

1809.

NOVEMBER.

L A W S OF M A R Y L A N D.

C H A P.
CXXIII.

relied on with safety: And whereas Doctor James Smith, of the city of Baltimore, hath proposed to use his best exertions to accomplish this desirable object; therefore,

II. BE IT ENACTED, *by the General Assembly of Maryland*, That William Wilson, Robert Stewart, Luke Tiernan, Henry Shrøder, Aaron Levering, Samuel Harden, Doctor John Cromwell, Doctor William H. Clendenen, James W. Collins, John W. Glenn, Andrew Agnew, Alexander M'Donald, Edward G. Woodyear, Edward J. Coale, Peter Hoffman, jun. and Doctor James Smith, are appointed managers, and they, or a majority of them, may institute and establish a lottery or lotteries in the city of Baltimore, to raise a sum of money, not exceeding thirty thousand dollars, clear of expenses, sufficient to procure a piece of ground, and to build thereon a convenient house for the purpose of a vaccine institution, and to defray all other expenses incurred by Doctor James Smith to procure and distribute the vaccine matter, free of any costs, to the citizens of this state; provided, however, that before the managers above appointed proceed to the sale of any ticket or tickets in said lottery or lotteries, the aforesaid Doctor James Smith shall give bond to the state of Maryland, with security to be approved of by the mayor of the city of Baltimore, in the penalty of ten thousand dollars, conditioned, that he, the said James Smith, shall use his best exertions to procure, and well and faithfully to preserve, the genuine vaccine matter, and distribute the same, with instructions, if required, for the use thereof, for a period of six years from this time, free of expense, to any of the citizens of this state applying for the same, and it shall be the duty of the said James Smith to lodge the said bond in the clerk's office of Baltimore county court, there to be recorded, within sixty days after it may be executed and approved of as above mentioned; and provided also, that before the managers above appointed proceed to the sale of any ticket or tickets in said lottery or lotteries, they, or a majority of them, shall give bond to the state of Maryland, in the penalty of sixty thousand dollars, conditioned that they will well and truly apply the monies arising therefrom, within six months after the drawing thereof, to the payment of any prizes to whom they shall be due, and that after deducting all necessary expenses incurred in the management thereof, they shall pay over to the aforesaid Doctor James Smith the neat profits arising from said lottery or lotteries, to be by him applied to the purposes above mentioned, and to carry this law into full effect; and the said bond shall be lodged in the clerk's office of Baltimore county, to be there recorded, and upon such bond, or any office copy thereof, suit or suits may be instituted for any breach or non-compliance with the conditions thereof.

III. AND BE IT ENACTED, That the aforesaid managers, or any of them, or any person authorised by them, shall have full power and authority to sell and dispose of tickets in the said lottery, either in the city of Baltimore or any other part of this state, without paying any tax to the corporation of the city of Baltimore therefor, any law to the contrary notwithstanding.

C H A P. CXXIV.

Passed 6th of
Jan. 1810.

A Supplement to an Act, entitled, An Act to incorporate Companies to make several turnpike Roads through Baltimore County, and for other purposes.

WHEREAS by an act, entitled, An act to incorporate companies to make several turnpike roads through Baltimore county, and for other purposes, passed at November session, eighteen hundred and four, a company was incorporated for the purpose of making a turnpike road from Baltimore to Boonsborough, in Washington county, under the style and name of The Baltimore and Frederick-Town Turnpike Company; therefore,

II. BE IT ENACTED, *by the General Assembly of Maryland*, That the said company be authorised and empowered to extend the said turnpike road from Frederick-town to and through New-town Trap, from thence to cross the Catoctin-creek at or near Jesse Mathew's mill, thence by or near John Hilleary's mill to Harper's ferry, on Patowmack river, under the same regulations and restrictions, and entitled to the same tolls and immunities and advantages, as they are authorised to take and receive by the act to which this is a supplement; provided, the stockholders holding the majority of shares of the stock of said company shall agree to the extension of said road within twelve months after the passage of this act; and provided, the said extension shall be completed in four years from the date hereof.

III. AND BE IT ENACTED, That should the stockholders aforesaid agree to the extension of said road, that then and in that case the president and managers of said company shall not be compelled to stone and gravel said road more than eighteen feet in width.