

CHAP. 313. far as is consistent with the nature of the ground, and shall during the continuance of the corporation maintain and keep the said road in good and perfect order and repair.

Levy court or commissioners may close road

Proviso.

To erect toll gates and to charge toll.

To erect bridges.

Proviso.

SEC. 12. *And be it enacted,* That it shall and may be lawful for the levy court of Frederick county, or the commissioners of Washington county, as the case may be, upon the application of any person or persons through whose lands the old bed of the road passes and which may not be occupied by the turnpike road, to order and direct the same or such parts thereof to be closed; *provided,* the public convenience does not require that the same or such part be kept open, and in case any person or persons shall consider himself or themselves aggrieved by the orders of the said levy court or commissioners, such person or persons may appeal to the next county court of the respective county, when the case shall be tried in the manner now prescribed in cases of objections filed to applications for public roads.

SEC. 13. *And be it enacted,* That as soon as the president and managers and company shall have perfected the said road for any distance from either end of the said road not less than five miles, and so on from time to time, any other like distance progressively, they shall give notice to the Governor of the State, who shall thereupon forthwith nominate and appoint skillful 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, workmanlike manner, according to the true intent and meaning of this act, and if their reports shall be in the affirmative, then the governor shall by license under his hand and seal of the State, permit and suffer the said president, managers and company to erect and fix such and so many gates upon and across the said road as will be necessary and sufficient to collect the tolls and duties hereinafter granted to said company, from all persons travelling on the same with horses, cattle, wagons, carts and carriages.

SEC. 14. *And be it enacted,* That the said company shall have power to erect bridges over all waters crossing the said road, and may enter upon and take all land or materials necessary for the construction of said bridges; *provided nevertheless,* that the president and managers of said company may agree with the owners for the purchase of the same, and in case they shall not be able to agree with the owners, or if the owner should be a feme covert, non compos mentis or under age, the president shall then proceed in the manner di-