

CHAP. 340. nies, enter upon or proceed to use the lands, earth, timber, stone, or other materials condemned as aforesaid, before they shall first pay or caused to be paid or tendered the damages which may be awarded by the jury to the owner or owners as aforesaid.

Rate of tolls **SEC. 8.** *And be it enacted,* That the company shall have the right to collect tolls on said roads, or either of them, when they shall be made, and so long as the same shall be kept in good repair, the rate of tolls on the said road shall be the same as the rate of tolls allowed on the road authorised to be made by the Boston and New-York Coal company, and on the Turnpike road, the same rate of tolls which are authorised to be collected on the National road, between Cumberland and Frostburg; and for this purpose the said company may erect gates at suitable points on said road; *provided however,* that said road shall not be so constructed as to interfere with the public road in the Valley of Jennings' run, unless permission is first obtained from the commissioners of Allegany county, and the said commissioners are hereby authorised in their discretion to grant said permission, if they deem the same advisable.

May erect gates
Proviso
Persons going and returning same day, to pay half tollage **SEC. 9.** *And be it enacted,* That no person or persons engaged in hauling, conveying or transporting coal, iron, timber, wood, lumber, plank or produce on the said Turnpike road, going and returning on the same day, shall be required to pay more than one half the toll designated and specified in this act; that is to say, for every loaded wagon, cart, slide or other vehicle of burden, person on horseback, or in any carriage passing the gate, shall pay the regular tollage, but when the same wagon, cart, slide or other vehicle of burden, person on horseback, or in any carriage, shall return the same day, no toll shall be required for said return.

Any other company may subscribe for shares **SEC. 10.** *And be it enacted,* That it shall be lawful for any incorporated company in Maryland, or elsewhere, in the United States, to subscribe for shares in the stock of this company; and the company shall have the right of prescribing the amount and times of the payment of such instalment, as shall be necessary for carrying on the work from time to time, until the whole sum due on the shares is paid in, upon giving due notice thereof in Baltimore, Cumberland, Hagerstown, Frederick and Washington city, at least thirty days before the payment of said instalment; and if any shareholder shall refuse or neglect to pay his or her instalment aforesaid, for sixty days after the time of the payment thereof, he or she shall forfeit the shares

To fix time for payment of instalment

In case of neglect to pay