

any justice of the peace of the county, he or she shall be adjudged by the said justice to pay a fine not exceeding ten dollars, to be recovered, with costs, as debts under ten pounds are by law recoverable, which fine, when recovered, shall be paid to the treasurer of the company, for the use of the said company.

C H A P.
LI.

XXXII. AND BE IT ENACTED, That all wagoners and drivers of carriages of all kinds, whether of burthen or pleasure, using the said road, shall, except when passing by a carriage of slower draught, keep their horses and carriages on the right hand side of the said road in the passing direction, leaving the other side of the road free and clear for other carriages to pass and repass; and if any driver shall offend against this provision, he shall forfeit and pay the sum of ten dollars to any person who shall be obstructed in his passage, and will sue for the same, to be recovered, with costs, before any justice, in the same manner as debts under ten pounds are recoverable.

Wagoners, &c.
to keep the
right hand side,
&c.

XXXIII. AND BE IT ENACTED, That it shall not be lawful for any of the said companies to ask, demand or receive, of or from any person or persons living on or adjacent to the said road, within three miles of any of the said gates or turnpikes, any toll for passing the said gate more than once in twenty-four hours.

Toll to be paid
but once in 24
hours, &c.

XXXIV. AND BE IT ENACTED, That no toll-gate shall be erected within the distance of one mile from any of the towns or villages in this act mentioned.

No toll-gate to
be erected, &c.

XXXV. AND BE IT ENACTED, That either of the said presidents and managers of any of the said turnpike roads for the time being, shall and may, and they are hereby authorised and empowered, to grant, demise, and to farm let, to any person or persons with whom they can agree, the tolls and duties which they, by virtue of this act or their own by-laws, are authorised to demand and receive for passage in, upon and along, the said road, at any such gate or turnpike, over or upon the same, or any part of the same, for any term not exceeding seven years, under such rents, reservations and conditions, as the said president and managers, at any meeting of their board, shall agree upon, which grants and demises shall have the same construction, force and effect, as other like grants and demises made between private persons have and receive.

Tolls may be
granted, &c.

XXXVI. AND BE IT ENACTED, That if, by the termination of any of the said roads, it should so happen that a fractional part may remain, over and above the even ten miles, measuring from the outlines of the city of Baltimore aforesaid, that it shall and may be lawful for the said companies, on the same being completed agreeably to this act, to make application to the governor and council, who shall thereupon have the same examined and licensed as aforesaid to receive tolls in the same proportions on the aforesaid fractional part of said road as is herein before allowed to be received on other parts of the said road.

Application to
be made, &c.

XXXVII. AND BE IT ENACTED, That all and every provision of this act, so far as the same relate to the Reister's-town and York-town roads, shall remain suspended, and shall not be carried into execution until after the first day of January, eighteen hundred and eight; provided, that the persons named in the third section of this act may, at their discretion, proceed to open books for subscriptions for said roads on the day or days therein directed, or defer to do the same until the first day of January, eighteen hundred and eight, of which determination and day or days appointed they shall give a previous notice of at least one month in the several papers therein mentioned.

Provisions sus-
pended, &c.

XXXVIII. AND BE IT ENACTED, That the levy court of Baltimore county shall continue to receive all the tolls which are or may be established on the Reister's town and York-town roads under existing laws; and the several laws now in force authorising the courts of justice to sentence criminals to labour on the public roads of Baltimore county, and the several provisions thereof, shall be in full force and operation until, by the provisions of this act, the property in the said roads shall be transferred to the respective incorporated companies as herein directed, and until provision shall be otherwise made by law.

Court to receive
tolls, &c.

XXXIX. AND BE IT ENACTED, That if the first before-mentioned company shall not proceed to carry on the said work within two years from the passing this act, or shall not complete the same as far as Frederick-town in six years, as far as Middle-town in two years thereafter, and to Boonsborough in two years thereafter; and if the two remaining companies shall not proceed to carry on the work on their two respective roads in five years from the passage of this law, and shall not in five years thereafter complete the same, then the right of the said company or companies to such road or roads, not finished as aforesaid, shall revert to the counties respectively.

Roads, when to
be proceeded
on, &c.