

C H A P. XLVI. also for the payment of such compensation to the commissioners as is herein after directed to be paid.

And order compensation, &c.

V. AND BE IT ENACTED, That when the commissioners aforesaid shall have discharged all the duties required of them by this act, the levy court aforesaid shall order to be made to the said commissioners respectively, out of the monies to be levied as is by this act directed, such compensation as to the court shall seem meet, and the said commissioners respectively shall be thereafter discharged.

C H A P. XLVII.

Passed 3d of Jan. 1807.

An ACT to alter, change and amend, a road in Anne-Arundel county.

Preamble.

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants of Anne-Arundel county, that the convenience of the public would be greatly promoted by altering and changing the direction of a road therein mentioned;

Commissioners appointed, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That Philip Hammond, Brice J. Worthington and Joshua C. Higgins, be and they are hereby appointed commissioners, to lay out, open, and change and amend, at the expence of the petitioners, a road from the uppermost gate of Richard Higgins's farm, on the head of South river, to a farm known by the name of The Green Spring Quarter in the best direction, taking into consideration the convenience of the public, and the interest of the individuals over whose land the said road may pass; and the said road, when so opened and amended at the expence of the petitioners, shall be deemed a public road, and shall be kept in repair in the same manner as other public roads are directed to be repaired in said county.

Who shall ascertain damages, &c.

III. AND BE IT ENACTED, That the commissioners aforesaid, or a majority of them, shall ascertain and value what damages may be sustained by any person or persons over whose land the said road may pass, by opening the same, taking into consideration the advantages and disadvantages arising therefrom, and the valuation shall be made, and payment secured, before the said commissioners, or a majority of them, shall proceed to open the said road; provided, that if any person or persons over whose lands the said road may pass, shall conceive himself, herself or themselves, aggrieved by such valuation of damages by the said commissioners, or a majority of them, it shall and may be lawful for any justice of the peace of Anne-Arundel county, on application of the party interested, to issue his warrant under his hand and seal, directed to any constable of the county, commanding him to summon five freeholders, who do not hold lands over which the said road may pass, to appear on a day by the said justice to be appointed, on the land of the person or persons making application as aforesaid, and the said freeholders, having first made oath before a justice of the peace of the county aforesaid, that they 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 opening the said road through his, her or their lands, taking into consideration the advantages and disadvantages, if any, and shall thereupon proceed to value and assess the damages accordingly, and such inquisition and valuation shall be final, and the person or persons in whose favour the valuation shall be made as aforesaid, shall be entitled to receive the same from the petitioners, before the said commissioners, or a majority of them, may open and amend the said road through such person or persons land; and provided the said road shall not pass through any house, yard, garden, orchard or meadow, unless with the consent of the owner or owners thereof.

C H A P. XLVIII.

Passed 3d of Jan. 1807.

An ACT to authorise and empower the commissioners of the city of Baltimore to alter and extend the streets therein mentioned.

Preamble.

WHEREAS Daniel Bowley, of the county of Baltimore, hath represented to this general assembly, that he, and a certain Thomas Yates, were heretofore seized and possessed of all the lots of ground which bind on, and are entitled to the privileges and extension into, the water, in that part of the city of Baltimore called Philpot's Addition, except lot number four hundred and forty-one; that when the said addition was surveyed and laid out into lots and streets, the streets thereof were not made to run parallel with the streets in the eastern and western parts of the said city, but were opened and located in a different direction; that the port wardens of the said city have heretofore granted to the said Daniel Bowley and Thomas Yates a licence to improve and extend the said water lots into the navigable water; that in pursuance of such permission they had wharfed in, and converted into firm ground, part of the land covered with tide water, adjoining the said water lots,