

Dec. SE 88.
1813.

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Proviso.

be taken, by reason of opening the aforesaid road, through his, her or their land, shall thereupon proceed to assess and value the damages accordingly, taking into consideration the advantages and disadvantages, (if any,) of which the said commissioners, or a majority, shall have at least five days notice, and shall return the damages so assessed to the said justice of the peace, and such inquisition and valuation shall be final and conclusive; *Provided*, That the said road shall not pass through any house, yard, garden or orchard, without the consent of the owner or owners thereof.

CHAPTER 156.

Passed Jan.  
27, 1814.

*An act to open a road from Richard Owing's Mill to Elk-Ridge Church in Queen Caroline Parish in Anne-Arundel county, and to repeal the acts of Assembly therein mentioned.*

Preamble.

WHEREAS it has been represented to this General Assembly, by the petitions of sundry persons through whose lands the road as now located from Richard Owing's Mill to the church aforesaid, will pass, that said road is crooked and may be straightened with much less injury to private property than now exists; *Therefore*,

Commissioners; to enquire.

Section 1. BE IT ENACTED *by the General Assembly of Maryland*, That Richard G. Stockett, Gustavus Warfield, Charles Sterret Ridgely, Larkin Dorsey, (of Caleb,) and Gassaway Watkins, or a majority of them be, and they are hereby appointed commissioners to enquire into and ascertain whether or not a public road is required for public convenience from Richard Owing's mill to Elk Rigde Church in Queen Caroline Parish.

If advisable to locate.

2. AND BE IT ENACTED, That if the commissioners aforesaid or a majority of them shall be of opinion that public convenience requires the road aforesaid, they or a majority of them, shall proceed to locate the same, taking into consideration the ground over which it shall pass, the convenience of the public and the interest of those whose lands the road will go over, and return a plot thereof to the clerk of Anne-Arundel county court, who is hereby directed to file the same, with the plats of other public roads in the county.

Assess damages.

3. AND BE IT ENACTED, That the commissioners aforesaid or a majority of them, shall also from the testimony offered as well as from their own opinions, ascertain the damages that individuals would sustain by the opening of the road as aforesaid, to the owners of land through which it may pass, and upon such damages being assessed and paid, or tendered to the person or persons entitled to receive the same, the commissioners aforesaid or a majority of them, shall proceed to open

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