

Sec. 6. *And be it enacted*, That the Company hereby incorporated shall have power to make and construct a continuous turnpike road from Hood's Mill to the village of Brookville over the present bed of the Westminster and Washington road, except at such points and places where the President and Directors may deem it expedient to improve the grade or course of said road, in which event the said President and Directors shall have full power and authority to make such alterations; *provided*, that in case of any such change of location, and whenever it becomes necessary to occupy new ground or use new materials, and the consent of the owner or owners cannot be obtained, a jury shall be summoned by the Sheriff of the county, upon a warrant of a Justice of the Peace for that purpose, to condemn the said land or material, and assess the damages, in which assessment the benefits or advantages of said road shall be considered by said jury; *and provided also*, the inquisition thereupon taken shall be signed by the Sheriff and jury and returned by the Sheriff to the Clerk of the Circuit Court for the county in which the condemnation is made, and unless good cause be shown against the said inquisition of the jury, it shall be affirmed by the Circuit Court at the next meeting thereof after the verdict of the jury, and recorded; but if the said inquisition should be set aside, the said Court may, in its discretion, as often as may be necessary, direct another inquisition in the manner above described.

Make continuous road.

Summon jury.

Condemn.

Sec. 7. *And be it enacted*, That whenever said road shall be completed or any three consecutive miles thereof, the said Company may erect one or more toll-gates upon said road, but not within three miles of each other, and may charge tolls for traveling on said road, provided said tolls shall not exceed the following rates, viz: one and one-quarter cents per mile for any vehicle drawn by one animal; for any vehicle drawn by two animals, two and one-half cents per mile; and for any vehicle drawn by more than two animals, one and one-quarter cents per mile for every additional animal; for every score of sheep, swine or neat cattle, five cents per mile; for every horse and rider and every led or driven horse, one and one-quarter cents per mile.

Erect gates.

Rates of toll.