

the said road may pass as the aforesaid commissioners may think most proper; and the said commissioners, or a majority of them, shall survey, mark and bound, the said road as straightened, altered and amended by them, (at least thirty feet in width) and return a plot thereof, with a certificate of the courses and distances of the same, to the clerk of Queen Anne's county, with the probable amount of expenses that may be incurred for opening, straightening and amending the said road. Dec. Ses. 1816

2. *And be it enacted* That the said commissioners shall ascertain what damages, (if any) the owner or owners of land over which the said road may be laid out shall or may sustain for and on account of the same having been laid out through or over their lands, and return the same, under their hands, to the levy court of Queen Anne's county, and the said levy court be, and they are hereby authorised and directed, to assess and levy on the assessable property of said county, such sum or sums of money as shall be ascertained by said commissioners to be due to the landholders aforesaid, which sum or sums of money shall be collected and paid over as other county charges are, to those persons entitled to receive the same, and shall also levy such sum as the commissioners aforesaid shall recommend for opening and clearing the said road; *Provided always*, that if any person or persons through whose lands the said road may pass, his, her, or their guardian or trustee, shall conceive themselves aggrieved by such valuation and assessment of damages by the said commissioners, it shall and may be lawful for any justice of the peace of said county, on application of the party 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, uninterested in the opening of the said road, 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 that they will, without favour, affection or partiality, assess the damages sustained by the person or persons at whose request such inquisition shall be taken, by reason of opening the said 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 levy court, 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. Damages to be ascertained.

3. *And be it enacted*, That the levy court of said county shall immediately upon the return of the plot and certificate of the said road, appoint one or more supervisors to open and clear the said road; and when opened, the same shall for ever thereafter be deemed a public highway, and kept in repair, as other public roads in said county are. Proviso.

4. *Whereas*, the road leading from the Manor Road, through the lands of the late Joseph Mecomikin, to T. B. being a part of Supervisors to be appointed.