

granted license or licenses to other persons to keep a ferry at the same place.

P. G. L., (1860,) art. 39, sec. 4. 1799, ch. 83, sec. 5.

4. If the proprietor of the land at any place now used as a public ferry, or where a public ferry may hereafter be established, shall refuse or neglect for the space of two months to take out a license agreeably to this article, or to rent the houses and land commonly used with or necessary for such ferry, to some person to be approved of by the said commissioners who will take out a license for the same, or be under any disability to take out a license, or to rent aforesaid, by reason whereof the same shall be delayed to be done to the inconvenience of the public, for the space of three months beyond the annual time for granting such ferry licenses, in such case the county commissioners of the county in which such land shall lie shall issue a warrant to the sheriff of the county, to summon twelve respectable disinterested persons, qualified by law to be jurymen, and also the surveyor of the county, to meet on the premises on a day by him to be appointed, of which due and timely notice shall be given by the said sheriff to the owner or possessor of such land.

Ibid. sec 5. 1799, ch 83, sec. 5.

5. And the said jury shall then and there, upon viewing the place, determine how much land, not exceeding two acres, and not including the dwelling-house, garden, orchard or meadow of the owner or possessor, or any part thereof, shall be necessary and most convenient to be laid off for the use of such ferry; and the said surveyor, under their direction, shall survey and lay off the same, and make a correct plat and certificate thereof, and shall deliver the same to the said sheriff, to be returned to the circuit court for the county; and said jury shall then and there estimate the value of the said land; in doing which, they shall take into consideration all the advantages of its situation, for the purpose of keeping a ferry or pursuing any other business, having first taken an oath justly and impartially to value the same land; and they shall make inquest of their proceedings as aforesaid, under their hands and seals, which shall be returned by the said sheriff, with the certificate and plat aforesaid, to the next circuit court for the county.