

after having laid out and marked said road, they shall make one plot of the same, specifying the courses and distances, and return the same to the clerk of Cecil county court to be recorded; and the said commissioners, before they proceed to act, shall take the following oath or affirmation: "I, A. B. do swear (or affirm,) that I will lay out and mark the Susquehanna, Charles-town and Elkton turnpike road, according to the best of my skill and judgment, and according to the directions of an act of assembly, entitled, An act to incorporate a company to make a turnpike road from the lower ferry on the river Susquehanna in Cecil county, through Charles-town, and from thence till it intersects the Elkton and Christiana turnpike road; and I do further swear. (or affirm,) that I am not interested in any land through which said road is likely to pass."

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7. AND BE IT ENACTED, That the said company shall open said road from the lower ferry on the river Susquehanna to Charles town, and from thence till it intersects the Elkton and Christiana turnpike road, according to the location of the commissioners aforesaid, sixty feet wide, of which at least twenty feet shall be an artificial road, composed of stone, gravel, or other hard substance, and erect and keep up bridges over the streams crossing the same; and whenever two miles of the said road shall be perfected, said company shall be entitled to receive tolls; *Provided*, that said company shall not be entitled to tolls after the year eighteen hundred and thirty, unless said twenty feet in width shall be composed of stone, gravel or other hard substance; *Provided*, that no toll shall be demanded or taken from any person passing or repassing from one part of his farm to another, or to or from any place of public worship or funeral, on any days appointed for that purpose, or from militia men on days of training, or from voters on days of election, attending the polls, going to or returning from the same.

Width of road

Provisus

8. AND BE IT ENACTED, That said company shall be and are hereby invested and clothed with all the privileges, rights, immunities and advantages, which are held and possessed by the turnpike company incorporated by an act passed at November session eighteen hundred and twelve\*, entitled, An act to incorporate a company to make a turnpike road from the District of Columbia to the city of Baltimore, to be governed by the same regulations as are therein prescribed, and be entitled to the same tolls, and every clause and provision of said act, relative to the road therein proposed to be made, shall be in force as relates to the road herein contemplated, so far as the same are applicable and not inconsistent with this act.

Privileges, rights, &c

\* Ch. 78

9. AND BE IT ENACTED, That it shall be lawful for any corporation or body politic in the United States to become stockholders in the said company.

Bodies politic may become stockholders

10. AND BE IT ENACTED, That if said company do not proceed to carry on said work within three years(a) after the passing of this act, or shall not within ten years thereafter complete the said road, it shall be lawful for the legislature of this state to resume the rights, privileges, liberties and franchises, granted by this act to said company.

Road not being commenced within three years, right to revert to state

(a) Further extended by 1816, ch. 132.

11. AND BE IT ENACTED, That the county court of Cecil shall appoint five commissioners, who shall estimate the amount of da-

Damages to be estimated