

shall place the money raised by such lottery or lotteries in the hands of the treasurer of the Baltimore and Frederick Town turnpike road company, to be applied by the said company to the paving of the said road from Frederick-town to Harper's Ferry: *Provided*, The said company will advance all other necessary sums to complete the said road agreeably to an act of Assembly passed in the year of our lord eighteen hundred and nine, entitled, "A supplement to an act entitled, An act to incorporate companies to make several turnpike roads through Baltimore county, and for other purposes," giving to the company the privilege to turnpike the said road; that then, and in that case the said Baltimore and Frederick-Town turnpike road company, shall be entitled to all the privileges, emoluments, and advantages given to them by the above recited act of assembly.

1812.

*Proviso.*

2. AND BE IT ENACTED, That it shall be the duty of the said commissioners before they act as such, to lodge the bond entered into as aforesaid, in the clerk's office of Frederick county, there to be recorded; and upon such bond or any office copy thereof, suit or suits may be instituted against the obligors therein, or any of them or their legal representatives for any breach or non-compliance with the conditions of the same.

Duty of the commissioners before they act as such—suits may be instituted.

3. AND BE IT ENACTED, That the commissioners be, and they, or any person or persons appointed by them, are hereby authorised to dispose of and sell all or any of the tickets of said lottery or lotteries in any part of the State, and in the city of Baltimore, exclusive of any control of the same, by the corporation of the city of Baltimore, any law or usage to the contrary notwithstanding.

Commissioners or persons appointed by them may sell tickets.

4. AND BE IT ENACTED, That if the Baltimore and Frederick-Town turnpike road company, who, at this time have the exclusive privilege of making the turnpike road from Frederick-Town to Harper's Ferry, shall refuse to undertake in six months, or neglect to complete and finish the said road in two years after the drawing of the said lottery or lotteries, and after the money so as aforesaid raised for the purpose of this act, being lodged with the Treasurer of the said company; that then and in that case, it may and shall be lawful for the commissioners, or the survivor or survivors of them, to open books for the remainder of the stock which may be required to complete the road in such man-

Turnpike road company refusing or neglecting to complete said road within a limited time commissioners or surveyors may open books for any stock required—such subscribers incorporated and invested with authority.