

## CHAP. 18.

them sustained, by reason of such road running upon and through his, her or their land, then the said commissioners, or a majority of them, shall proceed to value and estimate the value of the land so to be occupied by the said road, and the damages sustained by the said owner or owners of the land upon which the same shall run by reason thereof, and report the same to the levy court aforesaid; and the said levy court, at their next levy thereafter, shall levy the amount of such damages upon the assessable property of the said county; but if the owner or owners of such land shall appear before the levy court before the levy for raising the same is laid, and object to the valuation of the land and estimate of damages, or either of them, so made by the commissioners, and demand a jury to value his, her or their land, so to be occupied by the said road, or to assess the damages to him, her or them, occasioned by the said road, the levy court shall direct the sheriff of Washington county to summon twelve freeholders of the said county, not related to the person or persons so demanding the same, and shall fix a day when the said jury is to attend on the said land so to be occupied or damaged by the said road, to value the same, and to adjudge and assess the damages which will accrue to the person or persons so demanding the jury, by reason of the said road, if any, the said jury first taking an oath, by the sheriff to them to be administered, to ascertain the true value of the land so to be occupied by the said road, and assess the damages by the person or persons requiring such jury, by reason of the said road, justly and fairly, without favour, affection or ill-will to any person, and to the best of their knowledge and judgment; and the verdict to be given by the said jury shall be signed by the jurors respectively, and delivered to the said sheriff, and by him be returned to the said levy court, and the said court shall levy the sum so adjudged upon the assessable property of the said county, at the laying of the next levy for the said county thereafter; but if such valuation by the jury should be less than that before made by the commissioners, the owner or owners of the land so requiring such jury shall pay all the costs of the said proceeding.

In estimating damages all advantages and disadvantages to be considered

2. AND BE IT ENACTED, That the said commissioners, or a majority of them, and the said jury or juries, as the case may be, in estimating the value of the lands so to be occupied by the road, or in estimating the damages occasioned by the running of the said road through the lands of any person or persons, shall take into consideration all advantages as well as disadvantages arising to the person or persons through whose land the said road shall run.

Lands of petitioners not to be paid for

3. AND BE IT ENACTED, That the persons who have signed the petition to the general assembly of Maryland praying that this road may be opened, having explicitly stated in their petition that they are willing to give the land for the said road, so far as the same may run through their lands respectively, no consideration or sum shall be levied or paid for the value of the land which the said road shall occupy, which belongs to any one or more of the said petitioners.

Plot to be returned and recorded

4. AND BE IT ENACTED, That when the said commissioners, or a majority of them, shall have returned a plot of the said road, as by them laid out and established, to the levy court of Washington county, the said court shall cause the said plot to be recorded as