

C H A P. XLV.

oath, or affirmation, as the case may be, to wit: "I, A. B. do swear, or solemnly, sincerely and truly declare and affirm, that I will honestly and faithfully estimate and value the damage and injury sustained by C. D. by opening a road through the land of the said C. D. in pursuance of the directions of this act," shall proceed to ascertain and value what damages may be sustained by any person or persons through whose land the said road may pass, by opening and clearing the same, and shall return the damages by him assessed to the clerk of the said county, and the damages so assessed shall be conclusive; and after the valuation so made, the said commissioners shall proceed to open and clear the same; provided that the said road shall not pass through any houses, gardens, orchards or meadows, unless with the consent of the owner thereof.

And laid before court, &c.

IV. AND BE IT ENACTED, That the clerk of the said county, at their next levy court following, shall lay the damages so assessed before the said court, and the justices of the said court shall levy upon the assessable property of the said county the damages so adjudged to be sustained by the persons through whose land the road as aforesaid shall pass, and which sum, when collected, shall be paid to the person or persons sustaining such damages by the collector of said county.

C H A P. XLVI.

Passed 20th of Jan. 1798.

An ACT to authorize the issuing of a patent to Jacob Haynes, of Washington county. Lib. JG. No. 2. fol. 635. A Private Act.

C H A P. XLVII.

An ACT to prevent hogs from going at large in the town of Westminster, in Frederick county. Lib. JG. No. 2. fol. 636.

Preamble.

WHEREAS it is represented to this general assembly, that sundry persons do raise and keep great numbers of hogs, and suffer them to remain at large, in said town, to the great injury of the inhabitants thereof; therefore,

No person to raise hogs, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That from and after the passing of this act, it shall not be lawful for any person or persons whatsoever to raise or keep any hogs within said town, or within one half mile from the centre thereof, except in enclosures, or to suffer any hogs to go and remain at large therein; and if any hogs shall be found going and remaining at large within said town, it shall and may be lawful for any person or persons to kill or impound the same, and if impounded, such persons shall immediately give notice, by advertisements set up in the most public places in said town, describing the hogs so impounded, and if the owner or owners shall not, within five days thereafter, prove his or her property therein, and make compensation for the injury, if any, which may have been sustained by any inhabitant of the said town, to be ascertained by any two disinterested persons, inhabitants as aforesaid, and shall not pay for every such hog the sum of two shillings and six-pence for every day it shall have been so impounded, it may be lawful for the person or persons, so impounding as aforesaid, to sell or kill the same for his or her benefit.

General issue pleadable, &c.

III. AND BE IT ENACTED, That if any person or persons shall be sued and impleaded for killing, destroying and selling, any such hog as aforesaid, the defendant or defendants may plead the general issue, and give this act and the special matter in evidence.

C H A P. XLVIII.

An ACT to appoint a trustee in the place of John Cradock, of Baltimore county, who is dead. Lib. JG. No. 2. fol. 637. A Private Act.

C H A P. XLIX.

An ACT to lay a tax on Cæcil county to complete the public buildings of said county. Lib. JG. No. 2. fol. 638.

Preamble.

WHEREAS it is represented to this general assembly, by the commissioners for erecting the public buildings in Cæcil county, that they have advanced in completing said buildings more money than has been reimbursed by said county; therefore,

Money to be levied, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That the levy court of said county be and they are hereby empowered and directed to levy and assess, at their next session, on the assessable property of said county, such sum of money as shall appear to said court to be due to the said commissioners, and also the commission for the collection of the same, provided that the same do not exceed four hundred dollars.

C H A P.