

Dec. Ses. 1816

Damages to be  
ascertained.

Proviso.]

2. *And be it enacted*, That the said commissioners, or a majority of them, shall ascertain and value the damages which may be sustained by any person or persons through whose land the said road may pass, and the said valuation shall be made, and the damages paid or secured to be paid, to the person or persons aggrieved, before the said commissioners shall proceed to open and clear the same; *Provided*, that if any person or persons, through whose land the said road shall pass, or his, her, or their guardian or trustee, shall conceive him, her or themselves aggrieved by such valuation and assessment of damages by the said commissioners, it shall be lawful for any justice of the peace of the said county, on application of any of the persons interested, to issue his warrant, under his hand and seal, directed to any constable of said county, commanding him to summon twelve disinterested freeholders, to appear on a day to be appointed by the said justice, on the land of the person making application; and the said freeholders, having first made oath before some justice of the peace for the said county, that they will without favour, affection or partiality, assess the damages sustained by the person or persons at whose request such inquisition shall be made, by reason of opening said road through his, her, or their lands, shall thereupon proceed to assess and value the damages accordingly, of which the said commissioners shall have at least five days previous notice, and such inquisition shall be final and conclusive; *Provided always*, that the said road shall not pass through any house, yard, garden or orchard, without the consent of the owner or owners thereof.

## CHAPTER 148.

Passed Jan. 17 An act to repeal an Act, entitled, An act to fix and establish the pay of the Adjutant-General and Brigade Inspectors.

Act repealed

Sec. 1. *Be it enacted by the General Assembly of Maryland*, That the act, entitled, An act to fix and establish the pay of the adjutant-general and brigade inspectors, passed at November session, 1807, chapter 168, be and the same is hereby repealed.

## CHAPTER 149.

Passed Jan. 27 A Supplement to the Act, entitled, An act to appoint Samuel Ogle Trustee for the Sale of the Real Estate of Joseph Ogle, late of Frederick County, deceased.

Preamble.

WHEREAS in the original act to which this is a supplement, a mistake was made in the name and description of the land which the said Samuel Ogle was intended to be authorised to sell; now, for the purpose of correcting the said mistake,

Power vested  
in Sam'l. Ogle.

Sec. 1. *Be it enacted by the General Assembly of Maryland*, That all the power vested in the said Samuel Ogle, in relation to a tract of land called The Resurvey on Fountain Laws, and the tract of land called Ogleton, stated in the original law to which this is a supplement to have been patented to Joseph Ogle, be and same is hereby vested in the said Samuel Ogle, in and over the tract of land called The Resurvey on Fountain Low, and also in and over all that part of the tract of land called Ogleton, grant-