

Dec. Ses. 1823 thereafter a public road, and shall be kept in repair as other public roads are.

Compensation. 14. *And be it enacted*, That the said commissioners shall be entitled to receive a compensation for their services and attendance, not exceeding two dollars a day, to be ascertained by the levy court of the county to which the said plot or certificate shall be returned, which together with all charges arising from the survey or attendance of witnesses or other process of the court, shall in the discretion of the said court, be paid by the petitioners, or levied, collected and paid by the counties as herein before directed

Fees. 15. *And be it enacted*, That the officer of the levy court in said county shall be entitled to receive the same fees for all business done in virtue of this law as are now allowed for like services, to be paid as aforesaid.

Former laws. 16. *And be it enacted*, That nothing in this act shall be construed to repeal the power heretofore vested in the several levy courts of this state, in and relating to the altering of public roads through the lands of persons petitioning for such alterations.

Case of damages to be paid by the petitioners. 17. *And be it enacted*, That whenever it shall be adjudged by the levy court that the damages, or any proportion of the same sustained by reason of opening, straightening or shutting up any road, shall be paid by the petitioners therefor, the levy court shall not proceed to open or straighten any road until the said petitioners shall have proved to their satisfaction that the said damages, or such proportion thereof as aforesaid, have been fully paid or secured to be paid, the said security to be determined by the levy court, and tendered to the respective persons authorised to receive the same;—*Provided, always*, that such proof shall be offered within twelve months next after the judgment of the court, and in case the said proof shall not be made within the time above limited, the same proceedings shall be had as if the judgment of the court had been against the petitioners, and the said petition shall be considered as withdrawn by the said petitioners.

Proviso. 18. *And be it enacted*, That the act, entitled, an act to empower and authorise the several levy courts of this state, to direct the opening, straightening, or shutting up of public roads, passed at December session, eighteen hundred and sixteen, be, and the same is hereby repealed, so far as the same relates to Somerset and Dorchester counties.

Repeal.

#### CHAPTER 74.

Passed Jan 29, 1824. Preamble. An act for the relief of Richard Waller, Josiah Broughton, and Samuel Heath, securities of William S. Handy, late Sheriff of Somerset county.

WHEREAS, it has been represented to this General Assembly by the petition of Richard Waller, Josiah Broughton and Samuel Heath, securities of William S. Handy, late sheriff of Somerset county, that in consequence of the failure of the said William S. Handy, that they have become involved in heavy debts, and have suffered most disastrous and minous losses from the pressure of the times and various calamities, insomuch that it is with extreme difficulties they can provide the means of supporting their numerous and expensive families, they therefore pray to be released from the payment of the interest on paying the principle sum due to the state;—Therefore,

Release.

*Be it enacted by the General Assembly of Maryland*, That Richard Waller, Josiah Broughton and Samuel Heath, securities of William S. Handy, late sheriff of Somerset county, be, and they are hereby released from the payment of the nine per cent interest on the whole