

CHAP. 209.

CHAPTER 209.

Passed Mar. 14, 1835. *A supplement to an act, entitled, an act to incorporate a Company for the improvement of the Public Road from the City of Frederick, to Harper's Ferry, passed at December session, eighteen hundred and twenty-eight.*

Road conferred

Section 1. *Be it enacted by the General Assembly of Maryland,* That the road ridged and improved from Frederick city through Jefferson, to Harper's Ferry, by the President and Managers of the Frederick and Harper's Ferry Road Company, as at present located, improved, and licensed, be, and the same is hereby confirmed.

Gate authorised

Sec. 2. *And be it enacted,* That it shall and may be lawful for the said President and Directors of the said Road, to erect a gate or half gate, on that part of the said road next to Harper's Ferry, at any point they may select; *Provided,* the said gate be not nearer to the village at Harper's Ferry than three-fourths of a mile, and collect tolls thereat.

Penalty for passing without pay

Sec. 3. *And be it enacted,* That if any person or persons whomsoever, riding in or driving any sulkey, chair, 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 hogs, sheep 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 ridged road gate, erected, or which shall be erected in pursuance of this act, or heretofore erected, with an intent to defraud the Company and avoid the payment of the toll or duty for passing through any such gate or road; 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 such tolls or duty may be evaded or lessened, all and every person or persons, in all, every, or any of the ways and manners aforesaid offending, shall, for every such offence, respectively forfeit and pay to the said respective President, Managers, and Company, of the road on which said fraud shall or may be practised, any 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, and if either party shall feel himself or