

from the town of New-Castle aforesaid by the aforesaid route, and shall cause twenty feet thereof in breadth at least to be made an artificial road, which shall be bedded with wood, stone, gravel, clay(a), or other proper and convenient materials, well compacted together, a sufficient depth to secure a solid foundation for the same, and the said artificial road shall be faced with clay, gravel, or stone pounded, or other small hard substance, in such manner as to secure a firm, and as nearly as the nature of the country and materials will admit, an even surface, rising towards the middle by a gradual arch, and shall for ever hereafter maintain and keep the same in perfect order and repair; *Provided*, that no toll be demanded or taken from any person passing or repassing from one part of his or her farm to another, or to or from any place of public worship, or funerals, on days appointed for that purpose.

*Provided.*

(a) By Dec. 1813, ch. 82, clay is deemed not to be a proper and convenient material for bedding the road.

13. AND BE IT ENACTED, That so soon as the said president, managers and company, shall have perfected the said road from the town of New Castle aforesaid any distance not less than five miles, and so from time to time any distance not less than five miles progressively towards French-town aforesaid, they shall give notice thereof to the governor of this state, who shall thereupon forthwith nominate and appoint three skilful and judicious persons to view and examine the same, and make report to him, whether the road is so far executed in a complete and workmanlike manner, according to the true intent and meaning of this act, and if their report shall be in the affirmative, then the governor shall, by license under his hand, and the great seal of this state, permit and suffer the said president, managers and company, to erect and fix such and so many gates or turnpikes upon and across the said road, as will be necessary and sufficient to collect the tolls and duties herein after granted to the said company, from all persons travelling on the same with horses, cattle and carriages.

Road to be inspected by persons appointed by the governor and council.

By 1815, ch. 9, the levy court to appoint persons to review the road, and if a favourable report made, the company may erect toll gates.

14. AND BE IT ENACTED, That the said company having perfected the said road, or such part thereof from time to time as aforesaid, and the same being examined, approved and licensed, as aforesaid, it shall and may be lawful for them to appoint such and so many toll-gatherers as they shall think proper, to collect and receive of and from all and every person and persons using the said road, the tolls and rates herein after mentioned, and to stop any person riding, leading or driving, any horse or mule, or driving any cattle, hogs, sheep, sulkey, chair or chaise, phaeton, cart, wagon, wain, sleigh, sled, or other carriage of burthen or pleasure, from passing through the said gates or turnpikes, until they shall have respectively paid the same; that is to say, for every space of five miles in length of the said road, the following sums of money, and so in proportion for any greater or less distance, or for any greater or less number of hogs, sheep or cattle, to wit: For every score of hogs, six cents; for every score of sheep, four cents; for every score of cattle, twelve and one half cents; for every horse or mule, laden or unladen, with his rider or leader, three cents; for every sulkey, chair or chaise, with one horse and two wheels,

Company to appoint toll-gatherers.

Rates of toll.