

minors, to wit : John, Mary, Ann, Isaac and Harriet ; and praying that John Clare, the uncle and guardian of said minors, may be authorised, as trustee, to convey the interest of the said minors in and to the said land ; and the prayer of the said petitioners appearing reasonable, Therefore,

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Sec. 1. *Be it enacted by the General Assembly of Maryland, That* it shall and may be lawful for the said John Clare, as trustee, on the payment of the whole purchase money, to convey to the purchaser or purchasers of the aforementioned tract of land, all the right, title, claim, interest and demand, of the minors aforesaid, of, in and to, the said tract or parcel of land.

Trustee authorised to convey land.

2. *And be it enacted,* That the trustee aforesaid shall return to the orphans court of Calvert county, on oath, the amount of the money so received.

— to return amount of money received.

3. *And be it enacted,* That the orphans court of Calvert county shall order the proceeds of said sale to be invested in some funds for the use of the minors aforesaid.

Proceeds.

4. *And be it enacted,* That the said John Clare, before he proceeds to act by virtue of this appointment, shall give bond to the state of Maryland, in the penalty of five hundred dollars, with such security as shall be approved by the orphans court of Calvert county, for the faithful performance of the trust reposed in him.

Bond.

5. *And be it enacted,* That the said bond shall be filed and recorded in the office of the register of wills for the said county, and a copy of the said bond, under the seal of office, shall be received in evidence in any court of law or equity in this state ; and any person interested in the performance of the condition thereof, shall have a right to a copy of such bond, paying the usual fees therefor, and an action may be maintained, in the name of the state, for the use of the party interested and apprehending himself or herself aggrieved, and judgment may be by such party recovered upon such action for the damages by him or her actually sustained, and the plea of *non est factum* shall not be received to any such action, unless the same is verified by the affidavit of the defendant or defendants tendering the same.

— to be filed and recorded.

CHAPTER 266.

An act for laying out and opening a Road in Harford County. Passed Feb. 5.

Sec. 1. *Be it enacted by the General Assembly of Maryland,* That William Whiteford, James M. Gaw and Benjamin Richardson, (of William) be and they are hereby appointed commissioners, and they, or a majority of them, are hereby authorised and directed, (if in their opinion public convenience require the same) to lay out and open a road in Harford county, not exceeding thirty-three feet in width, to commence at or near the mouth of Cooley's Branch, where it enters Deer Creek, thence in the best and straightest direction the nature of the ground will admit of, and with the least possible injury to the individuals over whose land the said road may pass, to the bridge at Rock Run on the Susquehanna river ; and the said commissioners shall survey, mark and bound, the said road, and return a correct plot thereof, with a certificate of the courses and distances, to the clerk of

Road to be laid out.