

Dec. Ses. 1816. tained, taking into consideration the advantages and disadvantages, if any, by the person or persons at whose request such inquisition shall be made, by reason of opening the 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 233.

Passed Feb. 5. **An act for the payment of the Journal of Accounts.**

Preamble.

WHEREAS, it appears by the journal of accounts of this session, that there is due from this state the sum of thirty-six thousand and thirty dollars forty-five and one third cents; Therefore,

Treasurer to pay.

Sec. 1. *Be it enacted by the General Assembly of Maryland*, That the treasurer of the western shore shall, and he is hereby authorised and required, to pay the several persons, their executors, administrators, assigns or order, or to such of them as shall offer to receive the same, the several sums of current money allowed to them respectively, as they may appear to be settled and ascertained by the said journal of accounts, out of any money now in the treasury, or that shall come into the treasury, subject to the appropriation of the general assembly.

## CHAPTER 234.

Passed Feb. 4. **An act to appoint Thomas B. Tubman, of Charles County, Trustee for the Sale of certain Land therein mentioned.**

Authorised to sell land.

Sec. 1. *Be it enacted by the General Assembly of Maryland*, That Thomas B. Tubman, of Charles county, be and he is hereby authorised, and fully empowered as trustee, to sell and dispose of at public sale, after such notice, and on such terms and conditions as the orphans court of Charles county may appoint and direct, all the tract or tracts, parcel or parcels of land, lying and being in Charles county, which Nathaniel Freeman, late of said county, died seized of, in which, by the last will and testament of the said Nathaniel Freeman, Eleanor Freeman has a life estate, and in which John Douglass Freeman has a fee-simple conditioned that he attain the age of twenty-one years, and in which the other children of the said Eleanor Freeman have a contingent remainder in fee, (all minors under the age of twenty-one years) and the same when sold, and on payment of the whole purchase money, and not before, to make over and convey, by good and sufficient deed or deeds, to the purchaser or purchasers thereof, and the money arising therefrom, after defraying all legal and necessary expenses attending the same, to be vested and applied as the orphans court of said county shall order and direct.

To give bond.

2. *And be it enacted*, That before the said trustee shall make any sale in virtue of this act, he shall file with the register of the orphans court aforesaid, a bond, in such penalty and with such securities as shall be approved of by the judges thereof, or any two of them, conditioned for the faithful performance of the trust reposed in him by this act.