

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 sum for damages than the commissioners had previously done, then and in that case the person or persons at whose instance it was held, shall pay all the legal costs and charges of said inquisition; but if on the contrary they should award a larger sum, then the costs of such inquisition shall be paid by the county: *Provided*, That the said commissioners or a majority of them, shall not be bound to lay out the road aforesaid, from New-Town to Buckey's-Town, on the route as now located, provided a better or nearer way may be discovered, and which may be offered to said commissioners, for the use of said road by the person or persons whose land it may pass through, without any charge to the county; but in such case the commissioners as aforesaid, may depart from such location.

1812.

Proviso.

4. AND BE IT ENACTED, That the said commissioners before they shall proceed to act, shall take an oath before some justice of the peace, of the same tenor and effect as is heretofore directed to be taken by the jurors.

Commissioners shall take an oath.

5. AND BE IT FURTHER ENACTED, That no person or persons through whose land the said road shall pass, and who have agreed or signed the petition for the same, shall be entitled to any damages by this act.

Damages— who shall not be entitled.



CHAPTER 3.

*A Supplement to the Act entitled, An act to authorise the Levy Court of Washington county, to appoint commissioners to alter, straighten, open and amend a road therein mentioned.*

Passed Nov. 9, 1812.

BE IT ENACTED by the General Assembly of Maryland, That the width of the road as directed to be opened by the act to which this is a supplement, passed at November session, eighteen hundred and eleven, shall be fifty feet in width, instead of thirty, as directed by the original act, to which this is a supplement.

Its width.