

section 235, shall be made to the comptroller, and by him laid before the governor, of the entire cost of said road; and the governor shall thereupon appoint five commissioners to examine and report to him, on the construction of said road, its adaptation to public uses, the whole cost thereof, and the revenue and expenses of maintaining the same, as far as ascertainable; and if said report shall be favorable, the governor shall issue his warrant to said corporation, authorizing it to establish toll-gates, and specifying the rates of toll which may be charged by said corporation, so that a dividend of eight per centum net, may be made to the stockholders; and the warrant of the governor shall be final in the premises; and the company shall report annually to the comptroller, who shall lay the same before the governor, who may order a change of location of gates, and of the amount of tolls to be charged, and issue his warrant accordingly, whenever he may deem the same necessary to effectuate the intent of these provisions.

1868, ch. 471, sec. 111.

238. When such corporation shall desire to locate its road within the limits of or through any incorporated town or city, it shall obtain the consent of the corporate authorities of each town or city, to be evidenced as provided in the case of county commissioners.

Ibid. sec. 112.

239. When such corporation shall desire to locate the bed of a turnpike or plank road elsewhere than on the bed of existing county roads, it may agree with the owners of lands for the right of way, or obtain the same by condemnation.

Ibid. sec. 113.

240. Every agreement for a right of way through land shall be in writing, acknowledged before a justice of the peace, and recorded by the corporation amongst the records of the county or city in which the lands lie, within six months after its date.

Ibid. sec. 114.

241. Before any turnpike or plank road shall be constructed, the corporation shall cause a plat of the same, describing the