

erson, 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 sixty thousand dollars, conditioned, that they will well and truly apply so much of the money arising therefrom, within six months after the drawing of the said lottery shall commence, as will satisfy the fortunate adventurers for prizes drawn by them.

C H A P.
LXXXVII.

III. AND BE IT ENACTED, That it shall be the duty of said commissioners, before they act as such, to lodge such bond in the clerk's office of Baltimore county, there to be recorded, and upon such bond, or any office copy thereof, suit or suits may be commenced and prosecuted against the obligors therein, or any of them, or their or any of their legal representatives, for any breach or noncompliance with the condition of the same.

IV. AND BE IT ENACTED, That before the said president and professors be authorised to receive from the commissioners in the act named the neat proceeds of the said lottery, they shall execute a deed of mortgage to the state of Maryland, conditioned, that if the said college should, at any time within the space of thirty years from the passage of this act, cease its functions as a seminary of learning and public instruction for the term of one year, unless such cessation shall be occasioned by fire, public enemies, or other unavoidable calamities, then the said thirty thousand dollars, authorised to be raised by this lottery, shall be paid by said president and professors, or their successors, to the state, to be appropriated in such manner by the general assembly, as in their wisdom may appear most proper, for the encouragement of learning within this state.

V. AND BE IT ENACTED, That the above mortgage shall be acknowledged agreeably to law in such case made and provided, and recorded by the clerk of Baltimore county among the land records of said county.

C H A P. LXXXVIII.

An ACT to lay out and make a public road from William Pyles's saw mill, on Deer creek, in Harford county.

Passed 25th of
January, 1806.

WHEREAS it has been represented to this general assembly, by the petition of sundry inhabitants of Harford county, that they labour under great inconvenience from the want of a public road leading from William Pyles's saw mill, on Deer creek, to intersect a road leading from William Clark's ford, on said creek, to Belle-Air, at or near the farm of Aquila Grafton, stating in their petition, that no charge should be made for the land over which the road may be laid; and the same being reasonable, therefore,

II. BE IT ENACTED, by the General Assembly of Maryland, That William Clarke, William Welch and John Pyles, be and they are hereby appointed commissioners, and they, or a majority of them, are hereby authorised and empowered to lay out, survey, mark and bound, a road in said county, from William Pyles's saw mill, on Deer creek, to intersect a road leading from William Clark's ford, on said creek, to Belle-Air, at or near the farm of Aquila Grafton, in such direction as the nature of the ground and the convenience of the landholders over which the same may run will admit; provided, that the said road shall not be laid out through the lands of any individual without his, her or their consent in writing first had and obtained; and a plot of said road, when surveyed and laid out, together with a certificate of the courses of the same, shall be returned by the said commissioners aforesaid to the clerk of the said county, to be by him recorded.

III. AND BE IT ENACTED, That when a plot of said road shall be returned and recorded as aforesaid, it shall and may be lawful for the levy court of said county to levy upon the assessable property in said county a sum of money, such as they shall deem necessary under all circumstances, and to appoint an overseer to open and clear said road, agreeable to the plot and certificate aforesaid, who shall give bond in like manner as other overseers of public roads are directed to give bond, and shall have the same allowances; and the said road, when opened and cleared as aforesaid, shall be deemed, and the same is hereby declared to be thereafter, a public road, and shall be kept in repair as other public roads in said county.

IV. AND BE IT ENACTED, That the commissioners respectively herein before named shall be entitled to receive two dollars for every day they shall severally attend to discharge the duties required by this act, which is hereby directed to be levied, collected and paid, as other county charges are levied, collected and paid.