

Jamin Gaither, Philip Hammond, junior, and Jesse Wheat, be  
 and they are hereby appointed commissioners, and they, or a  
 majority of them, are authorised to lay out and open, at the ex-  
 pense of the petitioners, or any person or persons who may think  
 proper to contribute thereto, a road not exceeding thirty feet in  
 width, in the best and straightest direction that the nature of the  
 ground will admit of, beginning for the same at Thomas Magru-  
 der's tavern, in Prince-George's county, and running from thence  
 with the old road by Henderson's Chapel to William E. Peach's  
 lane, thence to Rankins's ford across the Patuxent river, thence  
 to Sappington's ford, thence to intersect the new road from Bal-  
 timore to the Priest's Bridge, between Philip Hammond, jun.  
 and Jesse Wheat's, in Anne-Arundel county; and the said road,  
 when laid out and opened, and the valuation hereinafter directed  
 to be made shall have taken place, and two plots thereof made  
 out, one of which to be returned to the clerk of Prince-George's  
 county, the other to the clerk of Anne-Arundel county, to be re-  
 corded among the records of said counties, shall for ever hereaf-  
 ter be deemed a public road, and shall be kept in repair as other  
 public roads are in said counties.

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2. *And be it enacted*, That the said commissioners, or a major-  
 ity of them, shall ascertain and value what damages may be  
 sustained by any person or persons through whose land the said  
 road may pass, and the said valuation shall be made, and the  
 damages paid, or secured to be paid, to the person or persons so  
 aggrieved, before the said commissioners shall proceed to open  
 the same; *Provided*, that if any person or persons through  
 whose land the said road shall pass, or his or their guar-  
 dian or trustee, shall conceive him, her or themselves, ag-  
 grieved by such valuation and assessment of damages by the  
 said commissioners, it shall be lawful for any justice of the peace  
 of the county in which said person or persons may live, through  
 whose land the said road may pass, and by which he, she or they,  
 may conceive himself, herself or themselves aggrieved, upon ap-  
 plication to any of the persons interested, to issue his warrant,  
 under his hand and seal, directed to the sheriff of said county,  
 commanding him to summon twelve disinterested freeholders, to  
 appear on a day to be appointed by the said justice on the land  
 of the person making application, and the said freeholders, hav-  
 ing first made oath before some justice of the peace for the said  
 county, that they will, without favour, affection or partiality, as-  
 sess the damages sustained by the person or persons at whose re-  
 quest such inquisition shall be made, by reason of opening the  
 said road through his, her or their lands, shall thereupon proceed  
 to assess and value the damages accordingly, of which the said  
 commissioners shall have at least five days previous notice, and  
 such inquisition shall be final and conclusive; *Provided always*,  
 that the said road shall not pass through any house, yard, gar-  
 den or orchard, without the consent of the owner or owners  
 thereof.

Damages to be ascertained.

Provisos.

3. *And be it enacted*, That the said commissioners shall be en-  
 titled to receive as a compensation for their services a sum not  
 exceeding two dollars per day, to be paid by the petitioners, or  
 others interested.

Commissioner's allowance.