

half the above rate shall be charged ; provided, however, that no less than one-half cent shall be charged per horse or mule for passing through said gate.

SEC. 8. *And be it enacted*, That such vehicle aforesaid to be drawn by oxen, in the whole, or partly by oxen and partly by horses, two oxen shall be equal to one horse in charging all the aforesaid tolls, and every mule as equal to one horse.

SEC. 9. *And be it enacted*, That this company shall have the power to prevent travel on the said road during the construction of the same.

SEC. 10. *And be it enacted*, That nothing in this Act shall be so construed as to authorize said corporation to issue any note, token, scrip, device or other evidence of debt, to be used as currency ; and that the General Assembly reserves to itself the right to alter or amend this Act of incorporation at pleasure.

SEC. 11. *And be it enacted*, That if the said company shall not be able to agree with the owner or owners of any land, over or through whose land the said road may be made, or whose lands may be wanted by the said company for a site for a toll-keeper's house, or if such owner be absent from the county, or incompetent to contract, any Justice of the Peace, upon application of the company, shall issue his warrant to the Sheriff of the county, directing him to summon twenty disinterested persons, qualified as jurors, to meet at the place where the land sought to be condemned lies, four of whom may be stricken off the panel by the said company or their agent, and four by the person or persons interested or their agent, or in the absence or on the refusal of either by the Sheriff ; and the said Sheriff shall qualify the remaining twelve, either by oath or affirmation, justly, truly and impartially to value the damages which will be sustained by the owner or owners of such land, by reason of the condemnation of such land, and the jury shall reduce their inquisition to writing, and sign and seal the same, and the Sheriff shall return the same to the Clerk of the Circuit Court for the county, to be filed among the records of the Court, and the same shall be confirmed by the Court at its next session thereafter, unless cause to the contrary be shown, and when confirmed by the Court, shall be recorded among the records of the office of the said Clerk ; but if set aside, the Court shall order a new inquisition to be taken as aforesaid, and if confirmed, and the damages awarded, paid or tendered by the said company to the owner or owners of the property condemned, such inquisition and confirmation shall vest the title and interest of the owners thereof in the property condemned in said company.