

and pay the whole duties by him received, it shall and may be lawful for the said commissioners, on motion made to Baltimore county court, to demand judgment against such collector for all tolls wherewith he shall be chargeable by this act; and such court shall give judgment and award execution thereupon against such collector and his securities, provided they have ten days previous notice.

C H A P.
XXIII.

XX. **And be it enacted,** That the money arising from the said tolls last mentioned, shall be applied by the said commissioners of review towards defraying the expences of clearing and making the said roads; and the said tolls shall cease in part, or the whole, at such time and times as the said commissioners shall determine.

How the money arising from tolls is to be applied, &c.

XXI. **And be it enacted,** That the commissioners appointed to survey and make the roads aforesaid, shall first make the road to Reister's-town, and then the road towards York the distance of eighteen miles, and then the road towards Frederick-town as far as the line of the county, and then alternately the same distance of the road from Reister's-town, and the residue of the road towards York-town.

Road to Reister's town to be first made, &c.

XXII. **And,** as a further fund to enable the said commissioners to make the said roads, **Be it enacted,** That the sum of two shillings and six-pence current money, shall be and hereby is laid and imposed for every hundred pounds worth of property within Baltimore county, and in the same proportion for every greater or less sum, and the said tax shall be paid and collected with the county tax, and in the same manner, and the collector shall pay the amount of the said tax by him collected to such person as the commissioners of review shall appoint to receive the same, who shall, from time to time, pay the same to their order, and the said tax shall commence in the year seventeen hundred and eighty-eight, and continue until the said roads shall be made and completed in the manner directed by this act; and the said commissioners may, on the credit of the said tax, borrow, on interest, not exceeding six *per cent.* any sum of money they may think proper and necessary to make and complete the said roads; and the said commissioners shall, from time to time, at least twice in every year, publish in the Baltimore news-papers an account of the money by them received and expended in virtue of this act.

Two shillings and six pence to be imposed, &c.

XXIII. **And be it enacted,** That if any commissioner appointed to survey and make the said roads shall die or refuse to act, the said commissioners of review may fill up such vacancy; and if any commissioner of review shall die or refuse to act, the commissioners of the tax for Baltimore county may fill up such vacancy.

How vacancies are to be filled.

XXIV. **And be it enacted,** That the commissioners appointed to survey and make the said roads, shall in all things consult and advise with the said commissioners of review, and all their proceedings shall be subject to their direction and control.

Commissioners to consult, &c.

XXV. **And be it enacted,** That any toll to be collected on any of the roads aforesaid, shall belong to Baltimore county, and shall be collected and applied to the use of the said county for ever, the said county maintaining and repairing the said roads in the order and condition directed and required by this act.

Tolls shall belong to Baltimore county, &c.

XXVI. **And be it enacted,** That any waggon, cart or other carriage, loaden or unloaden, having the felloes of the wheels thereof of nine inches from side to side at the least, (the sole or bottom of such felloes to be as flat and even from side to side as may be) may pass any turnpike gate without paying any toll for the space of three years, to be computed from the time the said commissioners of review shall declare such road to be completed, and such carriages shall only pay one half the tolls for three years thereafter.

Certain carriages to pass toll free, &c.

XXVII. **And be it enacted,** That if any person shall drive any riding carriage or waggon, cart, or other carriage of burthen, round any turnpike with intenti-

Penalty on persons evading, &c.