give bond with good security, to be approved by the Clerk, in double the amount of the Assessment of the Jury of inquest, payable to the defendants, and conditioned to abide by and perform the final Judgment in the premises, 1345 & person or Company actually intending to make application for the privileges herein Contemplated, and desiring upon the land of another for the purpose of making the requisite examinations and surveys, and doing no unnecessary injury is liable only for the actual damage done, and, if sued in such case, the plaintiff shall recover only as much cost as damages, 1346 the person or Company shall, however, enter upon such Land for the purpose of actually Occupying the right of way, until the damages assessed by the Jury of inquest, and the Cost have been actually paid, or if an appeal has been taken, until the bond has been given to abide by the final Judgment as before provided, 1347 It, however, such person or Company has actually taken possession of such Land Occupying it for the purpose of internal improvement, the Owner of such Land may petition for a Jury of inquest, in which case the same proceedings may be had as nearly as may be, as hereinabove provided, or he may sue for damages in the ordinary way, in which case the Jury shall lay off the Land by Meles and bounds, and asses the damages as upon the trial of an appeal from the return of a Jury of inquest, 1348 The owners of said Land in such cases Commence proceedings within twelve Months after the land has been actually taken possession of, and the work of the proposed internal improvement begun: proving, however, to such non Owners, and non residents, twelve Months after actual Knowledge of such Occupation, not exceeding three years; and being to whom under the disabilities of infancy, Coverture, and unsoundness of mind twelve Months after such disability is removed, but not exceeding ten years, The road bed of said road being located ten miles, or more from a city Containing five thousand inhabitants, the road bed may be fourteen feet wide, and six inches thick, the road Shall have Sufficient ditches and culverts to drain off the water, and safe bridges across Streams where bridges are necessary, Said Corporation may purchase Land for the purpose of procuring Stone, gravel, dirt, wood, timber or other material necessary for the construction or repairing of said road, One toll gate may be erected every five Miles, and to place them on such parts of the road as may be deemed best, the gates not to be nearer than four miles apart, nor any gate nearer than one mile of the boundary line of any incorporated town, The following tolls may be demanded at each gate, For hogs or sheep per head One (1) Cent, for Cattle or horses, mules or asses in a drove, per head two (2) Cents, for horses or mules not in a drove, nor employed in drawing whether mounted or not, per head five (5) Cents, for every four horse loaded Wagon twenty five (25) cents, for every two (2) horse loaded Wagon fifteen (15) Cents, for buggies, barouches, and other similar two horse Carriages fifteen (15) Cents, for other two horse pleasure Carriages twenty five (25) Cents, for one horse buggies, and other similar Vehicles for the Conveyance of person ten (10) Cents, for other vehicles for the transportation of goods or produce drawn by not more than two animal ten (10) Cents, and for each additional animal five (5) Cents, Provided toll is charged but one way, if parties go and return the same day, No toll Shall be demanded of persons attending funerals, or Religious Worship, or in going to, or returning from the precincts at Elections, or places of Militia Muster, the person being authorized to vote or perform Militia duty, or from persons going to or returning from a grist Mill on horse back with grain for family use, or from any person traveling on foot, or from a person passing from one to another part of his farm, The Company by

its officers and agents may enter the lands or inside fences for the purpose of surveys, examinations, and location of route, but impediments and barriers to the passage of persons, shall be kept off the road to the full width required by the Charter, but bridges across Streams shall not be required to be of full width, Any person who passes a gate without paying, or if one be not there, shall forfeit five dollars for the use of the Company, to be recovered before a Justice of the Peace, the Stock is to be incorporated with the Character of personal property, 2 - provisions of the act of the Legislature passed March 21st 1873, and all of subsequent Legislature Amendatory thereof are made a part of this Charter, and in the words following, "An act to be entitled and act to sell the States interest in Turnpike and Plank roads, and turn into effect the act of March 12th 1860, And to increase the revenue of the State" Sec 1 Be it enacted by the General Assembly of the State of Tennessee, That the interest of the State, and all Claims and Liens of the same by Virtue of the issuance of bonds to all Turnpike and Plank Roads be sold to the highest and best bidder, at as early a day as practicable under the provisions and Obligations hereinafter provided, Sec 2 Be it further enacted, That it is hereby made the duty of the Secretary of State to advertise for said proposals for the purchase of said roads, giving preference when the bids are equal in Value, first to the Counties, Secondly to the Stockholders, thirdly to Counties, Fourthly to incorporated Cities, or Towns Situated at the termini of said roads, Fifthly to other Corporations, and sixthly to individuals, Provided, That any party purchasing under this act, shall give bond with good, and sufficient Security to be approved by the Secretary of State, to proceed forthwith to put the road or roads so purchased in as good Condition as required by the original Charter of the same, and to put it some in good repair, Which facts Shall be made known, to the Secretary of State, through the sworn Statement of some Competent Civil engineer, who shall have carefully inspected the road, and who is said from time to time as the Secretary of State may determine, and direct, Report to him the Said Secretary the Condition of the said road, Sec 3 Be it further enacted, that any party purchasing the States interest in any of the said roads, Shall be allowed the following terms of payment "To wit," one fourth Cash, and the remainder in three equal installments, and shall Commute the tolls of any road so purchased within the period of three years, and this term for the Completion of said roads is hereby Allowed to parties accepting the States relinquishment of interest in said roads, as hereinafter provided, and the Secretary of State is hereby authorized to receive in payment for the States interest in and to said roads, the Legally issued bonds of the State, Sec 4 Be it further enacted, that in Cases When said roads pay no dividends to the State, The Secretary of State with the Consent of the Governor, and Comptroller may remission, giving the same preference to parties accepting the same, as prescribed by the Second Section of this act, for purchasers, all the States interest Claims and liens in said roads, Provided, that this act is not intended to prohibit any two or more, or all the parties named, from purchasing, or accepting the States relinquishment jointly, and Provided further that said officers Shall have discretionary power to sell any of said roads, that pay no dividends to the State, Whenever they may deem it to the interest of said State to sell said roads, instead of relinquishing her interest therein, as Provided by this act, Sec 5 Be it further enacted, that the Secretary of State is hereby directed to