

within the limits of Washington county, and shall, out of the funds to be received, pay the debts of said company; **CHAP. 156.**
provided, the same do not exceed the sum of one thousand **Provisoos.**
dollars; *and provided further*, that the said company shall first pay to Colonel John Thomas, assignee of Francis Thomas, sixteen hundred and eighty-four dollars, in payment of that sum admitted to be due to him by the treasurer of the company, out of the money of said company, now standing to the credit of said treasurer in the bank in Frederick, or otherwise under his control; *and provided*, that all claims and demands legally ascertained against said company, be also paid, and shall out of the proceeds of said lottery grant, as the same from time to time may be received, pay to the several stockholders in said company the amount of stock by him, her or them owned, together with interest on the same from the date of the assignment by said company, and shall expend the balance to be realized from said lottery grant, as the same may from time to time be received by the said levy court, in the construction of the road from Frederick to Harper's Ferry, in the manner prescribed by the act of the General Assembly of Maryland, passed at December session, eighteen hundred and fifteen, chapter one hundred and sixty-six, and its several supplements.

SEC. 5. *And be it enacted*, That the levy court of Frederick county, after the transfer and assignment aforesaid, shall be invested with all the powers, rights, privileges and franchises, property, effects and grants heretofore conferred on the Frederick and Harper's Ferry road company, by the acts of eighteen hundred and fifteen, chapter one hundred and sixty-six, and its several supplements, and by the act of eighteen hundred and thirty-eight, chapter two hundred and sixty-eight, and its several supplements.

Rights, &c.,
of said road
company vested
in levy co't.

SEC. 6. *And be it enacted*, That the levy court of Frederick county, after the assignment aforesaid, shall be authorised to erect toll gates on said road, use the gates now used, appoint gate-keepers, superintendents or other agents, prescribe their duties, fix the amount of compensation, and take from their officers and agents, bonds, in such penalty as the court shall prescribe, for the faithful discharge of his, her or their duty, and fix the rate of toll; *provided*, that no more than one-half of the present rate of toll now charged by the company shall be exacted, except from droves of cattle, sheep and horses; *and provided*, no charge of toll shall be made at the gate near Knoxville, for all travel coming on

May erect toll
gates, &c.

Provisoos.