

C H A P.
CXXVIII.

tance thereof in computed miles, and the said company shall cause milestones to be placed at the side of the said road, beginning at the distance of one mile from the bounds of George-town, and extending thence to the termination of the said road, whereon shall be marked, in plain legible characters, the number of miles which each stone is distant from George-town aforesaid, and at every gate or turnpike by them to be fixed on the said road, shall cause the distance from George-town aforesaid, and the distance from the nearest gate or turnpike, in each direction, to be marked in legible characters, designating the number of miles, and fractions of a mile, on the said gates, or some other conspicuous place, for the information of travellers and others using the said road; and if any person shall wilfully destroy the said posts, boards, index hands or milestones, or deface the same, or deface the directions made on the said gates or other conspicuous places as aforesaid, or shall, without permission of the acting superintendent of the said road, throw out upon the road, or within the limits of the same, and suffer to remain for the space of one day, any mould, dirt, weeds or rubbish of any kind, such person, being convicted thereof by the evidence of one or more credible and disinterested witness, before 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.

XXVIII. AND BE IT ENACTED, That all wagonners, 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 not exceeding ten dollars, to any person who shall be obstructed in his passage, and will warrant for the same, to be recovered, with costs, before any justice, in the same manner as debts under ten pounds are recoverable.

XXIX. AND BE IT ENACTED, That it shall not be lawful for the said company to ask, demand or receive, of or from any person or person 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.

XXX. AND BE IT ENACTED, That the said president and managers of the said turnpike road 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 may between private persons have and receive.

XXXI. AND BE IT ENACTED, That if by the termination of the said road it should so happen that a fractional part may remain over and above the even ten miles, measuring from George-town aforesaid, that it shall and may be lawful for the said company, 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 the said road, as is herein before allowed to be received on other parts of the road.

XXXII. AND BE IT ENACTED, That no toll-gate shall be erected within the distance of one mile of the district of Columbia, nor within the distance of two miles from the Baltimore and Frederick-town turnpike road.

XXXIII. AND BE IT ENACTED, That it shall and may be lawful for any corporation or body politic in the United States to become subscribers for stock in said company, in the same manner as individuals may become subscribers and stockholders therein, and transfers of stock in said company may be made by corporations or bodies politic of their stock in said company in such manner as the said company shall and may from time to time by their laws direct and appoint.

XXXIV. AND BE IT ENACTED, That the said president and managers shall ascertain and value what damages may be sustained by any person or persons through whose land the said road shall pass, and the same, when so assessed, shall be paid, or secured to be paid, before the said president and managers shall proceed to open the said road; provided always, that if any person or persons through