

CHAP. 329.
Ascertain damages

Sec. 3. *And be it enacted*, That the commissioners, or a majority of them, shall value and ascertain the damages, if any, which the owner of the land through which said road will pass, which damages should any be assessed, shall be levied and collected as other county charges are, and paid over to the owner or to the proper person.

Oath required

Sec. 4. *And be it enacted*, That the said commissioners, before they shall 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, if any, sustained by the person through whose land the said road will pass.

CHAPTER 329.

Passed April 2,
1839.

A supplement to the act, entitled, an act to restrain the rigor of prosecutions on testamentary or administration bonds, passed October session, seventeen hundred and twenty, chapter twenty four.

Persons having
claims

Be it enacted by the General Assembly of Maryland, That any person or persons having any claim, or demand, or damages against a deceased person or against the executor or administrator as such of said deceased, shall be authorised to sue the said administrator, or executor, in the county where the said administrator or executor may have taken out letters on said estate, and upon a return of non est inventus on a writ of capias ad respondendum against said administrator or executor, or a return of nulla bono, on a writ of fieri facias, against said administrator or executor, in the county in which said suit is brought, the bond of said administrator or executor, may be put in suit, in the name of the State for the use of such creditor or creditors, and recovery be had thereon in the same manner as debts are now recovered by suit on such bonds.

On return of non
est inventus

Or nulla bona

Bond of adminis-
trator may be sued