

him, his heirs and assigns, for ever: And whereas it is represented by the petition aforesaid, that part of the estate of the aforesaid Wheeler consisted of about one hundred and thirty acres of land, lying on the side of the north-west fork of Nanticoke river; and that the last will and testament of said Wheeler was signed by only two witnesses, and of course invalid as to the real property; and that the testator himself was an illegitimate, of course could have no heir, and that the aforesaid land, (in consequence of the defects of his said will and illegitimacy,) has become escheat to the state; and the same appearing to be true, therefore,

C H A P.
LXIV.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That all the right, title, interest, claim and demand whatever, of this state, of, in and to, any lands, tenements or hereditaments, of which the said John Wheeler died seized, or to which he was any way entitled at the time of his death, be and the same is hereby vested in Elizabeth Dukes, and Hanson her son, of Dorchester county, in the same manner as is prescribed by the last will and testament of the aforesaid John Wheeler; provided, that nothing in this act contained shall in any manner interfere with or defeat the right of any third person or persons to the aforesaid land, lawfully acquired before the passage of this act.

Right, &c.
vested, &c.

C H A P. LXV.

A Supplement to an act, entitled, An act to appoint commissioners to examine, survey and lay out, the road therein mentioned.

Passed 8th of
January, 1803.

WHEREAS it appears by the act to which this is a supplement, that there is no provision made for the payment of the expences attending the execution of the said act; therefore,

Preamble.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That the justices of the levy court of Baltimore county be and they are hereby authorised and directed to pay, out of the monies collected for the making the turnpike roads in said county at their next annual session, a sufficient sum of money to satisfy and defray all the just claims that may arise from the execution of said act.

Justices to pay,
&c.

III. AND BE IT ENACTED, That in case any one or more of the commissioners named in the act to which this is a supplement should neglect or refuse to act, that the levy court aforesaid is hereby authorised and empowered to nominate and appoint any other person or persons to act as commissioner or commissioners to fill such vacancy, as they may think proper.

How vacancies
are to be filled.

C H A P. LXVI.

A Further supplement to the act, entitled, An act to regulate elections.

Passed 8th of
January, 1803.

WHEREAS by an act passed at November session, eighteen hundred and one, entitled, An act to alter such parts of the constitution and form of government as relate to voters, and the qualifications of voters, and confirmed at the present session of assembly, a change has been made in the manner of voting from *viva voce* to that of voting by ballot, and it is necessary to make provisions by law to carry into effect such change; therefore,

Preamble.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That it shall be the duty of the respective sheriffs of the several counties of this state, under the penalty of five hundred dollars, to provide for, and cause to be delivered to, the judge or judges of the election in each district, previous to or at the commencement of each election, a box for receiving the ballots, and two separate books for the purpose of entering the voters names.

Sheriffs to pro-
vide a box, &c.

III. AND BE IT ENACTED, That the next election of representatives of this state in the congress of the United States shall be held on the first Monday of October next, and that the next election thereof shall be held on the first Monday of October, eighteen hundred and four, and on the same day biennially for ever thereafter, any law to the contrary notwithstanding.

When elections
are to be held.

IV. AND BE IT ENACTED, That the elections for delegates to the general assembly, for electors of the senate, for sheriffs, for representatives of this state in the congress of the United States, and for electors on the part of this state to elect the president and vice-president of the United States, and each and every of them, shall commence at nine o'clock in the morning of the respective days of election, and shall continue without adjournment, and be closed at seven o'clock in the evening of the same day, and no ballot shall be taken at any such election before the said hour of nine o'clock in the morning, nor after the said hour of seven o'clock in the evening; and every voter qualified by

To commence
at nine o'clock,
&c.

law