

the use of said road, as in the like cases where lands are directed to be taken and condemned as aforesaid, for making the said road, and the said parties respectively shall have the same benefit and advantage of the said proceedings as they will have under and in virtue of the said provision for condemning land herein before mentioned.

C H A^{OP}.
LXV.

XII. AND BE IT ENACTED, That if the said road shall be carried through any fields in actual cultivation, such fields shall not be laid open, or used as a public road, until after the usual time of taking off the crops then growing thereon.

Fields not to be laid open.

XIII. AND BE IT ENACTED, That if any person shall alter or change, or in any manner obstruct or encroach on, the said public road, or any part thereof, cut down and destroy any turnpike gate, or cut, destroy, deface or remove, any mile-stones set up on said road, or put or place any rubbish, dirt, logs, stones, or any other obstruction in the said road, or make any pit or hole therein, such person may be indicted in the county court, and being thereof convicted, shall be fined for the use of the corporation, and imprisoned, in the discretion of the court, according to the nature of the offence; and the president and directors shall cause any obstructions or nuisances on the said road to be removed, and shall restore the same to its proper state and condition.

Penalty for altering the road, &c.

XIV. AND BE IT ENACTED, That as soon as the road shall be completed in the manner directed by this act, the president and directors shall forthwith transmit to the governor and council a full and fair account of the costs of said road, and the amount of tolls received previous to their completion, and shall annually thereafter transmit to the governor and council a yearly account of the tolls received and expences incurred on said road.

An account to be transmitted, &c.

XV. AND BE IT ENACTED, That the said president and directors may cause to be set up and erected such number of gates or turnpikes across the said road, at such places as they may think proper, and may take and receive for passing the said turnpike gates, set up on the said road next to the city of Baltimore, Frederick-town, Elizabeth-town and William's Port, respectively, for every coach, or other four wheeled riding carriage, the drivers, passengers and horses, not exceeding thirty cents; for every two wheeled riding carriage, the driver, passengers and horses, not exceeding fifteen cents; for every waggon, or other carriage of burthen drawn by horses, mules or oxen, not exceeding three cents per horse, mule or ox; for every horse and rider, not exceeding three cents; for every single horse, camel, ass or mule, not exceeding one cent; and for black cattle, each not exceeding one half cent; for every score of sheep or hogs, at the rate of ten cents the score; and the said president and directors may impose such tolls as they may think reasonable on passing any other of the said gates or turnpikes, provided that the said president and directors do not exact or receive, for passing the said road between the said toll-gates next to the city of Baltimore, Frederick-town, Elizabeth-town and William's Port aforesaid, for every coach, or other four wheeled riding carriage, the driver, passengers and horses, passing the said gates or turnpikes, more than four cents per mile; for every two wheeled riding carriage, the driver, passengers and horses, not exceeding two cents per mile; for every waggon, or other carriage of burthen, drawn by horses, mules or oxen, not exceeding two cents per mile; for every horse and rider, not exceeding one cent per mile; for every single horse, camel, ass or mule, not exceeding one half cent per mile, and for black cattle, each not exceeding two milles per mile; and for every score of sheep or hogs, not exceeding two cents per mile; and provided, that the said last mentioned tolls shall not be laid on any part of the said road as shall not be made and completed in the manner herein before directed, and that the said turnpike gates, next adjacent to the city of Baltimore, Frederick-town, Elizabeth-town or William's Port, shall not be nearer to the said towns respectively than one mile; and provided, that all persons, their waggons, carts, carriages or animals, herein before enumerated, passing the said toll-gates next adjacent to the city of Baltimore, Frederick-town, Elizabeth-town or William's Port, shall not be subject to pay any further toll on the said road for the distance of ten miles from the said gates respectively than the tolls thereat established, nor shall any person or persons, his, her or their waggons, carts, carriages or animals, be compelled to pay the said tolls for passing the said several and respective gates on the said road more than once in twenty-four hours; and no tolls shall be exacted or received by the said company, or their agents, in any other cases than those herein before specified.

Gates may be set up, &c.

XVI. AND BE IT ENACTED, That the said road and tolls shall be and are hereby vested in the said corporation, and their successors, for ever; provided always, that the said corporation shall be obliged to keep the said road in good repair; and provided further, that whensoever, at any time after the expiration of sixty years from the establishing and completing of the said road, it shall seem expedient

Road, &c. vested in the corporation, &c.

to