

it may pass through each county; and the commissioners of said counties are hereby authorised and required, on receiving from the commissioners appointed by this act an account, on oath, of said expences, including an allowance of two dollars per day to the commissioners, for their services, to levy the same in the proportion before stated, on the assessable property of said counties, to be collected as other county charges are now collected.

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Sec. 3. *And be it enacted*, That the said commissioners, or a majority of them, shall value and ascertain the damage that may be sustained by any person or persons through whose land the said road may be made to pass, taking into consideration the advantages and disadvantages, (if any,) and the damages, so ascertained, shall be levied and assessed as other county charges in said counties are, and shall be paid by the counties where-in such damages may be sustained.

Damages and advantages.

Sec. 4. *And be it enacted*, That the said commissioners, or a majority of them, before they proceed to act, shall take an oath or affirmation, before some justice of the peace, that they will, without favor, partiality, or prejudice assess the damages sustained by the persons through whose lands said road may pass.

Oath required.

Sec. 5. *And be it enacted*, That all acts or parts of acts, inconsistent with, or contrary to, the provisions of this act be, and the same are hereby repealed, so far as the same may conflict with the provisions of this act.

Acts inconsistent repealed.

## CHAPTER 156.

*An act for the benefit of the devisees of Mary Millway, late of Somerset county, deceased.*

Passed Feb 23, 1829

Section 1 *Be it enacted by the General Assembly of Maryland* That the Orphans Court of Somerset county, be, and they are hereby authorised and empowered, if they think it will be advantageous to the devisees of Mary Millway, late of Somerset county, deceased, to appoint a trustee to sell and dispose of the house and lot in the town of Princess Anne, in Somerset county, which the said Mary Millway devised to her [brothers] Samuel Heath and her brother Josiah W. Heath's three youngest children, viz. Sarah Matilda A. Heath, Rebecca Heath, and Paitheis Mitchell Heath, subject to the incumbrance mentioned in the ninth clause of the devise of the said Mary Millway, at such time, and upon such terms, as shall be prescribed by the said Orphans Court, and upon the payment of the whole purchase money, the said trustees shall convey the said real estate to the purchaser or purchasers, which conveyance being duly made, shall be sufficient to con-

Trustee—authorised.