

C H A P.  
XCI.  
And for e-  
vading pay-  
ment of toll,  
&c.

XVII. AND BE IT ENACTED, That if any person or persons whomsoever, riding in or driving any sulkey, chair or chaise, phaeton, cart, wagon, wain, sleigh, sled, or other carriage of burthen or pleasure, riding or leading any horse, mare or gelding, or driving any sheep, hogs or cattle, shall therewith pass through any private gate or bars, or along or over any private passage, way, or other ground near to or adjoining any turnpike gate erected, or which shall be erected in pursuance of this act, with intent to defraud the company and avoid the payment of the toll or duty for passing through any such gate or turnpike, or if any person or persons shall, with such intent, take off, or cause to be taken off, any horse, mare or gelding, or other cattle, from any wagon, or carriage of burthen or pleasure, or practise any other fraudulent means or device, with the intent that the payment of any such tolls or duty may be evaded or lessened, all and every person or persons, in all, every or any of the ways or manners aforesaid offending, shall, for every such offence respectively, forfeit and pay to the said president, managers and company, a sum not exceeding ten dollars, to be sued for and recovered, with costs of suit, before any justice of the peace, in like manner as debts of a similar amount may be sued for and recovered; provided always, that if any person or persons shall be prosecuted under this section, and the said prosecution shall not be sustained on the part of the prosecutor, then and in such case the person or persons prosecuted as aforesaid shall receive from the company the sum of twenty dollars, in lieu of damages from delay and vexatious prosecution, recoverable as other fines under this act; and if any toll-gatherer shall knowingly demand and receive any greater toll from any person or persons than such toll-gatherer is authorised to demand and receive by virtue of this act, such toll-gatherer shall forfeit and pay the sum of twenty dollars for every such offence, to the use of the county, and for the payment of which the said company shall be responsible; and provided also, that any person occupying a farm or lot on the said road on or adjoining to which a toll-gate may be erected, shall have ingress and egress to and from the said turnpike road, from and to the said farm or lot, in as many places as he or she may find convenient, without contravening any of the provisions of this act.

Posts to be  
erected, &c.

XVIII. AND BE IT ENACTED, That the said company shall cause posts to be erected and continued at the intersection of every public road falling into, and leading out of, the said turnpike road, with a board and index hand pointing to the direction of such roads, on both sides whereof shall be inscribed, in legible characters, the name of the town, village or place, to which such road leads, and the distance 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 the city of Baltimore, and extending thence to the termination of the said road, whereon shall be marked, in plain legible characters, the respective number of miles which each stone is distant from the city of Baltimore aforesaid; and at every gate or turnpike by them to be fixed on the said road, shall cause the distance from Baltimore, and the distance from the nearest gates or turnpikes 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 road, 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 disinterested witnesses 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 recovered, which fine, when recovered, shall be paid to the treasurer of the company, for the use of the said company.

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

XIX. 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 said road free and clear for other carriages to pass and re-pass; and if any driver shall offend against this provision, he shall forfeit and pay the sum of five 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 that debts under ten pounds are recoverable.

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

XX. 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 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.