

the said commissioners, it shall and may be lawful for any justice of the peace for the said county of Frederick, on application of the party interested, to issue his warrant, under hand and seal, directed to any constable of the county, commanding him to summon five freeholders, disinterested as to the said road, to appear, on a day by him to be appointed, on the land of the person making application as aforesaid, and the said freeholders, having first made oath before some justice of the peace, that they 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, of which the said commissioners shall have had at least five days previous 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 the damages assessed by the said freeholders, shall be made, shall be entitled to receive the same from the said commissioners; and the said commissioners shall pay, or secure to be paid, the amount of the said valuation or damages to the respective parties entitled to the same, out of the monies to be raised and collected from the subscriptions to the said road, within the space of six months after the assessment of such valuation or damages, and before they shall proceed to affect the lands and tenements of the person or persons concerned; *Provided*, that the said road shall not go through any houses, gardens, yards, meadows or orchards, unless with the consent of the owner thereof.

Proviso:

CHAP. LXXIII.

An Act to extend the powers of the Trustees of the Poor of Montgomery County. Lib. JG. No. 3, fol. 468. Passed Dec. 19.

Other acts. 1804, ch. 41, ch. 67. 1802, ch. 10, ch. 50, ch. 61. 1803, ch. 17, ch. 39, ch. 86. 1804, ch. 109. 1805, ch. 61. 1806, ch. 42. 1807, ch. 40, and 1808, ch. 22.

WHEREAS Elizabeth Gates, by her petition to this general assembly hath set forth, that she is now in the ninetieth year of her age; that from her advanced age and bodily infirmities she has for a number of years been unable to support herself, and hath no means whereby to subsist, but on the benevolence of her daughter, who is very poor, and prays that an act may pass to provide for her future maintenance out of the poor house; therefore,

Preamble.

2. BE IT ENACTED, by the General Assembly of Maryland, That it shall and may be lawful for the trustees of the poor of the said county of Montgomery, if they shall be of opinion that the peculiar circumstances of the said Elizabeth Gates are such as to render a situation in the poor-house particularly unsuitable for her, to support her as an out-pensioner, in addition to the number now allowed by the act, * entitled, An act to enlarge the powers of the trustees of the poor in the several counties therein designated, and to allow to the said Elizabeth Gates an annual pension, not exceeding thirty dollars, to be paid at such time or times as the said trustees shall direct, the amount of which said pension shall be levied in the same manner as the other expenses of the poor house in the said county.

Levy for support of E. Gates.

* 1799, ch. 65.