

road when so laid out and opened, and a plot thereof made out and returned to the clerk of Baltimore county court, there to be recorded among the records of said county, shall be deemed and taken as a public highway, and to be kept in repair as other public roads are in said county; *Provided*, The said commissioners shall not lay out the said road through any orchard, yard or garden, without the consent of the owner or owners thereof.

Dec. Ses. 1821.

Proviso.

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 shall pass, taking into consideration the advantages and disadvantages, if any; and the same when so assessed, shall be paid or secured to be paid, by the person or persons who may apply to have the said road laid out and opened as aforesaid, to the person or persons entitled to receive the same, before he or they shall proceed to open said road.

Damages.

3. AND BE IT ENACTED, That if any person or persons through whose lands the said road shall pass, or his, her or their guardian or trustee, shall conceive himself, herself or themselves aggrieved by such valuation and assessment of damages by the said commissioners respectively, it shall and may be lawful for any justice of the peace of said county, on his, her or their application, to issue his warrant under his hand and seal, directed to any constable of said county, commanding him to summon twelve disinterested men, qualified by law to serve as jurors in the county court, to meet upon the premises on a certain day, of which six days notice shall at least be given to the party or parties interested; and the said jurors, when so met, and having each first taken an oath before some justice of the peace, that he will, without favor, affection, prejudice or partiality, assess the damages sustained by the person or persons at whose request such inquisition shall be taken, by reason of opening the aforesaid road through his, her or their lands, shall thereupon proceed to assess and value the damages accordingly, taking into consideration the advantages and disadvantages, if any; and such inquisition and valuation shall be final and conclusive between the parties respectively.

Persons aggrieved--remedy.

CHAPTER 103.

An act for the relief of Elijah Morress, Lydia Anthony and Margaret Wherret, of Caroline county.

Passed Jan. 30 1822

BE IT ENACTED *By the General Assembly of Maryland*, That from and after the passage of this act, it shall and may be lawful for Elijah Morress, Lydia Anthony and Margaret Wherret, to apply to the trustees of the poor for Caroline county, for an allowance out of the Poor House; and if said trustees, in their judgment, should consider them objects of charity, they are hereby authorised and directed to recommend them in writing to the justices of the levy court of said county, who are then hereby authorised and directed, to levy on the assessable property of said county, such sum of money for the use of each of the above named persons, as they in their judgment may deem proper, not exceeding twenty-five dollars for each person; and the same to be collected by the collector of said county, and by him paid over to the said Elijah Morress, Lydia Anthony and Margaret Wherret or to their order.

\$25 annually may be levied