

2. *And be it enacted,* That the said freeholders before they act as such, shall take an oath to value the damages, if any, sustained by the said Peter Kemp, without favour, affection or partiality.

CHAP. 131.

To take an oath.

CHAPTER 132.

An act for the relief of Benjamin Pearce of Cecil county.

Passed Feb 6, 1819

Sec. 1. *Be it enacted, by the General Assembly of Maryland,* That Jeremiah Taylor, Thomas Biddle, sen. Josiah Alexander, Spencer Biddle, and William Boulden, be and they are hereby appointed commissioners to ascertain the damages sustained by Benjamin Pearce by the opening and making public the road in Cecil county, beginning at the south east corner of a tract of land called Knowl Wood, and running with the line of the same to Elk river.

Commissioners appointed to estimate damages sustained by him.

2. *And be it enacted,* That the said commissioners, or a majority of them, shall value and ascertain the damages sustained by opening said road, and return the same to the levy court at their next sitting thereafter, and the damages so ascertained shall be levied and assessed, as other county charges are, and shall be paid over to the said Benjamin Pearce, or his order.

To return the same to levy court, &c.

3. *And be it enacted,* That the said commissioners shall be entitled to receive as a compensation for their services, a sum not exceeding two dollars per day, to be ascertained by the levy court, which is hereby directed to be levied, collected and paid, as other county charges are.

Allowance to commissioners.

CHAPTER 133.

An act to amend the law in the cases therein mentioned.

Passed Feb 6 1819

Sec. 1. *Be it enacted by the General Assembly of Maryland,* That in all cases of petitions now pending, or hereafter to be instituted, in any of the courts of this state, where a person or persons, nonresidents of this state, are or may be a party or parties thereto, it shall and may be lawful for such court, upon being satisfied of such nonresidence as aforesaid, and that the process of such court cannot be served on such party, to order and direct such notice to be given by advertisement in the public papers, or otherwise, as they may deem reasonable, upon consideration of all the circumstances, warning such person or persons, nonresidents as aforesaid, to appear by a certain day by them to be appointed; at least three months thereafter, and on such notice being given, it shall and may be lawful for such court, and they are hereby authorised and empowered, forthwith to hold jurisdiction of the case, and to hear and determine the same as fully and amply, to all intents and purposes, as if such person or persons, nonresidents of this state as aforesaid, had appeared thereto.

In cases where nonresidents are parties court to cause notice to be given in the public papers for them to appear by a certain day, &c.

2. *And be it enacted,* That upon all petitions of any guardian or *prochein ami*, for the sale of the real estate of any infant or infants, it shall and may be lawful for the court before whom any such petition may be pending, and they are hereby required, to issue a commission to not less than three discreet and sensible men, freeholders of the county where such lands to be affected by such petition may lie, whose duty it shall be to view and ascertain, by competent and disinterested evidence, the real value of the said lands, taking into consideration the quality, local situation, improvements, with all the advantages, and also the disadvantages

Upon petition for sale of real estate of infants, court to appoint three freeholders to ascertain real value of the land, &c.