

C H A P.
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dollars for each day by him employed in viewing said road, and in making such valuation; and if it shall so happen that any of the said commissioners shall die, resign, or refuse to act, the justices of the levy court, or such person as they may appoint for that purpose, and the companies respectively, shall forthwith proceed to fill up such vacancies.

Certificates to
be made out,
&c.

XIII. AND BE IT ENACTED, That certificates of shares, to the amount of the valuations aforesaid for each respective road, shall be made out by the respective companies in the name of the levy court of Baltimore county, and delivered to the said court, and all dividends or profits arising on said shares shall be paid to the levy court of Baltimore county, to be appropriated by the said levy court in such manner to the use of the said county as they may think proper.

Court entitled
to vote, &c.

XIV. AND BE IT ENACTED, That the levy court shall have all the privileges of voting at elections as any individual or company holding a like number of shares of the said stock would have.

Rights to be
ascertained,
&c.

XV. AND, whereas the road leading towards Frederick-town was laid out and confirmed by the commissioners of review only so far as the line of Baltimore county, and the road from the end of the aforesaid road through Anne-Arundel county to the Anne-Arundel county line, on a direction towards Frederick-town, was laid out by commissioners appointed by law for that purpose, and from thence through part of Baltimore county, and partly through Frederick county, to Frederick-town, was laid out by commissioners appointed by law for that purpose, which said roads have been opened and put into their present state of improvement at the expence of the said counties: And whereas it is reasonable and just that the said counties should be paid the value of the said improvements, therefore, BE IT ENACTED, That the present rights of the said counties to the said road, and improvements made thereon, shall be ascertained in the same manner as is herein before directed for ascertaining the value of the turnpike roads in Baltimore county, and the president, managers and company, of the Baltimore and Frederick-town turnpike road, shall pay the amount of the said valuations to the levy court of each respective county, or their orders, on or before the end of two years from the time the said respective valuation or valuations shall be made and returned, and upon such valuation or valuations being made and returned to the said president and managers, and the respective levy courts aforesaid, the said respective parts of the said road shall thereupon be vested in the said president, managers and company, of the Baltimore and Frederick-town turnpike road, during the continuance of this act of incorporation.

President, &c.
may agree, &c.

XVI. AND BE IT ENACTED, That in all cases where stone, gravel, earth or sand, not already quarried or dug for the use of the owner, or for sale, shall be necessary for making or repairing either of the said turnpike roads, the president and managers of the company, or a majority of them, or any person authorised by them, may agree with the owner or owners of said materials for the purchase of the same, or with the said owner or owners of the land on which the same may be, for the purchase of said land, and in case of disagreement, or in case the owner should be a *feme-covert*, under age, or *non compos*, or out of the state or county, the president of the company, or any person authorised by him for that purpose, shall apply to a justice of the peace for the county wherein the said materials may be, which justice shall thereupon issue his warrant, directed to the sheriff of the county, commanding him to summon twelve disinterested persons, qualified to serve as jurors in the court court, to meet at the place where the said materials may be, and the said sheriff shall qualify the said persons, either by oath or affirmation, (as the case may be,) justly, truly and impartially, to value the damage which may be sustained by the owner or owners of the materials required by such company; and the said persons shall, after valuing the damage which may be sustained by the owner or owners of such materials, and return, under their hands and seals, to the justice who issued the warrant, one copy of their said valuation, one other copy to the president of the company, and one other copy to the owner or owners of the said materials, if such owner shall reside in the county where the said materials may be, and shall not be under any legal disability to receive the money adjudged and give sufficient discharges therefor, and the president and managers shall pay, or secure to be paid, the damages so adjudged before they shall proceed to remove the said materials; and if the owner or owners of such materials shall reside out of the county, or be under any legal disability, then the president and managers shall enter into bond, conditioned for the payment of the damages assessed to the person or persons who may be duly authorised to receive the same, and shall lodge said bond, and a copy of the said valuation, in the office of the clerk of the county court, to be by him recorded, and upon such bond, or an office copy thereof, suit or suits may be instituted against the obligors therein named, by any person or persons entitled to receive such damages; and the justice and sheriff shall be entitled to receive the same fees for services under this act as they are allowed in similar cases; and the persons summoned as jurymen to value the damages sustained as aforesaid, shall each receive one dollar for every day he shall attend for that purpose, which fees