

Dec.Ses. 1812

by opening the same, taking into consideration the advantages and disadvantages (if any,) and the valuation shall be made 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 may pass, or his, 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 any justice of the peace of said county, on application of the party interested, or his, her or their guardian or trustee, to issue his warrant under his hand and seal, directed to any constable of the county, commanding him to summon twelve freeholders, not related to the person so applying for a jury, or in any way interested in the opening of the said road, to appear on a day by the said justice to be appointed, on the land of the person or persons making application as aforesaid, or for whose benefit such application shall be made, and the said freeholders having first made oath before some justice of the peace that they will, without favor, affection or partiality, assess the damages sustained by the person or persons at whose request such inquisition shall be taken, by reason of opening the aforesaid road through his, her, or their land, shall thereupon proceed to assess and value the damages accordingly, taking into consideration the advantages and disadvantages (if any,) of which the said commissioners or a majority of them, shall have at least five days notice, and shall return the damages so assessed to the said justice of the peace, and such inquisition and valuation shall be final and conclusive; *Provided* that the said road shall not pass through any house, yard, garden or orchard, without the consent of the owners thereof.

3. *And be it enacted*, That it shall be the duty of the said commissioners to locate said road on the bed of the turnpike, or as near it as the nature of the ground will admit of.

Locate.

CHAPTER 43.

A supplement to the act entitled, an act for the relief of John S. Blake, Sheriff of Queen Ann's county.

Passed Jan 7, 1824.  
Levy for fuel.

SEC. 1. *Be it enacted by the General Assembly of Maryland*, That the levy court of Queen Ann's county, be, and they are hereby authorised and directed to levy on the assessable property of said county, such sum of money annually, as in their judgment may be sufficient to furnish the jail of said county with fuel.

2. *And be it enacted*, That the said levy court be, and they are hereby directed and required to re-examine the several accounts for fuel heretofore presented by John S. Blake, and allow so much of the same as have not been before allowed, if they shall deem it just and proper, and that the same be levied as aforesaid.

Further levy.

3. *And be it enacted*, That all such parts of the acts of assembly, and of the act to which this is a supplement, as are inconsistent with, and repugnant to the provisions of this act, be, and the same are hereby repealed.

Repeal.

CHAPTER 44.

An act extending the time of taking the Sheriff's Bond of Cecil county.

Passed Jan. 6, 1824.  
Preamble.

WHEREAS, it is represented to this general assembly, that owing to unforeseen accidents, Francis Gillespie, sheriff of said county, hath been prevented from executing his bond as sheriff of said county, within the time limited by law.

SEC. 1. *Be it enacted by the General Assembly of Maryland*, That it shall and may be lawful for the said Francis Gillespie, sheriff of

Time given o bond.