

C H A P. XCIV.

of Baltimore county; provided, the said commissioners shall not lay off the said road through any orchard, yard or garden, without the consent of the owner or owners, nor through any grain field or meadow whilst the crop is growing thereon.

Their allowance.

II. AND BE IT ENACTED, That each commissioner herein named shall be entitled to receive four dollars per day for each and every day they are engaged in locating and laying out the said road, from the Falls turnpike company, or any person or persons that may undertake to make said road.

Damages to be ascertained, &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, straightened 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.

Persons aggrieved may apply to a justice, &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 said 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.

C H A P. XCV.

Passed 24th of Dec. 1808.

An ACT confirming the title of James Kent, Thomas Kent, Francis Kent, William Coleman, and the heirs of James Kent, the elder, to the lands therein mentioned.

Preamble.

WHEREAS it is represented to this general assembly, by the petition of James Kent, that an application was heretofore made to Queen-Anne's county court, for a division among her heirs of all the lands and real estate of Sarah Vanderin, deceased, of which she died seized and intestate, in the said county, and that the said application was so far proceeded on in the said court, that the commissioners appointed to make the said division were authorised to sell the said lands at public auction; that the said commissioners, or a majority of them, in pursuance of the said authority, exposed to public sale all the lands and real estate of the said Sarah Vanderin, lying and being in Queen-Anne's county aforesaid, and at the said sale a certain William Coleman became purchaser of a small parcel of land, attached to a dwelling-house and blacksmith's shop, being part of a tract of land called Providence, and containing two acres, more or less, for the sum of three hundred dollars current money, two hundred of which he immediately paid to the said commissioners; and that James Kent, Thomas Kent and Francis Kent, being three of the heirs of the said Sarah Vanderin, became purchasers of a part of a tract called Royston, containing one hundred and forty-three acres, more or less, for the sum of three pounds per acre current money; and the remaining part of the said lands and real estate, being a part of the said tract called Providence, was struck off to James Kent, the elder, since deceased, for the sum of five hundred pounds current money: And whereas it is further represented by the said petition, that all the said commissioners, except Robert Waters, have departed this life without making any return of the said sales to the said court, or taking any other step for perfecting the titles of the said purchasers; and the said petitioner has prayed that a law may now pass confirming the titles to the lands respectively purchased from the said commissioners, as also to confirm the title in the heirs of the said James Kent, the elder, to the land purchased by him; and the prayer of the said petitioner appearing to us reasonable, therefore,

Right confirmed to W. Coleman, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That all the right, title, interest and estate, that descended from the said Sarah Vanderin, of, in and to, the said part of Providence sold to the said William Coleman as aforesaid, be and the same are hereby confirmed unto him the said William Coleman, his heirs and assigns, for ever, upon his paying to the heirs of the said deceased en-