

CHAP. 196. and horses drawing 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, 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.

How oxen and mules are to be estimated

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.

To be kept in repair; penalty for neglect

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 keeper of the gate nearest thereto, and the said justice shall at such time and place, on the oath or affirmation of the said persons, 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 and certified under the hands of himself and a majority of 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 the keepers of the turnpike gate on said plank or turnpike road, and from thenceforth the tolls hereby granted to be collected at such plank or turnpike gate shall cease to be demanded, paid or collected, and the said gate shall be thrown open until the said defective part or parts shall be put in good and per-