

jamin Gaither, Philip Hammond, junior, and Jesse Wheat, be Dec. Ses. 1816
 and they are hereby appointed commissioners, and they, or a majority of them, are authorised to lay out and open, at the expense 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 Magruder'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 Baltimore 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 recorded among the records of said counties, shall for ever thereafter be deemed a public road, and shall be kept in repair as other public roads are in said counties.

2. *And be it enacted*, That the said commissioners, or a majority 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 guardian or trustee, shall conceive him, her or themselves, aggrieved 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 application 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, having first made oath before some justice of the peace for the said county, that they will, without favour, affection or partiality, assess the damages sustained by the person or persons at whose request 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, garden 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 entitled 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.