

C H A P.
XVII.

Proviso.

XXII. Provided always, That if the said company shall not complete the navigation of the said river or canal as aforesaid, from Snow-Hill to Mitchell's Bridge, within ten years after the said company shall be formed, then all interest of the said company, and all preference in their favour to any part of the said navigation and tolls, on any kind of articles or commodities carried up or brought down any part of the said river or canal from Snow-Hill to Mitchell's Bridge, or to the division line aforesaid, shall from thenceforth be forfeited and cease.

Directors to
propose any
scheme, &c.

XXIII. And, whereas sound policy requires that the laudable design of those who may become adventurers in the aforesaid company should be patronised by legislative sanction, **Be it enacted,** That in case a sufficient sum of money shall not be raised in manner aforesaid, for the purpose of completing the works above mentioned, that it shall and may be lawful for the said directors of the Pocomoke company, or a majority of them, to propose any scheme or schemes of a lottery for the raising a sum of money not exceeding fifteen thousand dollars, and to sell and dispose of the tickets therein; provided the said directors, or a majority of them, shall, before the sale or disposal of any ticket or tickets in such lottery, give bond to the state of Maryland, in the penalty of fifteen thousand dollars, conditioned, that they will well and truly apply the monies arising therefrom, within two months after the drawing thereof, to the payment of the prizes drawn by the fortunate adventurers in the said lottery, upon application being made by him, her or them, for the same, and the necessary expences incurred in the management thereof, and the residue to the uses of the company, in such manner and to such purposes as the said directors ought to apply the monies arising from the subscriptions of the said company to carry into effect the provisions of this act.

Bond to be
lodged, &c.

XXIV. And be it enacted, That the said bond shall be lodged in the clerk's office of the county court of Worcester, to be by him recorded, and when recorded, a copy of such bond, under the hand of the said clerk, shall be good evidence in an action of debt against the said obligors, or any of them, their or either of their heirs, executors or administrators, brought in the name of the state for the use of any person concerned, for any breach or non-compliance with the condition of the same.

Proviso.

XXV. Provided nevertheless, and be it enacted, That nothing in this act contained shall authorise the said directors to hold such lottery, or sell or dispose of any ticket or tickets for the same, unless the said directors, or a majority of them, shall first take an oath, or affirmation, before some justice of the peace of the county of Worcester, that they will honestly demean themselves as managers and judges of the said lottery, and that they will faithfully render unto the fortunate adventurers their respective prizes, and a certificate of such oath shall be returned, with the bond aforesaid, to the county clerk's office, under the seal of the justice who shall have administered the same.

River &c. ef-
teemed a
highway, &c.

XXVI. And be it enacted, That the said river, and the works erected thereon in virtue of this act, when completed, shall for ever thereafter be esteemed and taken to be navigable as a public highway, free for the transportation of all goods, commodities or produce whatsoever, upon payment of the tolls imposed by this act, and no other toll or tax whatever for the use of the water of the said river, and the works thereon erected, shall at any time hereafter be imposed by the said company, president and directors, unless with the consent of the legislature of this state; and provided always, that the same shall be subject to such further regulations by the legislature as they shall deem expedient, in order to prevent imposition by the said president and directors, or to prevent fraud in evading the payment of tolls imposed on all articles or commodities carried up or down any part of the said river or canal from Snow-Hill to Mitchell's Bridge as aforesaid, or the division line aforesaid.