

ing ten shillings, to be ascertained and allowed by the justices aforesaid at their levy court annually, until the said prison shall be completed, to be levied on the county, and collected as other public dues.

C. H. A. P. IV.

VII. And be it enacted, That the said commissioners, or a majority of them, shall be and they are hereby invested with full power and authority to apply the said money, to be levied and collected as aforesaid, either for the purpose of repairing the old gaol in the county aforesaid, or building a new one agreeably to the directions of this act, as they in their judgment shall think proper.

How the money is to be applied.

VIII. And be it enacted, That if any of the said commissioners shall die, remove out of the county, or refuse to act, the residue, or a majority of them, shall immediately thereafter proceed to nominate and appoint another to fill up the vacancy.

How vacancies are to be filled.

C H A P. V.

An ACT to empower Micajah Merryman, father and guardian of Sarah Merryman, Moses Merryman, Eleanor Merryman, Mary Merryman and Micajah Merryman, infants, to demise the real estate therein mentioned.

Passed December 26.

WHEREAS it has been represented to this general assembly, by the petition of Micajah Merryman, that he intermarried with a certain Mary Enfor, of Baltimore county, and that he is possessed of the following parts of lots of ground and premises, viz. Part of lot No. sixty, part of lot No. five, part of lot No. six, and also part of lot No. fifty-five, as tenant for life by the curtesy, which said lots descended to Sarah Merryman, Moses Merryman, Eleanor Merryman, Mary Merryman and Micajah Merryman, the children of the aforesaid Mary and him the said Micajah, and that the said parts of lots and premises are in the unimproved part of Baltimore-town, and that the same are incumbered with taxes and public dues, and that the commissioners of the town are about to pave the streets on which said lots stand, which would require a large sum of money; and the said Micajah, as guardian of the aforesaid children, would have to pay the same, and praying that an act might pass, empowering him, the said Micajah, to demise and lease out the aforesaid parts of lots and premises; and it appearing reasonable to grant the same, therefore,

Preamble.

II. Be it enacted, by the General Assembly of Maryland, That it shall and may be lawful to and for the said Micajah Merryman to lease and demise such parts of the aforesaid lots as he shall think proper, to such person or persons, for such term or terms of years, with such covenants, clauses and provisoes inserted, for the renewment of such leases from time to time, for ever, if the same shall be agreed upon, with such other covenants, clauses and provisoes, as are usual and customary in leases made of lots in the unimproved parts of Baltimore-town; which said leases shall be made in the name of the said Micajah Merryman, and his children aforesaid, and the rents agreed on to be reserved and payable to the said Micajah Merryman, his executors, administrators and assigns, for the use and benefit of the aforesaid Sarah Merryman, Moses Merryman, Eleanor Merryman, Mary Merryman and Micajah Merryman, and after they shall severally arrive at the age of twenty-one years, their respective proportions of the rents so reserved shall be payable to them respectively, their respective heirs and assigns, for ever, and the term limited to such lessees shall be as good and valid, to all intents and purposes, as if they, the said Sarah Merryman, Moses Merryman, Eleanor Merryman, Mary Merryman and Micajah Merryman, had been of full age to execute the same; provided, that the said leases shall not burthen the said Sarah Merryman, Moses Merryman, Eleanor Merryman, Mary Merryman, and Micajah Merryman, with any covenants or assurances for quiet enjoyment of the premises, other than from and against themselves, and all persons claiming by, from or under them.

M. Merryman may lease out lots, &c.