

CHAP. 106. the habit of receiving the sum of forty cents as a compensation for serving writs of *capias ad satisfaciendum*, and that doubts have been lately suggested whether under the law of this state they are entitled to do so; and the law not appearing to be sufficiently explicit on that subject, therefore,

Fees allowed in certain cases.

2. BE IT ENACTED, by the General Assembly of Maryland, That it shall and may be lawful for the constables of Talbot county, and they are hereby entitled to receive for the following services the compensation hereafter specified, to wit: For serving each writ of *capias ad satisfaciendum*, the sum of twenty-five cents; for returning each and every writ of *capias ad satisfaciendum*, the sum of twelve and a half cents.

See November 1809, ch. 169.

CHAP. CVII.

Passed Dec 24.

An Act to confirm the opening of a Road in Anne-Arundel and Prince-George's Counties. Lib. TH. No. 2, fol. 578.

Road confirmed.

1. BE IT ENACTED, by the General Assembly of Maryland, That the road opened in Anne-Arundel and Prince-George's counties by the commissioners appointed under an act of assembly passed at November session, eighteen hundred and three*, be and the same is hereby confirmed, provided that the commissioners appointed under the aforesaid act shall pay to the clerk of Anne-Arundel county, for the use and benefit of John Worthington, the damages ascertained by the commissioners on account of the road running through the said Worthington's land.

* Ch 89.

2. AND, whereas John Worthington, of Anne-Arundel county, had conceived himself aggrieved by the valuation and assessment of damages laid by the commissioners named in the act†, entitled, An act to authorise the opening of a road in Anne-Arundel and Prince-George's counties, and did appeal therefrom to a jury, agreeably to the provisions contained in that act, and although the jury met and were empanelled, yet the diversity of opinion as to the injury sustained by said Worthington was so great, that the jury separated without assessing any damages; therefore, BE IT ENACTED, That Francis Bealmear, Lancelot Warfield and Henry Maynadier, be and they are hereby appointed commissioners to review the road as now laid out, and the said commissioners, or a majority of them, shall value and ascertain what damages have been sustained by the said John Worthington, by means of the aforesaid road passing over his land, and such valuation and assessment of damages shall be final and conclusive, and shall be deemed and considered as full satisfaction for all injuries sustained by said John Worthington in opening said road; *Provided*, that if the commissioners aforesaid, or a majority of them, shall assess the damages to a greater amount than the commissioners named in the act before recited, then the levy court of Anne-Arundel county, at their next meeting thereafter, are hereby authorised and empowered to assess and levy on the assessable property of Anne-Arundel county, such excess of valuation or assessment of damages, and when collected to pay over the same to the said John Worthington, or his order.

† 1803, ch 89.

Damages sustained by John Worthington to be ascertained.

Proviso.