

CHAP. 267. not Macadamized. etc.; *Provided, nevertheless*, that should the annual dividend declared by the president and directors, as is herein provided, exceed the sum of five per centum by the sum of one hundred dollars, then the appropriation as herein required, shall cease and be withheld.

Proviso.

Report.

SEC. 11. *And be it enacted*, That as soon as the said road shall be completed in the manner directed by this act, from Frederick City to the Spout Spring aforesaid, near the foot of the Catoctin Mountains, on the bed of the Hamburg road as aforesaid, the president and directors shall forthwith transmit or make a return to the board of commissioners of Frederick county a full and fair account of the cost of said road, and of the amount of tolls received up to that period, and shall annually thereafter make return of the amount of tolls received and the expenses incurred on said road within the year last passed, under penalty of a forfeiture of the year's appropriation for road purposes.

Toll gates and tolls.

SEC. 12. *And be it enacted*, That the said president and directors, whenever three miles or more, and before the whole of said road shall have been completed, may cause to be set up and erected one turnpike gate across said road, within the distance specified, and may take and receive for passing over any part of said road, finished as aforesaid, and through said gate the one-half of the rate of toll which is herein and thereafter to be allowed when the whole road is completed; and when the whole road is completed, as hereinafter provided, the full amount, and may stop any person riding, leading or driving horses, cattle, hogs, sheep, or driving or riding in any carriage, wagon or other vehicle of burthen or pleasure from passing through said gate, until the same shall have been paid by each and every person so passing over such portion of said road and through said gate; that is to say, to wit: for every score of cattle ten cents, for every score of sheep or hogs six cents, for every horse and his rider, or led or drove horse four cents, for every sulky, chaise, gig or other vehicle of pleasure, and one horse, five cents, and as is hereinafter provided, for every chariot, coach, barouche, stage or other vehicle with two horses attached and with four wheels, ten cents, for every of the carriages last mentioned with four horses fifteen cents, and for every other carriage of pleasure under whatever name it may be called, the like sums, according

Rates of toll.