

CHAP. 78.

company should neglect to have the said place repaired within fifteen days after the aforesaid fine shall have been laid, then the said court shall proceed to fine the said president, managers and company, in their discretion, not exceeding two hundred dollars, for the use of the county under the direction of the levy court.

Penalty for evading payment of toll.

27. AND BE IT ENACTED, That if any person or persons whomsoever, riding in, or driving any sulky, chair or chaise, phaeton, cart, wagon, wain, sleigh, sled, or other carriage of burthen or pleasure, riding or leading any horse, mare or gelding, or driving any sheep, hogs or cattle, shall therewith pass through any private gate or bars, or along or over any private passage way or other ground near to or adjoining any turnpike gate erected, or which shall be erected in pursuance of this act, with intent to defraud the company, avoid the payment of the toll or duty for passing through any such gate or turnpike, or if any such person or persons shall, with such intent, take off, or cause to be taken off, any horse, mare or gelding, or other cattle, from any wagon or carriage of burthen or pleasure, or practice any other fraudulent means or device, with the intent that the payment of any such tolls or duty may be evaded or lessened, all and every person or persons, in all, every, or any of the ways or manners aforesaid offending, shall for every such offence respectively, forfeit and pay to the said president, managers and company, a sum not exceeding ten dollars, to be sued for and recovered, with costs of suit, before any justice of the peace, in like manner as debts of a similar amount may be sued for and recovered; *Provided always*, that if any person or persons shall be prosecuted under this section, and the said prosecution shall not be sustained on the part of the prosecutor, then and in such case the person or persons prosecuted as aforesaid, shall receive from the company the sum of ten dollars, in lieu of damages for delay and vexatious prosecution, recoverable as other fines under this act; and if any toll-gatherer shall knowingly demand and receive any greater toll, from any person or persons, than such toll-gatherer is authorised to demand and receive by virtue of this act, such toll-gatherer shall forfeit and pay the sum of twenty dollars for every such offence, to the use of the county, and for the payment of which the said company shall be responsible: *And provided also*, that if any person occupying a farm or lot on the said road, on or adjoining to which a toll-gate may be erected, shall have ingress and egress to and from the said turnpike road, from and to the said farm or lot, in as many places as he or she may find convenient, without contravening any of the provisions of this act.

Provisos.

Posts, board and index hands to be erected—penalty for destroying them.

28. AND BE IT ENACTED, That the said company shall cause posts to be erected and continued at the intersection of every public road falling into and leading out of the said turnpike road, with a board and index hand pointing to the direction of such roads, on both sides whereof shall be inscribed, in legible characters, the name of the town, village or place, to which such road leads, and the distance thereof in computed miles; and the said company shall cause mile-stones to be placed at the side road, expressing the number of miles from the capitol, whereon shall be marked in plain legible characters the respective number of miles which each stone is distant from the city of Baltimore aforesaid; and at every gate or turnpike by them to be fixed on the