

C H A P.
XCIX.

to the purchasers of such property, or their assignees, for lands sold by the said commissioners as aforesaid, which deeds have been inoperative; therefore,

II. BE IT ENACTED, *by the General Assembly of Maryland,* That the chancellor shall be and he is hereby authorised and required, on application of any person holding or claiming lands in virtue of any deed of the said commissioners, and on receiving satisfactory proof that such claimant has an equitable title to the lands claimed or held by him, to execute a deed, in the name of the state of Maryland, to such claimant, his heirs and assigns, for the lands to which he is so entitled, and such deed, when recorded among the land records of the county wherein such lands lie, shall be sufficient effectually to transfer all the right, title and claim, of any British subject, to such lands, or which became vested in this state by any act of assembly heretofore passed.

C H A P. - C.

Passed 28th of
January, 1806.

An ACT for draining part of a branch called Old-town Branch, lying in the upper part of Caroline county.

WHEREAS it is represented to this general assembly, by the petition of Thomas Hardcastle, James Clements, George Newlee, Peter Hardcastle and Robert Hardcastle, and others, that they are possessed of valuable lands, lying on a branch called Old-town Branch, in Caroline county, and as there is reason to believe that very great advantage might be derived, as well to the public as the proprietors of the said lands, if the same could be effectually drained, and as the object cannot be accomplished without the aid of the legislature, by passing an act to secure the joint exertions of all the said proprietors: And whereas it appears to this general assembly, that it will be of public utility to extend the aid of the legislature in order to accomplish so good an object; therefore,

II. BE IT ENACTED, *by the General Assembly of Maryland,* That it shall and may be lawful for the proprietors of the lands lying on the north prong of Old-town branch, to ditch the same in manner following, to wit: Beginning at the bottom of a ditch heretofore cut in the land of James Brody, and running thence down the said branch to the place at which a tub mill formerly stood in the said Brody's land, and also for the proprietors of lands lying on the west prong of said Old-town branch to ditch the same as follows: Beginning at the place where the nine bridges road crosses the said branch in the land of Robert Hardcastle, and running thence down the said prong through the lands of James Clements; and it shall be lawful for the said proprietors to meet on the first Monday of March next, and on the same day annually thereafter, at Greensborough, or any other place which a majority of the proprietors shall appoint, in Caroline county, and for such proprietors, or a majority of those who shall attend at the said meeting, then and there to elect, by ballot, three of the said proprietors for directors, who, or a majority of them, when so elected and chosen, are hereby authorised and empowered to make and open a drain or ditch down each of the said prongs, from the places of beginning to the places 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 of said branch, and the power and authority of the said directors, so to be chosen, shall continue and be in force until the next annual election of directors.

III. AND BE IT ENACTED, That the cost, charges and expences, of cutting and opening the 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 the one side thereof and part on the other, in which case each shall pay in proportion to the part he shall or may hold.

IV. AND BE IT ENACTED, That the said directors, or any two of them, shall have full power and authority, at any time thereafter, to cut, open and complete, the said drain or ditch, and also from time to time to repair, cleanse and keep open and in good order, the said ditches or drains so to be opened and cut in virtue of this act, at the expence of the said proprietors, in the same proportion that the expences of cutting and opening the said ditches or drains in the first instance, and of repairing and cleansing the same when cut and opened, the said directors, or any two of them, are hereby authorised to apportion what they may conceive the expence thereof will amount to, and demand and receive such proportions respectively from the said proprietors, before or at any time after the commencement of the said work, or after the same is finished; provided always, that in as much as it may be inconvenient for some of the proprietors through whose land said ditches or drains shall pass, to satisfy and answer all the expences of cutting and opening said ditch or drain at one term,