Dec. Sess 1815.

error to the court of appeals, to which such appeal or writ of error may be made returnable, it shall and may be lawful for the heir, devisee, executor or administrator of the deceased, or other proper person necessary to be made a party to such appeal, or writ of error to appear in the court of appeals, in person or by attorney, and suggest the death of such appellant or plaintiff in error, and appear to such appeal or writ of error, for the purpose of prosecuting the same, and the same proceedings shall be thereupon had as in other cases of appeals or writs of error.

Appeals not to abate by death if heirs &c appear.

6. AND BE IT ENACTED, That in all appeals or writs of error depending or hereafter to be depending in the court of appeals of either shore, the same shall not abate by the death of either of the parties to such appeal or writ of error, if the heir, devisee, executor or administrator of the deceased party or other proper person necessary to be made a party to such appeal or writ of error, shall in the said court of appeals at the first or second term succeeding the death of such party, either in person or by attorney, make the necessary suggestion and appear to such appeal or writ of error for the purpose of prosecuting or defending the same, and the same proceedings shall be thereupon had as in other cases of appeals or writs of error.

CHAPTER 150.

Passed Jan. 26, 1816.

An act for draining part of a branch known by the name of Andevor Branch, lying in Queen Ann's County.

Directors.

Sec. 1. BE IT ENACTED *by the General Assembly of Maryland*, That it shall and may be lawful for the proprietors of the lands lying on a branch called Andevor Branch, extending from the head of said branch until it intersects the main road leading from Peregrine Peater's farm to Smyrna, to meet on the first Monday of April next and on the first Monday of April in each and every year, or within ten days thereafter, at Dixon's tavern, or at any other place which a majority of the proprietors may appoint in Queen Ann's county, and for such proprietors or a majority of those who shall attend at the said meeting, then and there annually to elect by ballot, three of the said proprietors for directors, who when so elected and chosen are hereby authorised and empowered, or any two of them, to make and open a drain or ditch down said branch, from the head thereof until it shall intersect the main road aforesaid, in such direction and of such width and depth as they or a majority of them may judge most proper to carry off the water from the said branch, and reduce the same to dry land; and the power and authority of said directors so to be chosen shall continue and be in force until the next annual election of directors.

Cost.

2. AND BE IT ENACTED, That the cost, charges and expences of cutting and opening said ditch or drain shall be paid by the respective proprietors of the same, each paying for the cutting and opening the said drain or ditch through his own land, except where it shall so happen that two or more of the said proprietors hold parts of the said branch through which the said ditch or drain shall be made, adjoining each other, part on one side thereof and part on the other, in which case each shall pay in proportion to the part he shall or may hold.

Repairs &c.

3. AND BE IT ENACTED, That the said directors or