

CHAP. 78.

In case tolls as established exceed in net profits 10 per cent. legislature may reduce them.
Proviso.

20. AND BE IT ENACTED, That in case the said tolls, as hereby first established, shall, in any one year from and after the term of two years after the completion of the said road, exceed in net profits the sum of ten *per centum per annum*, then the legislature may, at any subsequent session, and from time to time reduce the said tolls; *Provided*, that when thus reduced, they shall not yield in net profits a less sum than ten *per centum*; and in making such reduction they shall be governed by the average of the clear income and profits arising from the tolls of the two years next preceding such reduction.

In case they should be increased by president & directors, and exceed 10 per cent. net profits they may be reduced.

Proviso.

21. AND BE IT ENACTED. That in case the tolls should be increased by the said president and directors, by virtue of the authority herein before given them, and when so increased they shall exceed in net profits the sum of ten *per centum per annum*, that then and in such case the legislature may at any subsequent session, and from time to time, reduce the said tolls; *Provided*, that when thus reduced they shall not yield in net profits, a less sum than ten *per centum per annum*; and in making such reduction they shall be governed by the average of the clear income and profits arising from the tolls of the two years next preceding such reduction.

Penalty for not publishing account of expenditures and profits.

22. AND BE IT ENACTED, That in case the said president and directors shall not comply with the provisions of this act, in publishing an account of their expenditures and net proceeds semi-annually, and also in laying before the legislature every two years after the completing said road as aforesaid, a statement upon oath, of their capital expended, and the profits arising from the same, they shall forfeit and pay, for each neglect, the sum of two hundred dollars.

Punishment of offences created by this act.

23. AND for the punishment of all offences created by this act, and committed by the corporation or their agents, BE IT ENACTED, That prosecutions by actions shall be carried on and prosecuted against the said president in the county court of the county in which the said president shall reside; and all fines or forfeitures imposed by this act, which may affect other persons, shall be recovered by indictment against the party offending in the county court of the county in which he or she shall reside; and the same, when received, shall be paid to the state or to such person or persons to whose use the same are by this act appointed; and if any person shall refuse to pay the toll or tolls imposed by this act, at the respective places at which they may be demanded by law, or shall evade the payment thereof, by going round the toll gates, such toll shall be recovered by warrant, issued by any justice of the peace of the county in which the payment of such toll may be demanded by virtue of this act, or of the county in which such person shall reside, and all such justices are hereby authorised and required to issue such warrants on the application of the said president and directors, or their agents or toll receivers, and to hear and determine the said complaint, and to pass judgment and award execution thereon, in the same manner as they are authorised to proceed in other cases by the act*, entitled, An act for the speedy recovery of small debts out of court, and to repeal the acts of assembly therein mentioned.

1791, ch 68.

Proprietors may lessen tolls.

24. AND BE IT ENACTED, That the said proprietors, or a majority of them, holding at least five hundred shares, shall have full