

Dec Ses. 1822

may seem most adviseable and beneficial to the public; and after having laid out and marked said road, shall make out a plot of the same, specifying the course and distance, and return the said plot to the president and managers; and said commissioners, before they proceed to act, shall take the following oath or affirmation; "I, A. B. do swear, or affirm, that I will lay out and mark the "Hancock Turnpike Company Road," according to the best of my skill and judgment, agreeably to the direction of this act; and I do further swear, or affirm, that I am not interested in any land through which the said road is likely to pass.

Dimensions--  
toll.

7. *And be it enacted*, That the said company shall open said road from Hancock, according to the location of the commissioners aforesaid, sixty feet wide, of which at least twenty feet shall be an artificial road, composed of stone or gravel, and erect and keep up bridges over streams crossing the same; and when the said road and bridges shall be perfect, said company shall be entitled to receive the same tolls which are allowed by law, to the Washington and Baltimore turnpike company.

Privileges.

8. *And be it enacted*, That the said company shall be, and are hereby invested and clothed with all the privileges, rights, immunities and advantages, which are held and possessed by the company incorporated by an act passed at November session, eighteen hundred and twelve, entitled, An act to incorporate a company to make a turnpike road from the district of Columbia to the city of Baltimore; and also with all the rights, privileges and immunities, held and possessed by the Cumberland turnpike road company, to be governed by the same regulations as are therein prescribed; and entitled to the same tolls; and every clause and provision in said acts relative to the road therein proposed to be made, so far as the same are applicable and not inconsistent with this act.

Right to sub-  
scribe.

9. *And be it enacted*, That it shall and may be lawful for any corporation or body politic in the United States to become stockholders in the said company.

Limited time.

10. *And be it enacted*, That if the said company do not proceed to carry on said work within two years after the passage of this act, or shall not, within five years thereafter, complete the said road, it shall be lawful for the legislature of this state to resume the rights, privileges and franchises by this act granted to the said company.

Damages.

11. *And be it enacted*, That the county court of Washington county, shall appoint five commissioners, who shall estimate the amount of damages sustained by any person or persons, by reason of said road passing through his, her or their lands, or by taking of stone, gravel or other materials, for the use of the said road, in cases where the parties cannot agree, which estimate shall be final in determining such damages.

Tiers--re-  
pairs.

12. *And be it enacted*, That it is always to be understood, that the tolls to be charged on waggons, whose wheels are of certain dimensions, shall be charged according to the original size of the tire, although the same may be reduced by wear below the standard required by law; and three days shall only be allowed by this act to the company to put their road in repair, where fifteen days are allowed by the act to which this refers.

CHAPTER 214.

*An act to protect the fisheries in the Patuxent river.*

WHEREAS it has been represented to the General Assembly, that

Passed Feb  
24, 1823.

Preamble.