

CHAP. 125.

CHAPTER 125.

Passed Feb. 20, 1853. *An act relating to a part of a Lot of Ground in Frederick town.*

Preamble.

WHEREAS, it has been suggested to this General Assembly, that the state of Maryland has the title to a small part of the lot number one, on the plot of Frederick town, in Frederick county, now in the possession of a certain Valentine Birely, of said town, who also claims title to the same, and has expended considerable sums of money in the improvement thereof, and it seems reasonable, as well on account of the smallness of said parcel of ground, as of the willingness of the said Birely, to pay a fair value for the same, to be assessed by suitable persons to be appointed for that purpose, on the part of the state:—Therefore,

Commissioners authorised to convey.

Be it enacted by the General Assembly of Maryland, That James M. Coale, Michael Buckey and Casper Quynn, of the county aforesaid, or a majority of them, be, and they are hereby authorised and empowered, in the name and on behalf of the state of Maryland, to convey and release to Valentine Birely, of Frederick town, in said county, his heirs and assigns, forever, all the right, title and interest whatsoever, of the state of Maryland, to all and every part of a certain piece or parcel of land, situate in Frederick county and distinguished as lot number one, on the plot of Frederick town, upon the payment by the said Birely, to the said James M. Coale, Michael Buckey and Casper Quynn, or a majority of them, such sum of money, for the use of the state of Maryland, as they, or a majority of them, shall adjudge to be the value thereof, its present value as enhanced by reason of its contiguity to the rail road passing thereby, and deducting from the valuation, the amount of said Birely's improvements thereon, having first investigated the title to the same, which the said commissioners shall pay to the treasurer of the western shore, and if the said Birely shall refuse to take the said parcel of land at the valuation of the before named commissioners, then the commissioners shall dispose of said land, at either private or public sale, as in their discretion they may see fit; and the said commissioners, acting as aforesaid, shall each receive two dollars per day, for each and every day that they may be engaged in said business, which said commission shall be deducted from the purchase money for which said parcel of land may sell, and retained by said commissioners; and if upon investigation, the said commissioners, or a majority of them, shall be of opinion that the said Birely is legally entitled to the said land, then the

Assess the value.

Payment over.

Case of Birely's refusal.

Proceeding directed.

Compensation.