

CHAP. 64. **six cents, and with two horses, nine cents; for every chair or coach, phaeton, chaise, stage, wagon, coachee or light wagon, with two horses and four wheels, twelve and one half cents; for either of the carriages last mentioned with four horses, twenty cents; for every other carriage of pleasure, under whatever name they may go, the like sums, according to the number of wheels and of horses drawing the same; for every cart or wagon, or other carriage of burthen, the wheels of which do not in breadth exceed four inches, six cents each horse drawing the same; for every cart or wagon, the wheels of which shall exceed in breadth four inches, and shall not exceed seven inches, three cents for each horse drawing the same; for every cart or wagon, the breadth of the wheels of which shall be more than seven inches, and not more than ten inches, or being of the breadth of seven inches, and shall roll more than ten inches, two cents for each horse drawing the same; for every cart or wagon, the breadth of the wheels of which shall be more than ten inches and not exceeding twelve inches, or being ten inches shall roll more than fifteen, one cent and a half for each horse drawing the same; and for any such carriage the breadth of the wheels of which shall be more than twelve inches, one cent for each horse drawing the same; and when any such carriage as aforesaid shall be drawn by oxen or mules in the whole or in part, two oxen shall be estimated as equal to one horse, and every ass or mule as equal to one horse, in charging the aforesaid tolls; *Provided always*, that it shall not be lawful for the said turnpike company to erect, or cause to be erected, any toll-gate or gates on either of the roads leading through Cecil county, over which the said turnpike road shall pass, any thing in this act to the contrary notwithstanding.**

Proviso.

Sec 1815, ch. 9, s. 2.

Manner of proceeding against company when roads are out of repair, &c.

15. AND BE IT ENACTED, That if the said company shall neglect to keep the said road in good and perfect order and repair for the space of fifteen days, and information thereof shall be given to any justice of the peace of the county, such justice shall issue a precept, directed to any constable, commanding him to summon three judicious freeholders, to meet at a certain time in the said precept to be mentioned, at the place in the said road which is complained of, of which meeting notice shall be given to the keeper of the gate or turnpike nearest thereto; and the said justice shall, at such time and place, by the oath or affirmation of the said freeholders, inquire whether the said road or any part thereof, is in such good and perfect order and repair as aforesaid, and shall cause an inquisition to be made, under the hands and seals of himself and a majority of the said freeholders, and if the said road shall be found by the said inquisition not to be in such good order and repair as herein is required, he shall so certify, and send one copy of the said inquisition to each of the keepers of the turnpikes or gates between which such defective place shall be, and from thenceforth the tolls hereby granted to be collected at such turnpikes or gates for the intermediate distance between them shall cease to be demanded, paid or collected, until the said defective part or parts of the said road shall be put in good and perfect order and repair as aforesaid; and if any of the keepers of the gates aforesaid shall take, or attempt to exact, tolls for the intermediate distance between the gates afore-