

commissioners, for the purpose, and with full power and authority, they, or a majority of them, to lay out a road from Hancock, in Washington county, to Cumberland, in Allegany county, seeking the best and nearest practicable direction the nature of the ground will admit of.

C H A P.  
LXVIII.

II. AND BE IT ENACTED, That the commissioners aforesaid, or a majority of them, shall survey, or cause to be surveyed, the road so laid out by them, and without delay execute, sign and seal, plain plots of the same, and make return thereof to the clerk of Allegany county, to be recorded among the land records of said county, and when completed as herein after directed, shall be deemed a public road, and shall be kept in repair as all other public roads are kept, that part of said road lying in Allegany county, by the levy court thereof, and that part lying in Washington county, by the levy court thereof.

Who shall cause a road to be surveyed, &c.

III. AND BE IT ENACTED, That if the commissioners above named, or any of them, should die, resign, or refuse to act, the governor is hereby authorised and required to fill up such vacancy.

How vacancies are to be filled.

IV. AND BE IT ENACTED, That the commissioners be authorised to contract with any person or persons for opening or completing any given distance of the said road, should they be of opinion that it would be advantageous to do so; and that the presence or attendance of any one commissioner shall be sufficient to see to the proper application or expenditure of the money hereby granted for the opening and improving of the same.

Commissioners to contract, &c.

V. AND BE IT ENACTED, That it shall and may be lawful for William McMahon, John B. Beall, Jonathan Cox, John Ryne and Thomas Blair, or a majority of them, to propose a scheme of a lottery for raising a sum of money, not exceeding twelve hundred dollars, and to sell and dispose of the tickets thereof; provided the said managers, or such majority of them as shall undertake to act under this law, shall, before the sale or disposal of any ticket or tickets in said lottery, give their bond to the state of Maryland, in the penalty of three thousand dollars, conditioned that they will well and truly apply, or cause to be applied, so much of the money arising therefrom, within six months from the time the drawing said lottery shall commence, as will satisfy the fortunate adventurers for prizes drawn by them, and after deducting the necessary expences incurred in said lottery, shall apply the residue of the money so raised to the improving the road herein directed to be laid out, under the direction of the said road commissioners.

Scheme may be proposed, &c.

VI. AND BE IT ENACTED, That it shall be the duty of the said managers, before they act as such, to lodge such bond in the clerk's office of Allegany county, there to be recorded, and upon such bond, or any office copy thereof, suit or suits may be instituted against the obligors therein, or any of them, or their legal representatives, for any breach or non-compliance with the condition of the same.

Bond to be lodged, &c.

C H A P. LXIX.

An ACT annulling the marriage of William Booth and Jane Booth.

Passed 4th of Jan. 1807. Marriage declared void, &c.

BE IT ENACTED, by the General Assembly of Maryland, That the marriage of the said William Booth and Jane his wife, heretofore solemnized, be and the same is hereby declared to be absolutely, and to all intents and purposes, null and void; and the said William Booth and Jane his wife, are hereby declared to be divorced, *a vinculo matrimonii*; provided always, that nothing in this act contained shall be construed to illegitimate any issue of the said William Booth and Jane his wife, born prior to this act.

C H A P. LXX.

An ACT vesting certain powers in the president of the United States.

Passed 4th of Jan. 1807.

WHEREAS a law passed the congress of the United States on the twenty-ninth day of March, eighteen hundred and six, directing the laying out of a road from Cumberland, on the Patowmack river, to the Ohio, and the consent of this state being necessary to the opening the same, so far as it may run within her limits; therefore,

Preamble.

II. BE IT ENACTED, by the General Assembly of Maryland, That it shall be lawful, and the full and entire consent of the state of Maryland is hereby given, to the opening and improving the same, and the president of the United States is hereby authorised to cause the said road to be laid out, opened and improved, in such way and manner as by the before recited act of congress is required and directed.

Consent of the state given, &c.