

connected with the parties, to meet on the premises to be condemned on some day to be fixed in said warrant, and not less than twenty days from the date thereof, and the said jurors or any twelve of them being so summoned or such talismen as may be necessary, if twelve do not attend, being convened on the premises in question, shall be sworn by the sheriff aforesaid, faithfully and truly to assess the damages sustained by the owner or owners of said land or materials, by reason of the construction of said road or their appropriation thereto, without prejudice or partiality to either of the parties, and to consider if any, the advantages of said road, especially accruing from its location through the lands of such owner in their estimate of said damages, and the inquisition of said jurors having been signed and sealed by said sheriff and jurors, shall be returned to the next circuit court for Washington county to be ratified and confirmed or quashed, and it shall and may be lawful for the said company or the owners of said land to object to the said inquisition, for excess or inadequacy of damages, and for the circuit court aforesaid, to confirm or reject the said inquisition as to it may seem proper; *Provided, always,* that the said turnpike or plank road company, shall not occupy and use the said lands further than to survey and locate their said road before the purchase or condemnation money is paid or tendered.

Proviso.

SEC. 3. *And be it enacted,* That when the company shall have completed their said road from the Pennsylvania line to the town of Hancock, it shall be lawful for them, to appoint a toll gatherer to collect and receive tolls as hereinafter mentioned, and to stop any person or persons riding, leading or driving any horse, horses, cattle, hogs, sheep, coach, coaches, sulkey, chair, chaise, phaeton, cart, wagon, sleigh, sled or any other carriage of burden, or pleasure, from passing through the said gate until they shall respectively have paid the same, that is to say, for every five miles in length of the said road completed and licensed as aforesaid, the following sums of money, and so in proportion for any lesser distance, or for any greater or lesser number of sheep, hogs or cattle, to wit: for every score of hogs, five cents, for every score of sheep five cents, for every score of cattle ten cents, for every horse and his rider, or led horse three cents, for every sulkey, chair or chaise with one horse and two wheels, six cents, with two horses, nine cents, for every charriot, coach, phaeton or dearborn, with one horse and four wheels, ten cents, for every coach, phaeton or chaise, with two horses and

Toll gatherer.

Rates.