

resign, or refuse to act, the justices of the levy court, or such person as they may appoint for that purpose, and the companies respectively, shall forthwith proceed to fill up such vacancies. CHAP. 51.

13. AND BE IT ENACTED, That certificates of shares, to the amount of the valuations aforesaid for each respective road, shall be made out by the respective companies in the name of the levy court of Baltimore county, and delivered to the said court, and all dividends or profits arising on said shares shall be paid to the levy court of Baltimore county, to be appropriated by the said levy court in such manner, to the use of the said county, as they may think proper.

Certificates of the amount of valuations to be made out.

14. AND BE IT ENACTED, That the levy court shall have all the privileges of voting at elections as any individual or company holding a like number of shares of the said stock would have.

Levy court entitled to vote.

15. AND, whereas the road leading towards Frederick-town was laid out and confirmed by the commissioners of review only so far as the line of Baltimore county, and the road from the end of the aforesaid road through Anne-Arundel county to the Anne-Arundel county line, on a direction towards Frederick-town, was laid out by commissioners appointed by law for that purpose, and from thence through part of Baltimore county, and partly through Frederick county, to Frederick-town, was laid out by commissioners appointed by law for that purpose, which said roads have been opened and put into their present state of improvement at the expense of the said counties: And whereas it is reasonable and just that the said counties should be paid the value of the said improvements; therefore, BE IT ENACTED, That the present rights of the said counties to the said road, and improvements made thereon, shall be ascertained in the same manner as is herein before directed for ascertaining the value of the turnpike roads in Baltimore county, and the president, managers and company, of the Baltimore and Frederick-town turnpike road, shall pay the amount of the said valuations to the levy court of each respective county, or their orders, on or before the end of two years from the time the said respective valuation or valuations shall be made and returned, and upon such valuation or valuations being made and returned to the said president and managers, and the respective levy courts aforesaid, the said respective parts of the said road shall thereupon be vested in the said president, managers and company, of the Baltimore and Frederick-town turnpike road, during the continuance of this act of incorporation.

Rights of counties to road to be ascertained.

16. AND BE IT ENACTED, That in all cases where stone, gravel, earth or sand, not already quarried or dug for the use of the owner, or for sale, shall be necessary for making or repairing either of the said turnpike roads, the president and managers of the company, or a majority of them, or any person authorised by them, may agree with the owner or owners of said materials for the purchase of the same, or with the said owner or owners of the land on which the same may be, for the purchase of said land; and in case of disagreement, or in case the owner should be a *feme covert*, under age, or *non compos*, or out of the state or county, the president of the company, or any person authorised by him for that purpose, shall apply to a justice of the peace for the county wherein the said materials may be, which justice shall thereupon issue his warrant,

President and managers may agree with owners of stone, &c. for the same.