

C H A P.
III.

pointed, and a majority of whom should ascertain the damages resulting to any individual by opening said road through his lands: And whereas the said road runs through the lands of the said John Murray, and in order to ascertain the damages sustained by the said John Murray, five freeholders, agreeably to the provisions of said law, were appointed to estimate the sum to be allowed to said John Murray, and a majority of said freeholders did, agreeably to the provisions of said law, adjudge and award the sum of nineteen pounds eighteen shillings and nine-pence, to be paid to the said John Murray, which sum has never been paid to the said John Murray by the said county; therefore,

II. BE IT ENACTED, by the General Assembly of Maryland, That the levy court of Baltimore county be and they are hereby authorised and required to assess and levy, on the assessable property thereof, the said sum of nineteen pounds eighteen shillings and nine-pence, for the use of the said John Murray, in full payment of the aforesaid sum awarded to him.

Court to levy money, &c.

C H A P. IV.

An ACT to lay out and streighten a certain road in Baltimore county.

Passed January 5, 1805.
Preamble.

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants of Baltimore county, that the convenience of the public will be greatly promoted by streightening and amending the road now opened and used leading from the line of Frederick county, at or near Ludwick Wampler's mill, to the mill of Henry Ebaugh, and from thence to intersect the Hanover turnpike road at or near captain Richard Richards's school-house; therefore,

II. BE IT ENACTED, by the General Assembly of Maryland, That Daniel Loster, Henry Ebaugh and Richard Richards, junior, be and they are hereby appointed commissioners to lay out, streighten and amend, the road now open from the Frederick county line, at or near Ludwick Wampler's mill, to the mill of Henry Ebaugh, and from thence to intersect the Hanover turnpike road at or near captain Richard Richards's school-house, of a width not exceeding thirty feet, in the streightest and best direction that the nature of the ground will admit; and the road when so laid out, streightened and amended, and the valuation herein after directed to be made shall have taken place, shall be recovered by the clerk of Baltimore county court, and shall for ever thereafter be deemed and taken to be a public highway, and kept in repair as other public roads in said county.

Commissioners appointed, &c.

III. 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, streightened and amended as aforesaid, to the person or persons entitled to receive the same, before he or they shall proceed to open the said road.

Who shall ascertain damages, &c.

IV. 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, on his, her or their application, to issue his warrant, under his hand and seal, directed to the sheriff of the 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 at least shall 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 favour, 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 land, 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; provided, that the said road shall not be opened through the buildings, gardens, yards or orchards, of any person, without his or her consent.

Justice may issue his warrant, &c.

C H A P. V.

An ACT to authorise the levy court of Saint-Mary's county to assess and levy a sum of money for the support and maintenance of John Tuel.

Passed January 5, 1805.

WHEREAS Mary Anne Tuel, of St. Mary's county, hath set forth by her petition to the general assembly, that she is a poor widow, with several children, that one of her said children

Preamble.