

velling on or using the said road, to erect turnpike gates, and appoint toll gatherers for that purpose, and the tolls when received, may apply to the construction and completion of the said road, until it intersects the road leading from Battle Swamp to Chesapeake, near Gales saw mills, and after completing the said road so far, shall divide semi-annually, the nett profits in just proportions among the stockholders.

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Limit

SEC. 7. *And be it enacted*, That the tolls which the said managers may charge and collect, shall not exceed the following rates for five miles, and so in proportion for any greater or less distance; to wit: from every foot passenger two cents; for every four wheel carriage, either of burthen or pleasure, drawn by six horses, thirty-one cents; and for carriages of the same description drawn by five horses, twenty five cents; and for carriages of the same description drawn by four horses twenty cents; and for carriages of the same description drawn by three horses, eighteen and three quarter cents; and for carriages of the same description drawn by two horses, twelve and a half cents; and for carriages of the same description drawn by one horse, eight cents; for every two wheel carriage, either of burthen or pleasure, for every horse therein eight cents, for every sled or sleigh drawn by four horses twenty cents; for every sled or sleigh drawn by two horses ten cents; for every sled or sleigh drawn by one horse, six and a quarter cents; for every horseman six and a quarter cents; for every led or single horse four cents; for every head of horned cattle two cents; for every head of sheep or swine one cent: *Provided*, That no toll shall be demanded or taken from any person passing from one part of his farm to another part thereof, and to or from any place of public worship, on the sabbath day, or funeral.

Rate of tolls

Exempt

SEC. 8. *And be it enacted*, That it shall be the duty of the said managers, at all times after the said road shall be certified by inspectors as aforesaid, to be in good order for travelling, to cause the same to be kept in good order and repair; and if any complaint shall be made to Cecil county court that the said road is not kept in good repair, the said court shall direct the grand jury to enquire as to the correctness of such complainant, and if it shall on presentment of the jury and trial be ascertained to be well founded, the court may order that the toll gates shall be opened, and no tolls collected until the said road shall be certified to be sufficiently repaired and in good order for travelling, by inspectors to be appointed by said court, or by the levy court, on application as is hereinbefore provided.

Proceedings if the road is not kept in good order

SEC. 9. *And be it enacted*, That if from any cause the managers aforesaid cannot contract or agree with the owner of any ground over which the said road shall be located, or the owner of any materials which it may be necessary to use for the construction of said road, for permission to use and occupy such ground, or for the use or purchase of such materials, the said managers may apply to any justice of the peace in and for Cecil county, whose duty it shall be to issue his war-

Method of ascertaining compensation for use and damages.