

C H A P.
CXX.

be lawful for said commissioners, or any two of them, to issue their warrant to the sheriff of the county aforesaid, commanding him to summon twelve freeholders in the county aforesaid, and 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, or any one of them, are hereby authorised to administer an oath, or affirmation, 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 conveniencies and inconveniencies, the advantages and disadvantages, if any, arising to the proprietors of the land over which the said road may pass.

IV. 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.

Not to go thro' any building, &c.

C H A P. CXXI.

An ACT for the payment of the journal of accounts.

Passed 25th of Dec 1808. Preamble.

WHEREAS it appears by the journal of accounts of this session, that there is due from the state the sum of twenty-two thousand eight hundred and forty dollars and seventy-three cents;

II. BE IT ENACTED, by the General Assembly of Maryland, That the treasurer of the western shore shall and he is hereby authorised and required, to pay the several persons, their executors, administrators, assigns or order, or to such of them as shall offer to receive the same, the several sums of current money allowed to them respectively, as they appear to be settled and ascertained by the said journal of accounts, out of any money now in the treasury, or that shall come into the treasury, subject to the appropriation of the general assembly.

Treasurer to pay, &c.

RESOLUTIONS ASSENTED TO NOVEMBER SESSION, 1808.

RESOLVED, That the treasurer of the western shore pay unto John Williams, of Worcester county, or his order, out of any unappropriated money in the treasury, the sum of eighty-nine dollars and twenty five cents, with interest from the sixth day of February, eighteen hundred and eight, being for the like sum of money paid by him into the treasury for confiscated lands in Worcester county, sold to him by the executive of this state, and which had been heretofore sold by the state to colonel Peter Chaille, of said county.

RESOLVED unanimously, That the executive of the state be and they are hereby authorised and empowered, to purchase of the United States, for the use of the state of Maryland, four thousand stand of arms, of Whitney's manufacture, at the price of ten dollars per stand, to be paid out of any unappropriated money in the treasury of the western shore, and the executive are hereby authorised to draw on the treasury for the same.

RESOLVED, That all proceedings against John Wilkins, and his securities, on a judgment obtained against them on account of a balance due to the state by the said John Wilkins, as sheriff of Somerset county, be and are hereby suspended until the first day of January, eighteen hundred and ten, and also that the said John Wilkins, and his securities, be and they are hereby released from the payment of the nine per cent. per annum of the fifteen per cent. interest chargeable on the principal of the balance due the state, on condition only that the said John Wilkins, and his securities, shall punctually pay to the treasurer of the eastern shore, on or before the first day of January, eighteen hundred and ten, the principal of the balance due the state, with interest on the same at the rate of six per cent. per annum, together with all costs on said judgment; provided, that the judgment aforesaid shall continue and be in force, notwithstanding the suspension directed by this resolution, and that if the said John Wilkins, and his securities, shall fail in the said payment, they shall thereby forfeit the benefit of this resolution, and shall be liable to be proceeded against immediately for the whole of said debt and costs, and the fifteen per cent. interest now payable thereon.