

CHAP. 205.

Proceedings directed

ing a lien upon the same, by mortgage, judgment, or otherwise, or entitled to a lien by virtue of this act, to apply by petition, in writing, to the city commissioners of the city of Baltimore, to designate the boundaries aforesaid.

Commissioners authorized to examine and report

Sec. 6. *And be it enacted*, That it shall be the duty of said commissioners to examine the building, or place at which such building is being erected, and to make a report to the clerk of Baltimore county court, in which they shall sufficiently designate and describe, by notes and bounds, with their courses and distances, and by a draft, if necessary, the limits and extent of ground necessary for the convenient use of such buildings, for the purposes for which it was designed, and such report shall be entered at length upon the record book aforesaid, and if approved by the court shall be conclusive upon all persons concerned; the said commissioners to be governed and regulated in all respects, by the same rules and regulations that govern them in establishing boundaries within the limits of the city of Baltimore.

Recorded

Rules prescribed

Case of execution issued

Sec. 7. *And be it enacted*, That if execution shall be awarded for the levy and sale of any lot, or piece, of ground, upon which a building shall be erected as aforesaid, before the boundaries of the lot, or curtilage, which ought to be appurtenant thereto, shall be designated, it shall be lawful for the court, upon application, to stay such execution, until such designation shall be made, and thereupon order the sale to proceed in such manner, and for such part, or parts, and in such parcels as shall be most convenient for the administration of equity among all persons interested.

Stay authorized

Case of sale under execution

Sec. 8. *And be it enacted*, That if the building against which any claim shall be filed as aforesaid, or any of the ground adjacent thereto, shall be sold by virtue of an execution, upon any mortgage or judgment, before the extent of the lien of the claimant shall be ascertained, as aforesaid, the court out of which such execution shall have issued, shall have power to determine the rights of the respective parties, and the apportionment or appropriation of all liens as aforesaid, and for that purpose may appoint an auditor to inquire into, and report the facts, and may decree distribution of the proceeds accordingly, or upon the ap-

Court authorized to determine rights

Decree distribution