

power and privilege of purchasing and holding as much land as they may deem sufficient for the purpose of erecting toll houses thereon, and having gardens thereto attached, together with necessary outbuildings for the use of toll gatherers.

Inquisition
may be sum-
moned to assess
damages.

Sec. 16. *And be it enacted*, That in case the said company shall not be able to agree with the owner or owners of any land over or through whose lands the said road may be made, it shall be lawful for said company to cause any Justice of the Peace of the county in which the land lies to issue his warrant to the Sheriff of said county, directing him to summon twelve impartial jurors, to meet on the said land on a day therein named, to assess the damages sustained by said owner or owners by reason of said road passing through such land, or for the taking of stone, gravel, earth or other material for the making of said road, the said jurors taking into consideration the advantages and disadvantages the said turnpike road may be to the landholders through whose lands said road may be made, which inquisition shall be returned to the office of the Clerk of said county, and either party shall have the right of appeal to the county court, from the verdict or finding of said jury, within thirty days from the date of said verdict; and in the event of an appeal being taken by either party, it shall in no way retard the progress or making of said road, but they, the plaintiff and defendant, shall be bound by the award of the said Circuit Court of said county.

Tolls.

Sec. 17. *And be it enacted*, That all persons whatsoever, traveling on said turnpike road, shall be chargeable with tolls, as provided in section ten of this act; *provided*, that no funeral procession, or persons passing to or from church, or from one part of their farm to another part thereof, shall be chargeable with tolls.

Proviso.

Banking pri-
vileges prohib-
ited.

Sec. 18. *And be it enacted*, That nothing herein contained shall be construed to authorize said company to exercise banking privileges; and the Legislature reserves the right to amend, alter, or repeal this act at pleasure.

In force.

Sec. 19. *And be it enacted*, That this act shall take effect from and after the day of its passage.