

heretofore laid off, opened and granted, in whole or part, by the said company, beginning for the same at the end of the paved or stone part of the said turnpike road, near Richard Caton's lime kiln, and extending to its northern limits near Kerlingers mill; and the deed of release, cession and conveyance, which the said president and managers or a majority of them, may make and execute, in virtue of this act, to the said commissioners, shall be recorded in Baltimore county court, and a copy thereof from the records of said county, under the hand of its clerk, and the seal of the court shall be received in evidence; and the said road, when so conveyed, shall be and remain forever thereafter a free and public highway.

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SEC. 4. *And be it enacted*, That the president and managers of the said Falls Turnpike Road Company be, and they are hereby authorised and empowered, to collect and receive tolls from every person or persons using any part of the said turnpike road; between the city of Baltimore and the termination of the paved or stone part thereof, near Richard Caton's lime kiln, according to the rates mentioned in the thirteenth section of the original act to which this is a supplement, for the whole distance of the said road, and so in proportion for any less distance, as often as such person or persons shall use the same, any thing in the said original act to the contrary notwithstanding: *Provided* the said president and managers, or a majority of them, shall within six months after the passage of this act, make and execute the deed of release, cession and conveyance to the commissioners aforesaid, which they are hereinbefore authorised to make and execute, and shall also, within said term, deliver the said deed or conveyance to the clerk of Baltimore county court, to be by him recorded.

May on that condition collect certain tolls.

SEC. 5. *And be it enacted*, That nothing in this act contained shall authorise the said company to close the paved or stone part of the present turnpike road, until a good summer road fit for the travelling of wagons and carriages shall be formed by said company upon the side of or near to the rail road, authorised by this act; unless the said rail road be so constructed as to permit the travelling of private wagons, carriages and horses; for which travelling they shall receive the same rate of toll now received by said company on the turnpike road, which summer road when so formed, shall be kept in repair by the company under the penalties now imposed for neglect to repair the present turnpike road.

Present turnpike.

SEC. 6. *And be it enacted*, That if any road shall be hereafter authorised by the legislature of this state, or by the proper authority of Baltimore county, the direction of which shall lead across the rail road hereby authorised, it shall be the duty of the company in this act mentioned, so to construct or alter that part of the rail road as shall permit the passage of any road hereafter to be allowed by the legislature of this state, or by the proper authority of Baltimore county, at the expense of the county or person opening said road.

Cross road.