

Road Company, of Frederick County, State of Maryland, be and is hereby authorized and empowered, as to the whole extent of their road, between the termini thereof, to assess annually upon each individual or person habitually using their said road between the toll-gates thereof, and not passing or going through any of such toll gates, such amount, to be paid quarterly by the individual or person so assessed, as shall be just and reasonable for such use of said road, and shall have power to collect the same before any justice of the peace of the county in which such individual may reside or do business, on an action of debt; provided, that such assessment shall only be construed to extend to the use of said roads by said parties so assessed, at such times or trips as they shall not pass through any toll-gate on said road; and that whenever any such parties so assessed shall pass through any such toll-gate, they shall be chargeable with the regular rates of toll; and provided, that no person passing from part of his farm to another part thereof shall be charged with toll.

Payment of toll.

Proviso.

SEC. 2. *And be it enacted*, That if any person or persons whomsoever, riding or driving any animal or thing for which tolls are prescribed by the act incorporating this company, shall pass through any private gate or bar, passage-way or other ground, or having traveled over a part of the road of this company with a team of horses or other animals for which tolls are prescribed, shall, when approaching a toll-gate of said company, detach a part thereof with the intent to defraud the said company, or avoid the payment of the toll or duty for passing through any of its gates or over its turnpikes, such person or persons, in all or any of the ways or means so offending, shall for every such offense respectively forfeit and pay to said company any sum not less than two nor more than five dollars, to be sued for and recovered with cost of suit, before any justice of the peace of the county wherein such party offending may reside or do business, in like manner as debts of a similar amount may be sued for and recovered, and with the same right of appeal as in such cases.

Avoiding the payment of toll.

Penalty.

Approved April 6th, 1894.