

1803.

NOVEMBER.

L A W S OF M A R Y L A N D.

C H A P.
LXXXIX.

shall thereupon proceed to assess and value the damages accordingly, of which the said commissioners, or a majority of them, shall have at least five days notice, and shall return the damages so assessed to the said justice of the peace, and such inquisition and valuation shall be final and conclusive, and the party or parties in whose favour the valuation ascertained by the said commissioners, or a majority of them, or the damages assessed by the said freeholders, shall be made, shall be entitled to receive the same from the said commissioners, or a majority of them, and the said commissioners shall pay, or secure the same to be paid, out of the monies levied for the purpose of making the said road, before they shall proceed to affect the lands and tenements of the person or persons concerned.

And cause the
road to be
cleared, &c.

IV. AND BE IT ENACTED, That after the valuation herein directed to be made shall have been paid, or secured to be paid, to the person or persons entitled to the same, the said commissioners, or a majority of them, shall cause the said road to be cleared and grubbed, and shall have power to employ such labourers as may be necessary to complete the same, and shall also have power to contract with and employ any person or persons to build a bridge over the Patuxent, at Ashton's ford aforesaid, and to purchase timber and other things necessary for completing the same.

Court to levy
money, &c.

V. AND BE IT ENACTED, That the levy court of Anne-Arundel county shall, at the time of laying the next county levy, assess and levy on the assessable property of said county, a sum not exceeding five hundred dollars, to be collected and paid to the commissioners, or a majority of them, for the purpose of defraying the expences of opening the said road in Anne-Arundel, and one half the expence of building the bridge aforesaid; and the levy court of Prince-George's county shall, at the time of laying the next county levy, assess and levy, on the assessable property of said county, a sum not exceeding four hundred dollars, to be paid to the commissioners, or a majority of them, for the purpose of defraying the expences of opening the said road in Prince-George's county, and one half the expence of building the bridge aforesaid; and after the road shall be open, cleared and completed, and the bridge aforesaid shall be built, it shall be the duty of the commissioners to return to the levy court of each county a statement of the expence of opening, clearing and completing, the road in such county, and the expence of building said bridge, which statement shall be supported by vouchers, and shall pay to the levy court of either county any money that shall remain in their hands unexpended in completing the road and bridge as aforesaid.

C H A P. XC.

Passed 7th of
January, 1804.

An ACT to confirm the partition made by certain commissioners therein mentioned, and for other purposes.

Preamble.

WHEREAS it has been represented to this general assembly, by the petition of Mary Black, widow of James Black, John Groome, and Elizabeth his wife, late Elizabeth Black, James Scott, and Mary his wife, late Mary Black, Anne Black and James Rice Black, Sarah Black, Catherine M. Black and Jane Black, minors under the age of twenty-one years, by Mary Black, widow, their mother and guardian, heirs and representatives of the said James Black, deceased, that the said James Black died seized, and intestate, of sundry tracts and parcels of land, and houses and lots, some of which lie in the state of Delaware, and some others of them in this state; that the said land, houses and lots, have descended to the said Elizabeth, Mary, Anne, James, Sarah, Catherine and Jane Black, as heirs of the said James Black, in equal portions, subject nevertheless to the right of dower of the said Mary Black, widow, in all the real estate of the said James Black; and that the said John Groome and wife, James Scott and wife, and Anne Black, are of full age, and the said Mary Black, as guardian of the said James Rice Black, Sarah Black, Catherine M. Black and Jane Black, infant children of the said James Black, and for herself also, did heretofore enter into an agreement, that Joseph Burn, David Nivin, Joseph Israel, Augustine Boyer, John Ireland and Daniel Sheredine, as commissioners, appointed on the part and behalf of all the parties interested, should make partition between the said parties of all the estate aforesaid of which the said James Black died seized, in such manner as the said commissioners should think fair and equitable: And whereas the said commissioners, or a majority of them, in pursuance of the authority vested in them, did proceed to make partition and division of the said real estate equally among the heirs and representatives aforesaid, with pecuniary charges on some of the allotments, for owelty of partition, and also each of the said allotments charged with the payment of a certain sum of money annually to the said widow, Mary Black, during her natural life, in lieu and in bar of her dower in said real estate, and have stated in writing, under their hands and seals, accompanied by plots, the said partition, and all other their proceedings in the premises: And whereas the said widow, Mary Black, on behalf of herself and the said minor children, and the said other heirs and representatives of the said James Black, have, for themselves, agreed to the partition and allotments as made and