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interested; or his her or their guardian or trustee, to issue his warrant under his hand and seal, directed to any constable of the county, commanding him to summon twelve freeholders, who do not hold lands through 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, or for whose benefit such application shall be made, and the said freeholders having first made oath before said justice of the peace that they will without favor, affection or partiality, assess the damages sustained by the person or persons at whose request, or for whose benefit such inquisition shall 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, of which the said commissioners or a majority of them shall have had 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; and the party or parties in whose favor the valuation ascertained by the said commissioners or a majority of them, or the damages assessed by the said freeholders shall be made, shall be entitled to receive the same from the said petitioners to the said road within the space of six months after the assessment of such valuation or damages, and before they shall proceed to affect the lands and tenements of the person or persons concerned; and upon the payment of the money, or the securing the same to be paid as aforesaid to the person or persons through whose land the said road is intended to pass, the said commissioners may open the said road through such person or persons land, *Provided*, that the said road shall not pass through any house, yard, garden, meadow or orchard unless with the consent of the owner or owners thereof.

CHAPTER 98.

Passed Jan. 16, 1816. *An act to incorporate the president and managers of the Calverton Turnpike Road.*

Persons incorporated. SEC. 1. BE IT ENACTED by the General Assembly of Maryland, That Andrew Ellicott, Thomas Ellicott, William Jessop, Dominic B. Jessop, Charles Jessop, Dennis A. Smith, John Worthington, Francis Hollingsworth, Charles Worthington and James Cheston being proprietors of five mills, or mill seats on Guynn's Falls, near the city of Baltimore, and having laid out a road from said mills or mill seats, to intersect the Baltimore and Frederick Town turnpike road, be and they are hereby incorporated into a company, by the name and style of The President and Managers of the Calverton Turnpike Road.

Condemned. 2. AND BE IT ENACTED, That the space of ground over which the said road passes, fifty feet wide and commencing at the intersection of the said road with the Baltimore and Frederick Town Turnpike Road, and terminating at the said mill seats, be and the same is hereby condemned as a public highway, and free for any and every person to pass thereon, subject however to the limitations and provisions hereinafter contained.

Direction & width. 3. AND BE IT ENACTED, That the said turnpike road, so far as it relates to the lands of James Carroll, through which the same is in part carried, does and shall commence for

its centre exactly at erick Tur yond Kon the Calver two degre grees, we grees, we west five ter degre abutment run, the five feet same in the paring fr grees, we ter with the line by c- line to the self and may be east of the road after Frederic

4. AN the said and they and style Turnpike and their ance of franchise such by may rela sued, and new the nevertho this act than the repair; each mi fifth par ny, and mills or compan any oth to do ur the qua owner c ney dul at any in any road sh of his, 5. A on the April