

CHAP. 77.

Compensation for roads passing through buildings, orchards, &c. Fields in cultivation not to be laid open until crops are taken off.

Penalty for changing or obstructing public roads.

Stone convenient to roads may be taken, &c.

Levy court may erect toll-gates—rates.

6. AND BE IT ENACTED, That if any of the said roads shall pass through any buildings, orchards, gardens or yards, with the consent of the owner, the justices of the said levy court may allow him such consideration as they think reasonable.

7. AND BE IT ENACTED, That if any of the said roads shall run or pass through any fields or grounds in actual cultivation, such fields or grounds shall not be laid open or used as public roads till after the usual time of taking off the crops then growing thereon.

8. AND BE IT ENACTED, That if any person or persons shall presume to alter or change, or in any manner obstruct or encroach on, any one of the said public roads or highways, or any part thereof, or to put or place any rubbish, dirt, logs, stones, or any other obstruction, in the said highways or roads, such person or persons, being thereof convicted in the court of oyer and terminer and gaol delivery for Baltimore county, shall be fined or imprisoned at the discretion of the said court, according to the nature of the offence, in a sum of money not exceeding ten dollars, nor exceeding ten days imprisonment; and the supervisor of said roads, on notice of any obstruction or nuisance on any of the said roads, shall, and he is hereby authorised and required, to remove, or cause the same to be removed.

9. AND BE IT ENACTED, That it shall and may be lawful for the supervisor of said roads, or any person by his authority, to take and carry away any stones lying on any lands convenient to any of the said roads, such stones not having been collected together by the owner or owners of the same, to make and repair the same, without the leave of the owner or owners, or making him or them any compensation therefor; and it shall also be lawful for the said supervisor, or any person by him authorised, to cut down any trees not fit for shingle timber, or dig pits for gravel, on any land adjoining any of the said roads, not being in any orchard, meadow, garden or yard, to make or repair the said roads, and he shall pay the owner or owners the value of such trees, wood or gravel, as the said levy court shall assess and direct.

10. AND, as a fund to make and complete the said roads in the manner above directed, BE IT ENACTED, That the said levy court may, as soon as possible, cause to be set up and erected toll-gates at such places on such of the said roads as they may think proper, and may impose such tolls as they may think reasonable, not exceeding for every coach or other four wheeled riding carriage, and the driver and horses thereof, twelve and an half cents; for every two wheeled riding carriage, and the driver and horse or horses thereof, eight cents; for every sleigh or slide, horses and driver thereof, six cents; for every two wheeled carriage of burthen, horse or horses, mule or oxen, and driver thereof, six cents; for every score of black cattle, twenty cents; for every score of sheep or hogs, ten cents, and so in proportion for any greater or less number; for every horse or mule, led or drove, one cent; for every horse or mule and rider, two cents; for every wagon and other carriage, and the driver, horses, oxen or mules thereof, nine cents; and such tolls for passing through the said toll-gates shall only be paid at the same turnpike once in the space of twenty-four hours.