such field.

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Places ex-
cepted from
roads.

5. *And be it enacted*, That if no objection shall be made to the return of the commissioners within thirty days next succeeding the day of such return, the said levy court may proceed to pass judgment thereon and affirm or reject the same, or order it to be amended, at the discretion of the said court; or the said court may at their discretion postpone their judgment in the proceedings from time to time, so long as the said court shall in their judgment think such postponement necessary for the purposes of justice.

Exception
to return of
commissions:

6. *And be it enacted*, That the said commissioners or a majority of them, shall value and ascertain the damages that may be sustained by each and every person through whose lands the said road may pass, in case the application shall be for opening, straightening, widening, amending or altering a road, by opening, straightening, widening, amending or altering the same, taking into consideration the peculiar advantages or disadvantages of the same if any; and the said commissioners shall make such ascertainment of damages, a part of their return to the court.

Damages.

7. *And be it enacted*, That if any person or persons shall conceive him, her or themselves aggrieved by such ascertainment of damages so as aforesaid to be made, it shall and may be lawful for such person or persons to file in writing their objections thereto, at any time before the said return shall be finally ratified by the court, and in all such cases of objection it shall be the duty of the said court to issue their warrant to the sheriff of Baltimore county, commanding him to summon seven discreet and sensible men, freeholders of the said county, not interested or related to the parties, to meet on a certain day to be named in said warrant, on the premises, who upon their oaths or affirmations, to be administered by such sheriff or his duly qualified deputy, shall assess such damages as the landholder or landholders so objecting to the return of the commissioners, in their opinion and judgment, taking into consideration the peculiar advantages and disadvantages attending the same, is or may be entitled; and the said sheriff shall return the inquisition of the said jury under their hands and seals and attested by his official signature and seal, to the next meeting of the said court thereafter; and that each and every of the jurors summoned by the sheriff aforesaid, agreeably to the provisions of this act, shall be allowed the sum of one dollar for each and every day he shall attend, in pursuance of such summons, to be levied and paid as hereinafter directed.

Objection to
damages al-
lowed.