

as the case may be, to every person so summoned, that he will without favour, affection, partiality or prejudice, 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 land, and the persons so summoned and so qualified shall thereupon proceed to assess and value the damages accordingly, of which the said commissioners, or some one of them, shall have given at least five days notice, and such inquisition shall be final and conclusive between the parties; and in assessing the damages the jury shall take into consideration the convenience and inconveniences, the advantages and disadvantages, if any, arising to the proprietors of the land over which the said road may pass; *Provided*, that in such appeals from the valuations and assessments of damages made by the commissioners, shall the valuations and assessments of the said commissioners be confirmed by the jury by this section directed to be summoned, the party or parties appealing shall pay the whole expense incurred thereby.

*Proviso*

3. AND BE IT ENACTED, That the said commissioners shall not open the aforesaid road through any building, garden, orchard or meadow, of any person, without first obtaining his, her or their consent in writing.

Road not to be opened through any building, &c.

4. AND BE IT ENACTED, That the said commissioners, shall receive for their services a sum not exceeding two dollars for each day's necessary attendance.

Commissioners' compensation

5. AND BE IT ENACTED, That the damages that may be assessed in virtue of this act, compensation to commissioners, and all other the expenses and costs, that may occur in laying out and opening the said road, shall be paid by such persons only as may think proper to contribute thereto.

Expenses to be levied.

CHAP. LXVI.

*An Act annulling the Marriage of Thomas Drake, and Martha his Wife, of Kent County.* Lib. TH. No. 4, fol. 495. Passed Jan. 8, 1816

CHAP. LXVII.

*An Act to widen or change a part of the public Road leading from Vienna to Henry's Cross Roads, in Dorchester County.* Lib. TH. No. 4, fol. 495. Passed Jan. 8, 1816

1. BE IT ENACTED, by the General Assembly of Maryland, That Richard Tootell, John Seward, Robert Wallace, Hooper Rawleigh and John Brohawn, (upper district,) be and they are hereby appointed commissioners, and they, or a majority of them, are hereby authorised and empowered to review the public road leading from Vienna, in Dorchester county, to Henry's Cross Roads in the same county, and to widen or change such part or parts thereof as in their judgment and discretion the public convenience may require, and to report their proceedings to the levy court of the said county, and the said report of proceedings shall be recorded by the said court, and the said road, as widened or changed, shall for ever thereafter be deemed a public highway.

Commissioners appointed to review road.

2. AND BE IT ENACTED, That the said commissioners, or a majority of them, shall ascertain and value the damages which any person or persons may sustain in their lands by the widening or changing any part or parts of said road, and shall make and re-

Damages to be ascertained.