

and allowance shall be paid by the president and managers of the company at whose instance the persons may have been summoned.

C H A P.
LI.

XVII. AND BE IT ENACTED, That the said presidents, managers and companies, shall have power to erect permanent bridges over all the waters crossing the said roads, wherever the same shall be found necessary, and shall cause the said roads to be kept open to the same width, and in the same place, as they were originally laid out and confirmed by the commissioners of review, and acts of assembly heretofore passed relating thereto, and shall cause twenty feet thereof in breadth at least to be made an artificial road, which shall be bedded with wood, stone or gravel, or any other hard substance, well compacted together, a sufficient depth to secure a solid foundation to the same, and the said road shall be faced with gravel or stone pounded, or other small hard substance, in such manner as to secure a firm, and as near as the materials will reasonably admit, an even surface, and so nearly level in its progress as that it shall in no place rise or fall more than will form an angle of four degrees with an horizontal line, except over the Catoctin and South mountains, where it may rise or fall to an angle of six degrees with an horizontal line, and shall for ever hereafter, during the continuance of said incorporation or incorporations, maintain and keep the same in good and perfect order and repair.

And erect
bridges, &c.

XVIII. AND BE IT ENACTED, That it shall and may be lawful for the levy court of Baltimore county to keep up the respective turnpike gates on the said respective roads as the same are now set up and established, and appoint toll-gatherers to receive the tolls, and to take at each of the said gates or turnpikes the same tolls that are now established at said gates or turnpikes, until the said companies shall have completed the distance of ten miles of each or either of the said roads from the city of Baltimore, when it shall and may be lawful for the said companies to establish and set up gates, appoint toll-gatherers, and receive tolls, agreeably to the provisions of this act; provided, that it shall be the duty of the first before-mentioned company to complete and keep in repair, from their intersection, as well the road leading into Pratt-street as the road leading into Baltimore-street, in the manner prescribed in this act; and provided also, that no turnpike or gate shall be set up on or across the said road between the intersection of the road leading from Montgomery court-house to the city of Baltimore and Ellicott's lower mills on Patapsco falls.

Court may keep
up gates, &c.

XIX. AND BE IT ENACTED, That as soon as either of the said presidents, managers and company, shall have perfected either of the roads for any distance from the city of Baltimore not less than ten miles, and so on from time to time any other like distance progressively, they shall give notice thereof to the governor of this state, who shall thereupon forthwith nominate and appoint three skilful and judicious persons to view and examine the same, and report to him in writing, whether the said road is so far extended in a masterly workmanlike manner, according to the true intent and meaning of this act, and if their report shall be in the affirmative, then the governor shall, by licence under his hand and the seal of the state, permit and suffer the said presidents, managers and companies, to erect and fix such and so many gates or turnpikes upon and across the said road as will be necessary and sufficient to collect the tolls and duties herein after granted to the said company, from all persons travelling on the same with horses, cattle, wagons, carts and carriages.

Notice to be
given, &c.

XX. AND BE IT ENACTED, That the said respective companies, having perfected either of the said respective roads, or such parts thereof, from time to time as aforesaid, and the same being examined, approved and licensed, in manner aforesaid, it shall and may be lawful for them to appoint such and so many toll-gatherers as they shall think proper, to collect and receive, of and from all and every person and persons using the said road, the tolls and rates herein after mentioned, and to stop any person riding, leading or driving, any horses, cattle, hogs, sheep, sulkey, chair, chaise, phaeton, coach, coachee, cart, wagon, wain, sleigh, sled, or other carriage of pleasure or burthen, from passing through the said gates or turnpikes, until they shall have respectively paid the same; that is to say, for every space of ten miles in length of the said road, the following sum of money, and so in proportion for any greater or lesser distance, or for any greater or lesser number of sheep, hogs or cattle, viz. For every score of sheep, one eighth of a dollar; for every score of hogs, one eighth of a dollar; for every score of cattle, one fourth of a dollar; for every horse and his rider, or led horse, one sixteenth of a dollar; for every chair or chaise with one horse and two wheels, one eighth of a dollar; for every chariot, coach, stage, wagon, phaeton or chaise, with two horses and four wheels, one quarter of a dollar; for either of the carriages last mentioned with four horses, three eighths of a dollar; for every other carriage of pleasure, under whatsoever name it may go, the like sums, according to the number of wheels and horses drawing the same; for every cart or wagon whose wheels do not exceed the breadth of four inches, one eighth of a dollar for each horse drawing the same;

Companies
may appoint
toll-gatherers,
&c.