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**Title:** Letter from Roger B. Taney to Unknown Recipient

**Date:** November 27, 1822

**Location:** I-AsbellY-2004-8

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Friedrich Nov. 27. 1822

Dear Sir

I have considered the Act of 1818. Ch. 37 & the Statement made by Mr. Eichelberger, which is sufficiently full.

Under the words of the law I think you can not recover toll from persons who cross the ford and do not use the bridge. It is true that it is a matter of accommodation to the public to be allowed to use either the bridge or the ford at their option. But you can exercise your powers only in the manner the law gives them & the law gives you the power to exact toll from those only who use the bridge. If the public will convert the convenience you offer to them into an injury to the Company the remedy is in your own hands and you can easily apply it. - Obstruct the ford as the law authorizes you to do. - The public must then use the bridge & using the bridge the law compels them to pay the toll.

I would suggest that perhaps you may find it advisable to obstruct the ford by a fence along the side of the river with a gate in it for the use of Mr. Correll - to be

locked and the key kept by him. It would  
then be his interest to take care that the  
privilege to him was not abused - as it  
is clearly in your power to obstruct the  
good man against him -

I have received your letter inclosing  
the fee of ten dollars for this opinion  
I am Sir very respectfully

N. Oct. 8.

A. B. Farney

Frederick 27 Nov 1812  
A. B. Farney

Frederick Nov. 27, 1822

Dear Sir

I have considered the Act of 1818. [illegible] 37 & the statement made by Mr. Eichelberger, which is sufficiently just[?].

Under the words of the law I think you can not recover toll from persons who crop the ford and do not use the bridge. It is true that it is a matter of accommodation to the public to be allowed to use either the bridge or the ford at their option. But you can exercise your powers only in the matter the law gives them & the law gives you the power to exact toll from those only who use the bridge. If the public will convert the convenience you offer to them into an inquiry to the company the remedy is in your own hands and you can easily apply it—Obstruct the ford as the law authorized you to do. The public must then use the bridge & using the bridge the law compels them to pay the toll.

I would suggest that perhaps you may find it advisable to obstruct the ford by a [illegible] along the sides of the river with a gate in it for the use of Mr. Carroll—to be

locked and the key kept by him. It would then be in his interest to take care that the privilege to him was not abused—as it is clearly in your power to obstruct the ford even against him.

I have viewed your letter inclosing the fee of ten dollars for this opinion & am Dr. Sir

Very respectfully

Yr. Obt. Sr.

R. B. Taney