

III. AND BE IT ENACTED, That the said commissioners, or a majority of them, shall ascertain and value what damages may be sustained by any person or persons through whose land the said road shall pass, and the same, when so assessed, shall be paid, or secured to be paid, by the contributors, before the said commissioners shall proceed to open the said road; provided always, that if any person or persons through whose land the said road shall pass, or his, or her or their guardian or trustee, shall conceive themselves aggrieved by such valuation and assessment of damages by the said commissioners, it shall and may be lawful for the person or persons injured to apply to a justice of the peace, who shall issue his warrant to the sheriff of the county, commanding him to summon twelve freeholders of the county, not interested in the premises, and qualified to serve as jurors in the county courts, to appear on a day specified in said warrant, on the premises, and the sheriff is hereby authorised to administer an oath to every person so summoned, that he will, without favour, affection, prejudice or partiality, assess the damages sustained by the persons at whose instance such inquisition shall be taken, by reason of opening the aforesaid road through his, her or their land, and the persons, so summoned and qualified, shall thereupon proceed to assess and value the damages accordingly, of which the said commissioners, or some one of them, shall have at least five days previous notice, and such inquisition shall be final and conclusive between the parties; and in assessing the damages the jury shall take into consideration the conveniencies and inconveniencies, the advantages as well as disadvantages, if any, arising to the proprietors of the land over which the said road may pass.

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IV. AND BE IT ENACTED, That the said commissioners shall not lay out or open the said road through the buildings, yards, gardens, meadows or orchards, of any person, without his or her consent.

C H A P. CXCII.

An ACT allowing further time to the Patowmack Company for completing the Navigation of the Patowmack River, and for other purposes.

Passed 7th of
Jan. 1810.

BE IT ENACTED, by the General Assembly of Maryland, That the further time of ten years, to be computed from the expiration of the term already granted, shall be and is hereby allowed the Patowmack company to complete the navigation of the Patowmack river.

II. AND BE IT ENACTED, That whensoever any person or persons shall seal and deliver an instrument of writing, purporting to be a conveyance of any share or shares in the said company, or of any interest in such share or shares, the said instrument of writing shall be sufficient for transferring such share or shares, or interest therein, if the same be acknowledged by the party or parties making such conveyance, or proved by three witnesses, of the sealing and delivery of the instrument in writing, before any court of law, or two justices of the peace, or the mayor, or other chief magistrate of any city, town or corporation, certified by such court, justices of the peace, mayor or chief magistrate, in such manner such acts are usually authenticated by them, and entered, registered or recorded, in the books of the said company, within the time now allowed by law for making such entry, register or record as aforesaid; and where a *feme-covert* shall be a party making any conveyance as aforesaid, her acknowledgment thereof may be taken without the formality of a commission to be issued for that purpose, but shall be made by such *feme-covert* privately and apart from her husband, as heretofore, in presence of the court or persons herein authorised to certify the same, before the said writing shall be considered as effectual for conveying the right or interest of such *feme-covert*.

C H A P. CXCIII.

An ACT to authorise the President and Managers of the Patowmack Company to raise a sum of Money by Lottery or Lotteries for the purposes therein mentioned.

Passed 7th of
Jan. 1810.

BE IT ENACTED, by the General Assembly of Maryland, That it shall and may be lawful for the president and managers of the Patowmack company, to propose a scheme of a lottery or lotteries for raising a sum of money, not exceeding three hundred thousand dollars, for the purpose of improving the navigation of the river Patowmack, and the tributary streams thereof, and to sell and dispose of the tickets thereof in any part of the state of Maryland; provided the said president and managers, before they shall undertake to act under this law, shall, before the sale or disposal of any ticket or tickets in said lottery or lotteries, give their bond to the state of Maryland, in the penalty of six hundred thousand dollars, conditioned that they will well and truly apply so much of the money arising therefrom, within six months after the drawing of said lottery or lotteries shall commence, as will