

II. BE IT ENACTED, by the General Assembly of Maryland, That Cooper Boyd, Sedgewick James and George McCausland, be and they, or a majority of them, are hereby authorised, empowered and directed, to ascertain what damages, if any, have been sustained by a certain Aquila Jones, of Harford county, by reason of two certain roads being laid out through his land, in pursuance of the acts of assembly passed at November session, eighteen hundred and one, and November session, eighteen hundred and three, and make return of the amount of damages aforesaid, if any, so by them ascertained, to the next levy court which shall happen thereafter, and the same shall be thereupon, by said court, levied and collected as other county charges are, and paid to Aquila Jones, or order.

III. AND BE IT ENACTED, That before the aforesaid commissioners proceed to ascertain such damages, they, and each of them, shall take the following oath before some person competent to administer the same, viz. "I, A. B. do swear, or affirm, (as the case may be,) that I will faithfully, without favour or partiality, ascertain the damages, if any, sustained by Aquila Jones, by reason of the aforesaid roads passing through his land, in pursuance of the acts of assembly aforesaid."

C H A P. CXXXVI.

An ACT authorising Commissioners to make sale of the Land of which William Warman Berry died possessed.

Passed 6th of
Jan. 1810.

WHEREAS it is represented to this general assembly, that William Warman Berry, late of Prince-George's county, departed this life in December, eighteen hundred and eight, intestate, and leaving a widow and six children, all of which children are minors, under the age of twenty-one years; that the said William Warman Berry possessed, at the time of his death, sundry pieces, parcels and tracts of land, and that his personal estate is by no means adequate to the payment of his just debts, and that the said lands, if not liable to make up the deficiency of the personal estate, would not be sufficient to afford a support for his widow and children, and it is prayed by his widow, and on behalf of his children, that a law may be passed authorising the sale of the said lands, and that the proceeds thereof be applied in the first place to make up the deficiency of the personal estate, to pay the debts due by the said William Warman Berry at the time of his death, and that the residue be equally divided between his widow and his six children; and the same appearing reasonable, and for the benefit of all persons interested, therefore,

II. BE IT ENACTED, by the General Assembly of Maryland, That it shall and may be lawful for George Magruder, John Evans and Thomas Bowie, or any two of them, to sell and dispose of all the lands and premises of which William Warman Berry died possessed, on such terms, and in such quantities, as to them may appear most for the benefit of all persons interested therein, and to make and execute a deed or deeds of conveyance for the lands so sold by them, upon the receipt of the purchase money therefor, and to pay over to the administrators of the said William Warman Berry, under the direction of the orphans court of Prince-George's county, so much of the money arising from the sale of the land sold by them as will make up the deficiency of the personal estate of said William Warman Berry in paying the debts due from him at the time of his death, and to divide the balance thereof equally between Anne Berry, the widow of the said William Warman Berry, Matilda Berry, Brooke Magruder Berry, William Berry, Eliza Berry, Charles Berry and Lucy Berry, the children of him the said William Warman Berry; provided, that before any deed shall be executed by the said commissioners for conveying any of the said lands, the sale thereof shall be confirmed by the orphans court of Prince-George's county; and provided also, that before the said commissioners shall proceed to sell any of the said lands, they, or such number of them as shall undertake to act, shall enter into bond to the state of Maryland, in the direction of the orphans court of Prince-George's county, to the administrators of William Warman Berry, such sum as will, in addition to the personal estate of the said William Warman Berry, in the hands of the said administrators, be sufficient to pay the debts due by the said William Warman Berry at the time of his death, and that they will well and truly pay over the balance of the money received for said lands, in manner following; that is to say, to the widow of the said William Warman Berry one seventh of the said balance, and to each of the said children on seventh part of the said balance; which bond shall, after having been approved by the justices of the orphans court of Prince-George's county, be recorded among the land records of said county, and upon such bond, or an office copy thereof, suit or suits may be instituted against the obligors therein, or any of them, for any breach of, or non-compliance with, the condition thereof, by any person interested therein.

III. AND BE IT ENACTED, That a deed executed by the said commissioners, or any two of them, after the sale made by them of any of the lands shall have been confirmed by the orphans court of