

misdemeanor, and on conviction thereof in the Criminal Court of Baltimore, shall be fined in a sum not exceeding two hundred dollars, nor less than fifty dollars, for every such offence. And such trustee, attorney, executor or administrator, receiving or retaining such portion of such fee or commissions, and not accounting for it to the proper parties, shall be liable in a suit on his bond for double the amount so received or retained by him, to the *cestui qui trust*, the principal, or to any person interested in the estate which he represents.

SEC. 127. The proceeds of such auction duties to the amount of twenty thousand dollars, shall be paid over by the Comptroller of Baltimore city, as the same shall be received by him, to the Mayor and City Council of Baltimore, to be by said Mayor and City Council annually appropriated to the purpose of deepening and improving a channel in the Chesapeake Bay and Patapsco River, and the harbor of the City of Baltimore.

Disposition
of proceeds of
auction du-
ties.

SEC. 128. It shall be the duty of the Mayor and City Council of Baltimore, on or before the fifteenth day of September in each year, to report to the Comptroller of the State a fair and a strict account of their disbursement of the fund arising from said auction duties, as, and to the amount the same are appropriated in the last preceding sections, in relation to the deepening and improving said channel, Patapsco River and Baltimore city harbor; and the said Comptroller shall report the same to the General Assembly.

Duty of
Mayor and
City Council.

SEC. 129. If the net proceeds of said auction duties shall exceed the sum of twenty thousand dollars, the excess of said duties above that sum shall, for each and every year that they shall exceed that sum, be paid over by the Comptroller of the City of Baltimore to the Treasurer of the State; and in case of such excess as aforesaid, the Comptroller of the City of Baltimore shall also render to the Comptroller of the State a brief statement or account, showing the amounts received by him on account of auction duties, the amount paid the Mayor and City Council of

Excess to be
paid to the
Treasurer of
the State.