

3. *And be it enacted,* That such additional stock as may be subscribed under this act, shall be applied exclusively to opening and making the said road; from the cross roads near Richard Caton's limekiln, to George Kerlinger's mill, and from thence to the line of Pennsylvania; which road the president, managers and company, of the Falls turnpike road, are hereby authorised and empowered to open and make accordingly, and for that purpose to enter upon, pass through, use and occupy, all the lands included within the location of the said road, of the width hereby directed.

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To be applied exclusively to making road.

4. *And be it enacted,* That if any person or persons through whose lands the said road is about to pass, or the guardian of any such person or persons, shall object thereto, then the said president, managers and company, may apply to any two justices of the peace for Baltimore county, who upon the said application, are hereby required to issue their warrant, under their hands and seals, directed to the sheriff of Baltimore county, commanding him to summon twelve disinterested men, qualified by law to serve as jurors in the county court, to meet upon the premises at a certain day, of which six days notice at least shall be given to the party or parties interested, his or their guardian; and the said jurors, when so met, and having each taken an oath before some justice of the peace, that he will without favour, affection, prejudice, or partiality, assess the damages to be sustained by the person or persons through whose land the said road is about to pass, by reason of opening the aforesaid road through his, her, or their lands, shall thereupon proceed to value and assess the damages accordingly, taking into consideration the advantages and disadvantages, if any; and such inquisition and valuation shall be final and conclusive between the parties respectively, and shall be returned by the jurors aforesaid to the justices of the peace by whom the aforesaid warrant was issued; and the damages so assessed shall be paid, or tendered by the said president, managers and company, to the person or persons, his, her, or their guardian, in whose favour the same shall be assessed, before they shall proceed to open the said road through the said land.

Jury summoned to ascertain damages.

5. *And be it enacted,* That the said road shall be laid off, opened, and made sixty feet wide, of which twenty feet shall be of earth or gravel, or stone, or such other substance as will make a firm road, and so nearly level in its progress as that it shall in no place rise or fall more than will form an angle of four degrees, with an horizontal line; and the said company may erect bridges over any or all of the streams that the said road may pass, and may erect gates on the said road to collect the tolls; and whenever five miles of the said road shall be completed, the said company shall be entitled to receive such tolls thereon as are granted in the act to which this is a supplement; *Provided,* that no tolls shall be demanded from any person or persons passing or repassing from one part of a farm to another, whereon he, she or they, may reside.

Road to be 60 feet wide.

Proviso.

6. *And be it enacted,* That the said president, managers and company, in case they find it impracticable at first to make the said

In certain case road to be ditched.