

by the person or persons at whose request such inquisition shall be taken, by reason of opening the aforesaid road through his, her or their land, shall thereupon proceed to assess and value the damages accordingly, taking into consideration the advantages and disadvantages, if any, and such inquisition and valuation shall be final and conclusive between the parties respectively; provided, that the said roads shall not be opened through the buildings, gardens, yards or orchards, of any person, without his or her consent.

C H A P.
XCIX.

C H A P. C.

An ACT respecting the debts due to this state, and the debtors thereof, and for other purposes.

Passed 8th of
January, 1803.

BE IT ENACTED, by the General Assembly of Maryland, That the treasurers of the respective shores, with the advice and under the direction of the governor and council, be and they are hereby vested with all and singular the powers and authorities necessary for, and incident to, the demanding, requiring and obtaining, the payment of all arrearages and balances whatever due to the state from the debtors thereof; and the said treasurers of the eastern and western shores, and the auditor, are hereby severally required to furnish the governor and council, when requested, with correct statements of such arrearages and balances; and the governor and council are hereby authorised and empowered to direct suits to be commenced against such debtors of the state as they may think proper and expedient, and appoint an attorney or attorneys to prosecute and conduct any particular suit or suits, so directed to be brought and commenced as aforesaid; provided, that all debts due to the state shall be paid to the treasurers of the western or eastern shore respectively, and to no other person or persons whatsoever.

Treasurers
vested with
powers, &c.

II. AND BE IT ENACTED, That the governor and council be and they are hereby authorised and empowered to make composition with any of the debtors of the state, and direct the respective treasurers to take bonds to the state with sufficient security, and give time for payment, not exceeding two years.

Governor, &c.
may make com-
position, &c.

III. AND BE IT ENACTED, That the several sheriffs and clerks of the several counties shall make payment of all monies due to the state, and received by them, or which may hereafter be received by them, for fines, penalties, forfeitures and amerçiaments, and forfeited recognizances, and for ordinary, retailers and marriage licences, within the time limited by law, and, if necessary, the governor and council may direct suits to be brought against any defaulting sheriff or clerk for recovery of the same, and may credit any money that the party is not chargeable with by law.

Sheriffs, &c. to
make payment,
&c.

IV. AND BE IT ENACTED, That whenever there shall be occasion to expose to public sale any confiscated British property that remains unsold, or the property of any debtor to the state, or his securities, by virtue of any execution already issued, or to be issued for this purpose, the governor and council shall be and they are hereby authorised and empowered to appoint a fit and proper person to act in this behalf on the part of the state, who is hereby directed and required, before he proceeds to act, to give bond, with sufficient security, to the state, conditioned for the faithful discharge of the duties required of him; and such sales shall be made upon such public notice, and upon such terms, as the governor and council shall direct; and such person, so appointed as aforesaid to act for and in behalf of the state, in case the sale shall be directed to be made on a credit, which shall in no case exceed two years, take bond to the state, with good and sufficient security, to be approved of by the treasurers of the respective shores, from the purchasers; and all bonds taken by any person appointed as aforesaid shall be deposited, with an accurate list thereof subscribed by him, in the treasury of the western shore, and shall be a lien upon the real property of such purchasers, and their securities, from the respective dates, or so much thereof as shall be mentioned in a schedule thereto annexed, and the said treasurer shall make report of all such bonds to the next general assembly thereafter; provided nevertheless, that the said person, so appointed as aforesaid, shall, and he is hereby directed, at the time of any sale of any confiscated property in virtue of this act, to make known that he only sells the right of this state thereto, and that the state doth not guaranty the title to the same, or any part thereof, but the purchase must be in all respects at the risk of the purchaser.

Governor, &c.
in certain cases
to appoint, &c.

V. AND BE IT ENACTED, That in all cases of uninstalled debts, where the same shall be considered insecure, and in all cases of suits depending in chancery with any state debtors, the governor and council shall be and they are hereby authorised and empowered to make compromises upon such terms and principles as they shall think equitable and just; and if, under the terms of any compromise made as aforesaid, the property heretofore purchased shall be taken back and re-vested in the state,

They may
make compro-
mises, &c.