

out several roads, in virtue of which the road formerly leading by the said mill has been removed, and another road laid out, by which they are deprived of the advantage they would have had in the purchase of wheat and other produce; and have prayed that a road may be laid out and opened, not exceeding thirty-three feet wide, beginning near the plantation of William Fisher, and running to their mill, and from the said mill to the public road at or near Carroll's manor, and a number of the inhabitants of Anne-Arundel county having also prayed that the prayer of the said petition may be granted, and the major part of the owners of land, where the said road will pass, having consented to the same; and this general assembly thinking the prayer of the said petition reasonable,

C H A P.
XVIII.

II. *Be it enacted, by the General Assembly of Maryland,* That Charles Alexander Warfield, Reuben Merriweather and Richard Dorley, son of John, or any two of them, be and are hereby appointed commissioners to survey, lay out and open, at the expence of the said Benjamin Lawrence and Elias Dorsey, a road, not exceeding thirty-three feet wide, in such direction as the situation of the country will admit, and best answer the purposes of this act, from the public road leading from the Baltimore county turnpike road through Anne-Arundel county to Frederick-town, beginning for the same on the said public road at or near the plantation of William Fisher, and running to the mill of the said Benjamin Lawrence and Elias Dorsey, and from thence to intersect the said public road at or near Carroll's manor; and the said road, when so surveyed, laid out and opened, and the valuation herein after directed to be made shall have taken place, shall be recorded in Anne-Arundel county court, and shall be deemed and taken to be a public road for ever thereafter, and kept up, amended and repaired, as all other public roads in the said county.

Commissioners appointed, &c.

III. *And be it enacted,* That the said commissioners shall ascertain and value what damages may be sustained by any person or persons through whose land the said road shall pass, and the same, when so assessed, shall be paid, or secured to be paid, by the said Benjamin Lawrence and Elias Dorsey, before the said commissioners shall proceed to open the said road: Provided always, that if any person or persons, through whose land the said road shall pass, or 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 the said commissioners, or any two of them, to issue their warrant to any constable of the county, to summon five freeholders of the county, not interested in the premises, and qualified to serve as jurors in the county court, to appear, on a day by them to be appointed, on the premises, and the said commissioners are hereby authorized to administer an oath to every person so summoned, that he will, without favour, affection, prejudice or partiality, assess the damages sustained by the 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 sworn, shall thereupon proceed to assess and value the damages accordingly, of which the said Benjamin Lawrence and Elias Dorsey, or one of them, shall have had at least five days previous notice; and such inquisition shall be final and conclusive between the parties.

Who shall ascertain damages, &c.

IV. *And be it enacted,* That the said commissioners shall not lay out or open the said road through the buildings, gardens or orchards, of any person, without his or her consent.

Road not to go through buildings, &c.

C H A P. XIX.

An ACT to empower and authorize certain commissioners of Dorchester and Caroline counties to open a main road, and change the old road, which was formerly the division of the said counties, at the North-West Fork bridge, and the same, when so changed, to be the division of the said counties.

Passed December 22.

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants of Dorchester and Caroline counties, that the main road which has heretofore been established and considered as the divisional

Preamble.