

CHAP. 85.

yond the actual expenses for preserving and repairing the part of said road within the limits of this state, and paying the said superintendent and toll gatherers, and all incidental expenses; the said superintendent shall remit the same to the Treasurer of the Western Shore, whose duty it shall be to receive the same, to be denominated on the treasury books, "The United States Road Fund," which money, constituting said fund, shall be applied solely and exclusively to the preservation, repair and improvement of that part of said road, within the limits of this state, and to no other use or purpose whatsoever.

Application there-
of.

Conditions pre-
scribed.

Sec. 13. *And be it enacted*, That this act shall not have any force or effect, until the Congress of the United States shall assent to the same; and until so much of the said road as lies within the limits of the state of Maryland, be first put in a good and complete state of repair, by an appropriation made by the Congress of the United States to repair the same; and to pay the expenses of building a toll house or toll houses, and erecting a toll gate or toll gates, to be built and erected by the superintendent appointed by the Governor and Council of this state; to be expended under the authority of a superintendent, to be appointed by the President of the United States: *Provided*, the General Assembly of this state may at any future session thereof, change, alter or amend this act, so as to regulate the amount of tolls; *Provided*, That the same shall not be so altered or amended as to reduce or increase the rates of tolls hereby established, below or above a sum necessary to defray the expenses incident to the preservation and repair of said road, for the payment of the fees and compensation to the superintendent, collectors of tolls and other agents; *And provided*, That no change, alteration, or amendment shall ever be adopted, that will in anywise defeat or effect the true intent and meaning of this act.

Proviso.

Case of death of
commissioner.

Sec. 14. *And be it enacted*, That in case any superintendent who shall be appointed under this act, shall die, resign, refuse to act or remove from Allegany county aforesaid, the governor and council of this state, shall appoint another in his place, who shall, at the time of his appointment, and during his continuance in office, reside in Allegany county; and who shall hold his office for three years from the date of his commission; and after the expiration of any time of service of any superintendent who may be appointed under this act, the governor and council of this state, shall re-appoint him or appoint another in his place, at discretion: *Provided*, That he shall not serve for a longer time than three years, from the date of his commission.

Re-appointment
authorised.