Dec. Sess. 1815.

illegitimate the children of the said Thomas Drake and Martha his wife, born prior of this act.

CHAPTER 67.

Passed Jan. 8, 1816.

An act to widen or change a part of the public road leading from Vienna to Henry's Cross Roads in Dorchester County.

Commissioners—may review &c.

Sec. 1. BE IT ENACTED *by the General Assembly of Maryland*, That Richard Tootell, John Seward, Robet Wallace, Hooper Rawleigh and John Brohawn (upper district) be, and they are hereby appointed commissioners, and they or a majority of them are hereby authorised and empowered to review the public road leading from Vienna in Dorchester county to Henry's Cross Roads in the same county, and to widen or change such part or parts thereof as in their judgment and discretion the public convenience may require, and to report their proceedings to the levy court of the said county, and the said report of proceedings shall be recorded by the said court, and the said road as widened or changed shall forever thereafter be deemed a public highway.

Damages—expences.

2. AND BE IT ENACTED, That the said commissioners or a majority of them, shall ascertain and value the damages which any person or persons may sustain in their lands by the widening or changing any part or parts of the said road, and shall make and return to the levy court of Dorchester county a certificate of such valuation of damages, if any, sustained as aforesaid; and the levy court aforesaid shall levy upon the assessable property of said county, a sum of money equal to the amount of the damages ascertained as aforesaid, and the other expences that may be necessarily incurred in executing the provisions of this act, which shall be paid to the person or persons entitled thereto.

Compensation

3. AND BE IT ENACTED, That the said commissioners shall be allowed two dollars per diem for their services, to be assessed and levied on the assessable property of the county aforesaid.

Persons aggrieved—remedy.

4. AND BE IT ENACTED, That if any person or persons through whose land the said road may pass, or his or their guardian or trustee, conceive himself, herself or themselves aggrieved by such valuation or assessment of damages by said commissioners, it shall and may be lawful for a justice of the peace of the said county, on his or their application, to issue his warrant, under his hand and seal, directed to the constable of the hundred, commanding him to summon twelve disinterested men qualified by law to serve as jurors in the county court, to meet upon the premises upon a certain day, of which ten days notice shall be given to the party or parties interested; and that the said jurors when so met, and having each first taken an oath before some justice of the peace, that he will without favor, affection, prejudice or partiality assess the damages sustained by the person or persons at whose request such inquisition shall be taken, by reason of widening or changing the aforesaid road, shall thereupon proceed to assess and value the damages accordingly, taking into consideration the advantages and disadvantages, (if any,) and such inquisition or valuation shall be final and conclusive; but should the jury award a smaller or the same sum for damages than the commissioners had previously done, then and in that case the person or per-