

incorporate a company to make a turnpike road from the market space in Hagerstown, to the west bank of Conococheague, passed at December session, 1816, chapter 131, be, and the same is hereby repealed.

Dec. Ses. 1823.

CHAPTER 134.

An act for the benefit of John Kennard and Mary his wife, of the city of Baltimore.

Passed Feb. 9, 1824.

Preamble.

WHEREAS, it has been represented by the petition of John Kennard and Mary his wife, of the city of Baltimore, that a certain house and lot in the town of Easton, was devised by Perry Spencer, late of Talbot county, deceased, to his executors therein named in trust for his daughter, the said Mary Kennard, the rents or profits arising therefrom to be paid annually to the said Mary Kennard, and after the death of the said John Kennard, to be conveyed in fee simple to said Mary Kennard, or in case he should be the survivor, then on the death of said Mary Kennard, to be conveyed in fee simple to the children of said Mary Kennard; and whereas, also, the said petition represents that the said property lies idle and unproductive, and is subject to injury or destruction by fire, or other casualty;—Therefore,

SEC. 1. *Be it enacted by the General Assembly of Maryland,* That Richard Spencer, the acting executor and trustee of the last will and testament of Perry Spencer, late of Talbot county, deceased, be, and he is hereby authorised and empowered by and with the advice and consent of the orphans' court of said county, to sell said house and lot in the town of Easton, lying and cornering on West Street in said town, and the bay side road, which was devised by Perry Spencer, late of Talbot county, deceased, to Jonathan Spencer, Lambert W. Spencer, Alexander B. Harrison and Richard Spencer, the executors named in the will of said Perry Spencer, in trust for his daughter Mary Kennard, in such manner, at such time, and on such terms as the orphans' court of said county may direct;—*Provided,* that no conveyance of said property shall take place, and no sale thereof be valid and conclusive, until said Richard Spencer, acting trustee, as aforesaid, shall have made a return on oath to said court of the particular circumstances of the sale, and of the fairness thereof, and the sale shall have been ratified and confirmed by said court.

Authority to executor.

2. *And be it further enacted,* That the money or proceeds arising from the sale of said property be vested in such property, funds or stock as the orphans' court aforesaid shall direct, the profit or income arising therefrom to be paid over annually to the said Mary Kennard during the life of said John Kennard, and after his death to be conveyed or transferred to said Mary Kennard, free and quit of all use, trust or incumbrance; or in the event of the death of said Mary Kennard before that of her husband aforesaid, then to be conveyed or transferred to the children of said Mary Kennard, to be equally divided among them free and quit of all use, trust or incumbrance whatever, as directed in the will of the said Perry Spencer, deceased.

Disposition of the proceeds.

CHAPTER 135.

An act incorporating a company to erect a Toll Bridge across the Potomac River, at or near Harper's Ferry.

Passed Feb. 9, 1824.

Preamble.

WHEREAS, great and serious dangers are encountered, losses sustained, and frequent and vexatious delays experienced by the public