

C H A P.
LIII,

prietors in arrear as aforesaid, and the expences of the distress, (or lease,) and sale as aforesaid, the said overplus shall be returned to the said proprietor or proprietors to whom it belongs; provided always, that if any proprietor or proprietors from whom any arrears shall be due as aforesaid shall be under the age of twenty-one years, it shall not be lawful for the said directors, during the infancy of such proprietor or proprietors, to raise the said arrears, or any part thereof, by distress and sale of personal property as aforesaid.

VII. AND BE IT ENACTED, That the directors to be chosen in virtue of this act, and each of them, shall, at the expiration of the year for which they shall be chosen, produce to the proprietors a full and fair account of the money received by them, and each of them, and from whom received, and how expended, and shall pay the balance, if any, remaining in his or their hands, to directors to be chosen for the next year; and in case any of the said directors shall misapply, or refuse to pay over as aforesaid, any sum or sums of money to be received in virtue of this act, it shall and may be lawful for the proprietors of the said branch, or a majority of them, to nominate and appoint one of the said proprietors for the purpose of asking, demanding, recovering, and in case of refusal, suing for and recovering, from the said director or directors, such sum or sums of money misapplied or refused to be paid over as aforesaid, in which said suit or suits to be brought in virtue of this act, it shall and may be lawful for the person appointed as aforesaid, his executor or administrator, to declare generally for money had and received, for his or their use, and give this act and the special matter in evidence, in which said suit or suits the defendants shall be allowed but one imparlance, and the money so received and recovered shall be paid to the directors chosen in virtue of this act for the time being, who shall apply the same to the opening, cutting, cleansing and repairing, the said ditch or drain, in the manner herein before directed.

VIII. AND BE IT ENACTED, That in case of death or resignation, refusal or disqualification to act, of any of the persons chosen directors, at any time hereafter, it shall and may be lawful for the said other directors to meet as soon as conveniently may be thereafter, at their place of meeting as aforesaid, and choose a person in his stead to act as director till the next annual meeting of the said proprietors, and if any two directors therein disagree in such choice, they shall determine the same by drawing lots for the persons put in nomination, and the person in whose favour the matter shall be so determined, shall be and he is hereby declared a director, to all intents and purposes, until the succeeding annual election.

Passed 25th of
January, 1806.

C H A P. LIV.

A Further additional supplement to an act, entitled, An act for marking and bounding lands.

WHEREAS by the accretion of lands bounding on the water within the limits of the city of Baltimore, it becomes difficult to ascertain the original location, and many disputes originate and are promoted thereby: And whereas it is doubtful whether there exists any legal means by which the said accretion may be ascertained and perpetuated;

II. BE IT ENACTED, *by the General Assembly of Maryland*, That the city commissioners of the city of Baltimore shall have the same power and authority to receive and hear testimony to prove where any of the water within the said city and precincts extended at any former period, and also the ground that has been made by individuals, or acquired by the natural alluvion of the said water, or the washings of the streets, lanes and alleys, of said city, as the said commissioners now have to establish the bounds of the said streets, lots, lanes and alleys.

C H A P. LV.

Passed 25th of
January, 1806.

An ACT to lay out and streighten a certain road in Baltimore county.

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants of Baltimore county, that the convenience of the public would be greatly promoted by streightening and amending the road now opened and used, leading from George Beam's tavern, on the Reister's-town turnpike road, to Albert Seacamp's mill, and from thence to intersect the Liberty-town road; therefore,

II. BE IT ENACTED, *by the General Assembly of Maryland*, That Thomas Gorsuch, of Loveless, Thomas Baysman and doctor John Cromwell, be and they are hereby appointed commissioners to lay out, streighten and amend, the road now open from George Beam's to the mill of Albert Seacamp, and from thence to the Liberty-town road, on the nearest and best direction that shall appear unto them to be most conducive to the good of the petitioners, and the public at large, the width of said road not exceeding thirty feet; and the road when so laid out, streightened and amended, and the valua-