

truly pay over the surplus as hereafter directed, which said bond shall be liable to be put in suit for the use of any person or persons who may be injured by a breach of the condition thereof. CHAP. 137.

2. AND BE IT ENACTED, That the persons aforesaid, or such of them as may undertake to act as aforesaid; or a majority of them, shall and they are hereby directed to pay over unto the vestry of All-Saint's Parish, in Frederick county, within six months after the drawing of the said lottery or lotteries, the balance remaining in their hands, after paying the prizes and the necessary expenses attending the drawing of the lottery or lotteries aforesaid. Money to be paid over to vestry

3. AND BE IT ENACTED, That the vestry of All-Saint's Parish aforesaid shall and they are hereby authorised and directed to apply the said balance towards the finishing and completing of the Protestant Episcopal Church lately erected in Frederick-town. How to be applied

CHAP. CXXXVIII.

1. *Supplement to an act*, entitled, An act to incorporate a Company to make a Turnpike Road from the Town of Westminster in Frederick County, through Harman's Gap, to Hager's-Town in Washington County.* Lib. TH. No. 4, fol. 174. Passed Jan 28, 1814
* Nov. 1809, ch. 90

WHEREAS doubts have arisen whether an election made by the stockholders in the month of June last, of a president, eight managers and a treasurer, to conduct the business and affairs of a company incorporated by the act, entitled, An act to incorporate a company to make a turnpike road from Westminster, in Frederick county, through Harman's Gap to Hager's-town, in Washington county, is strictly legal, on account of an error in the act of assembly to revive the said act above mentioned, and on account also of an irregularity in giving the notice prescribed by law of the time and place of holding said election; Preamble

1. BE IT THEREFORE ENACTED, *by the General Assembly of Maryland,* That the election aforesaid of a president, eight managers and a treasurer, to conduct the affairs and business of the aforesaid corporation, be and the same is hereby ratified and confirmed, and is hereby declared to be as good and valid, to all intents and purposes, as if the same had been made in strict conformity with the provisions of the original act for incorporating said company. Election of president, &c. ratified

2. AND BE IT ENACTED, That the president, managers and treasurer, so chosen as aforesaid, shall hold their offices, and exercise all the powers vested in them respectively, until a new election shall take place, which election shall hereafter be made on the days and in the mode prescribed by the original act aforesaid. Officers to serve until a new election

3. AND BE IT FURTHER ENACTED, That the president and managers for the time being of the said corporation, shall and may, if they shall deem it expedient so to do, commence making a part of the turnpike road aforesaid at the foot of the South Mountain, on the west side thereof, and progress with the same in the direction towards Westminster; and so soon as the said road from the point aforesaid towards Westminster shall be fully completed to the extent of five miles, the said corporation shall and they are hereby authorised to receive the same rate of tolls on so much of that part of said road, as if the said road had been commenced at and proceeded from Westminster; *Provided always,* That nothing herein Where road may be commenced
Proviso.