

C H A P.
XCL.

move the said materials; and if the owner or owners of such materials shall reside out of the county, or be under any legal disability, then the president and managers shall enter into bond, conditioned for the payment of the damages assessed to the person or persons who may be duly authorised to receive the same, and shall lodge said bond, and a copy of the said valuation, in the office of the clerk of the county court, to be by him recorded, and upon such bond, or office copy thereof, suit or suits may be instituted against the obligors therein named, by any person or persons entitled to receive such damages; and the justice and sheriff shall be entitled to receive the same fees for services under this act as they are allowed in similar cases; and the persons summoned as jurymen to value the damage sustained as aforesaid, shall each receive one dollar for every day he shall attend for that purpose, which fees and allowance shall be paid by the president and managers of the company at whose instance the persons may have been summoned, and the same proceedings shall be had, if required, in case of damage done or apprehended by the owner or owners of any lands or tenements over or through which the said road may pass.

And erect
bridges, &c.

XI. AND BE IT ENACTED, That the said president, managers and company, shall have power to erect permanent bridges over all the waters crossing the said road, wherever the same may be found necessary, and shall cause the said road to be made solid, durable, and even on the surface, by bedding the same with wood, stone, sand or gravel, a sufficient depth to secure a good foundation to the same, and at least eighteen feet wide, 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, and shall for ever hereafter, during the continuance of the said incorporation, maintain and keep the said road in the same good order and repair.

Notice to be
given, &c.

XII. AND BE IT ENACTED, That as soon as the said president, managers and company, shall have perfected the road to the distance of five miles from the city of Baltimore, or for any other greater 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 executed in a masterly and workmanlike manner, according to 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 president, managers and company, to erect such and so many gates or turnpikes upon and across the said road as will be necessary to collect the tolls herein after granted to the said company, from all persons travelling on the same with horses, cattle, wagons, carts or carriages.

Company
may appoint
toll-gatherers,
&c.

XIII. AND BE IT ENACTED. That when the said company shall have perfected the said road, or such parts thereof, from time to time as aforesaid, and the same shall have been 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 every person or 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 for the same; that is to say, for the whole distance of the said road, the following sum of money, and so in proportion for any lesser distance, or for any greater or lesser number of sheep, hogs or cattle, to wit: 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 quarter of a dollar; for every horse, or horse and rider, one sixteenth of a dollar; for every chair or chaise with one horse and two wheels, one eighth of a dollar; for every 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, under whatsoever name it may go, the like sum, 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 every horse drawing the same; for every cart or wagon, the breadth of whose wheels shall exceed four inches, and not exceeding seven inches, one sixteenth of a dollar for every horse drawing the same; for every cart or wagon, the breadth of whose wheels shall be more than seven inches, and not more than ten inches, or being of the breadth of seven inches shall roll ten inches, five cents for every horse drawing the same; for every cart or wagon, the breadth of whose wheels shall be more than ten inches, and not exceeding twelve inches, or being ten inches shall roll more than fifteen inches, three cents for every horse drawing the same; for every cart or wagon, the breadth of whose wheels shall be more than twelve inches, two cents for every horse drawing