

C H A P.
CLIII

scheme of a lottery to raise the sum of ten thousand dollars, free and clear of all expenses, costs and charges, incurred in the drawing said lottery, and to sell and dispose of the tickets, as well in the city of Baltimore as in any other part of this state, any law to the contrary notwithstanding, and shall proceed to draw said lottery in the city of Baltimore, under such limitations and conditions as the mayor and council may appoint and direct; provided, that the said Edward I. Coale, Samuel Sterrett and Robert Jenkins Henry, or a 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 joint and several bond to the state of Maryland, in the penalty of thirty thousand dollars, conditioned, that they will well and truly apply the monies arising therefrom, within sixty days after the drawing thereof, to the payment of the prizes drawn therein to the adventurers to whom they shall be due, and after deducting the necessary expenses incurred in the management thereof, shall pay over the residue to the commissioners herein after appointed, or a majority of them, on their giving bond to the state of Maryland, in the penalty of thirty thousand dollars, for the faithful application of the money to the making passable the said road.

Bond to be
lodged, &c.

III. AND BE IT ENACTED, That the said bond shall be lodged in the mayor's office of Baltimore, to be there recorded, and upon such bond, or any office copy thereof, suit or suits may be instituted for any breach or non-compliance with the condition thereof.

Commissioners
appointed, &c.

IV. AND BE IT ENACTED, That Humphrey Williams, doctor Joseph Kent, Archibald Van-Horn, Leonard Sellman and Joseph Harwood, or a majority of them, be and they are hereby appointed commissioners to expend the money received by them in making passable the said road from the city of Annapolis to the seat of government of the United States, till it intersects the line of the district of Columbia.

C H A P. CLIV.

Passed 20th of
January, 1808.

A Further additional supplementary act to the act, entitled, An act for quieting possessions, enrolling conveyances, and securing the estates of purchasers.

How non-resi-
dents may ac-
knowledge
deeds, &c.

BE IT ENACTED, by the General Assembly of Maryland, That when the person or persons making any deed or conveyance for conveying or declaring, or limiting any use in or for any lands, tenements or hereditaments, lying in this state, shall be, at the time of the execution of such deed or conveyance, out of this state, so that the same cannot be acknowledged in the manner deeds or conveyances are directed to be acknowledged within this state, then and in every such case the deed or conveyance may be acknowledged before commissioners, as herein after directed by this act, or by letter of attorney, in the county court where the land or estate intended to be conveyed, or the use thereof limited or declared, doth lie, or before two justices of the peace of such county, or before any one of the judges of the said judicial districts in which the said lands, tenements or estates do lie, or in the manner heretofore prescribed by law.

Letters of at-
torney shall be
proved, &c.

II. AND BE IT ENACTED, That the letter of attorney in virtue of which any such deed or conveyance shall be acknowledged, shall be proved by the oath or affirmation, as the case may be, of the subscribing witnesses to the same, or any of them, before any one of the judges of some one of the judicial districts of this state, or before the governor or chief magistrate, mayor of some corporation, a court of justice, or judge thereof; and if the same shall not have been proved before any one of the judges of some one of the judicial districts of this state, but shall be proved before a governor or chief magistrate, mayor, court of justice, or judge thereof, then the said oath or affirmation, as the case may be, shall be certified under the hand of the governor or chief magistrate, and the seal of the state or country, when taken before a governor or chief magistrate, or under the hand of the mayor and seal of the corporation, when taken before a mayor, or under the seal of the court of justice, when taken before a court, or under the hand of the judge, and under the seal of the court, when taken before a judge, and which said letter of attorney, so proved, shall be deemed, adjudged and taken, as good and sufficient evidence of the execution thereof, to authorise the court, judge or justices of the peace of this state as aforesaid, to take the acknowledgment of any such deed or conveyance in virtue of such letter of attorney.

Clerk of the
county, on ap-
plication, to is-
sue a commis-
sion, &c.

III. AND BE IT ENACTED, That if any person or persons who may reside or be out of this state as aforesaid shall execute, or be about to execute, any deed or conveyance for conveying or declaring, or limiting any use in or for any lands, tenements or hereditaments, lying within this state, which by law is necessary to be acknowledged and recorded, instead of the same being acknowledged by letter of attorney, as herein before directed, it shall and may be lawful for the clerk of any county