

the same; for every cart or wagon whose wheels do not exceed the breadth of four inches, one eighth of a dollar, for each horse drawing the same; for every cart or wagon whose wheels shall exceed in breadth four inches, and not exceeding seven inches, one sixteenth of a dollar, for every horse drawing the same; for every cart or wagon, the breadth of whose wheels shall be more than seven inches and not more than ten inches, or being of the breadth of seven inches shall roll more than ten inches, five cents for every horse drawing the same, for every cart or wagon the breadth of whose wheels shall be more than ten inches, and not exceeding twelve inches, or being ten inches, shall roll more than fifteen inches, three cents for every horse drawing the same; for every cart or wagon the breadth of whose wheels shall be more than twelve inches, two cents for every horse drawing the same.

SEC. 15. *And be it enacted*, That all such carriages aforesaid, to be drawn by oxen in the whole, or partly by horses and partly by oxen, two oxen shall be estimated as equal to one horse in charging all the aforesaid tolls, and every mule as equal to one horse.

Two oxen rated as one horse.

SEC. 16. *And be it enacted*, That if the said company, after the said road is completed as aforesaid, shall neglect to keep the said road in good and perfect order for the space of fifteen days, and information shall be given to any justice of the peace, of the neighborhood, within the county where the repair ought to be made, such justice shall issue a precept, to be directed to any constable, commanding him to summon three disinterested persons, to be named by the said justice in the said precept, to meet at a certain time in the said precept to be mentioned, at the place in the said road which shall be complained of, of which meeting notice shall be given to the keepers of the gate nearest thereto, and the said justice shall at such time and place, on the oaths, or affirmations of the said persons, inquire whether the said roads, or any part thereof is in such good and perfect order and repair as aforesaid, and shall cause an inquisition to be made and certified, under the hands of himself and a majority of the said persons, and if the road shall be found by the said inquisition to be out of order and repair, contrary to the true intent and meaning of this act, the said justice shall certify, and send one copy of the said inquisition to each of the keepers of the turnpike gates between which such defective place shall be, and from thenceforth the tolls hereby granted to be collected at such turnpike gates shall cease to be demanded, paid or collected, until the said defective part or parts shall be put in good and perfect order and repair as aforesaid; and if the same shall not be put in good and perfect order and repair before the next county court of said county, the aforesaid justice shall certify and send a copy of the inquisition aforesaid to the judges of the county court, who shall thereupon cause to be brought before them, the body or bodies of the person or persons intrusted by the company with the care and superintendence of such part of the said road as shall be found defective; and if the

Proceedings in case road is not kept in good order—penalty.