

Provisos.

depth to secure a solid foundation for the same, and the said road shall be faced with gravel, plank or powdered stone, in such manner as to secure a firm and as far as the materials will reasonably admit, an even surface; *Provided*, that said road when it passes through or along the property of James Sivan and William T. Frick shall be permitted to remain always of its present width, as indicated by the fences along the same as they now stand; and shall forever hereafter during the continuance of said corporation maintain and keep the same in good travelling order and repair; *And provided further*, that the side road or roads shall at all times be kept of the same grade as the main bed of said road.

Notice to be given Governor.

SEC. 10. *And be it enacted*, That as soon as the said president, managers and company shall perfect the said road for any distance from either end of said road, not less than three miles, 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 the true intent and meaning of this act, and if their report be in the affirmative, then the Governor shall by a 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 hereinafter granted to the said company, from all persons travelling on the same with horses, cattle, carriages, carts, and waggons.

Rates of toll.

SEC. 11. *And be it enacted*, That the said company, having perfected the said road or such parts thereof, and the same being examined, approved and licensed in manner aforesaid, it shall and may be lawful for them to erect a toll-gate, at the intersection of said road with the Frederick Turnpike, or at such point or points as may be deemed expedient by them and appoint a toll-gatherer or toll-gatherers to collect and receive from all and every person using the said road, the tolls and rates, hereinafter mentioned, and to stop any person or persons, riding or driving any horses, cat-

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