

if any, that said owner will sustain by the passing of said road through his premises, taking into consideration the convenience he may derive therefrom with its benefits and advantages, to the best of his skill and judgment, and the inquisition thus taken shall be signed by the sheriff and seven at least of the jury, and shall be conclusive to all parties interested, and the same shall be returned to the clerk of the county to be by him recorded at the expense of said company, and the amount of said inquisition shall be paid to the said owner or his legal representatives by said president and directors before they shall proceed to use said material or take possession of said land; *provided however*, that if said road shall be laid off through any fields on which there is a crop growing, said field shall not be opened or taken possession of as aforesaid until after said growing crop has been gathered.

SEC. 10. *And be it enacted*, That if any person shall alter or change or in any manner obstruct or encroach on said road or any part thereof, cut down or destroy any toll or turnpike gate thereon, or cut, destroy, deface or remove any mile stone set upon said road, or put or place any obstruction whatever on said road, or make any pit or dangerous hole therein, such person may be indicted in the county court of the county where such offence may have been committed, and being thereof convicted shall be fined, for the use of this corporation, or imprisoned, in the discretion of the court, according to the nature of the offence.

SEC. 11. *And be it enacted*, That as soon as the road shall be completed in the manner directed by this act, from Frederick to Leitersburg, the president and directors shall forthwith transmit to the governor of this State 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 transmit to the governor an account of the amount of tolls received and of the expenses incurred on said road within the year then last past.

SEC. 12. *And be it enacted*, That the said president and directors, whenever any five miles or more of said road shall have been completed, may cause to be set up and erected such number of gates or turnpikes across said road at such places as they may think proper, and may take and receive for passing said gates the tolls and rates hereinafter mentioned, and may stop any person riding, leading or driving any horses, cattle, hogs

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Liberty of Company of the road is not to be impeded under Model of the Proviso.

Proviso.

Penalty for injuring.

Annual statement to be forwarded to the Governor.

To erect toll gates and to charge toll.

Penalty for riding over gates of toll.