

der his hand and seal, directed to the sheriff of the 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 ten 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; *Provided*, that the said roads shall not be opened through the buildings, gardens, yards or orchards, of any person, without his or her consent.

Proviso

4. AND BE IT ENACTED, That if the owner or owners of the land which belonged to James Croxall, at the time of the passage of the above recited act, shall set up a boat, or cause it to be done by others, until they have paid the said Francis Holland the expense which he has been at by opening, straightening and making said road, they shall forfeit and pay to the said Francis Holland, the sum of two hundred dollars, to be sued for and recovered as sums of like amount are sued for and recovered.

Forfeit in a certain case.

CHAP. XXXI.

*An Act authorising Ezra Mantz, late Sheriff of Frederick County, to complete his Collection.* Lib. TH. No. 3, fol. 368. Passed Dec. 3.

CHAP. XXXII.

*An Act to regulate the Fees of the Register of the Court of Chancery.* Lib. TH. No. 3, fol. 369. Passed Dec. 2.

See Nov. 1779, ch. 25, and 1817, ch. 111.

1. BE IT ENACTED, by the General Assembly of Maryland, That after the first day of February next the register of the court of chancery, for the performance of the duties of his office, shall not, under the penalty of one hundred dollars for every offence, demand, ask for or receive, any higher or other fees than are allowed by law to the clerks of the county courts for the same services.

Fees regulated.

2. AND BE IT ENACTED, That for any services to be performed by the register of the court of chancery, and for which no allowance is made to the clerks of the county courts as aforesaid, the said register shall charge one half of the respective fees now allowed to him by law, and no more; and the said register shall not, after the first day of February next, under the penalty of one hundred dollars for every offence, demand, ask for or receive, any higher or other fees for such services.

What he shall charge in certain cases.

3. AND BE IT ENACTED, That the penalties which may accrue in virtue of this act, shall be recovered by indictment in Anne-Arundel county court, and that one half thereof shall be paid to the person or persons prosecuting for the same, and the other half to the state.

Penalties, how to be recovered and disposed of.