

## CHAP. 160



tions of the existing laws of this state, and of such as may hereafter be enacted in relation to his duties as a commissioner of lotteries; and the said bond shall be recorded among the records of the executive department, by the clerk of the Council, and a copy thereof under the seal of the department, shall be to all intents and purposes as available evidence in any court of justice in this state, as the original would be if produced and legally proved; and the state of Maryland, and all bodies corporate or politic, or individuals, who may be interested in the performance of the duties intended to be secured by the said bond, shall be at liberty to demand a copy thereof, and to institute a suit or suits thereon, in the name of the state, for his, her or their use, and may recover thereon the full amount of debt or damages, which he, she, or they may shew him, her or themselves to be entitled to, or may have sustained: *Provided, however,* That the present commissioners may be allowed until the first Monday of May next, to give the bond required by this act, and in the mean time may proceed to act, under the bonds which may have been given according to the provisions of the act of December session, eighteen hundred and twenty-six, chapter two hundred and sixty-eight, and the bonds required by this act shall be renewed from time to time, as often as the Governor and Council in their discretion shall deem the same to be necessary to the protection of the public interest, and in case that any one or more of the said commissioners shall fail to give the required bond on or before the said first Monday in May next, the appointment or appointments of such commissioner or commissioners, shall be considered as vacated, and it shall be the duty of the Governor and Council to supply the same by a new appointment or appointments, without delay.

Review.

Renewal of bonds authorized

Appointments vacated upon neglect to bond.

Commissioners ofth.

SEC. 2. *And be it enacted,* That before any commissioner of lotteries shall proceed to act as such, or shall be entitled to any salary, or other compensation whatsoever, he shall take and subscribe the following oath or affirmation before some judge or justice, qualified to administer the same, to wit: I A. B. do solemnly swear, (or affirm, as the case may be,) that I will discharge my duty to the state as a commissioner of lotteries, according to law; and that I will present, or cause to be presented, in the proper county or city court, all violations of the laws of this state, relating to lotteries, that may come within my knowledge, or of which I may be informed, in such manner as to enable me to make, or cause to be made such presentment or presentments; which oath being so taken and subscribed, shall be delivered to the clerk of the city court of Baltimore, to be recorded and retained by him, and an office copy thereof shall be available evidence in all courts of justice and elsewhere.

Penalty for neglecting to prosecute for violators of lottery laws.

SEC. 3. *And be it enacted,* That it shall be the duty of the commissioners of lotteries, and each and every of them, under the penalty of five hundred dollars, to be recovered by indictment in the proper county or city court, as the case may be, one moiety when recovered, to be for the use of the in-