

raise the dividends up to ten *per centum per annum*; and at the end of every ten years after the said road shall be completed, they shall render to the general assembly a like abstract of their accounts for three preceding years, and if, at the end of any such decennial period, it shall appear, from such abstract, that the clear profits and income of the said company will bear a dividend of more than fifteen *per centum per annum*, then the said toll shall be so reduced as will reduce the said dividend down to fifteen *per centum per annum*.

C H A P.
LXV.

XIX. 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 choice of the first directors 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 five hundred dollars.

Penalty for
not comply-
ing, &c.

XX. 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 action shall be carried on and prosecuted against the president in the county court of the county in which the said president shall reside; and all fines and 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 authorized 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 authorized 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 act of assembly therein mentioned.

Prosecutions
may be car-
ried on, &c.

XXI. And be it enacted, That the president and directors aforesaid shall have full power and authority to make such by-laws and ordinances as may be necessary for the regulating of the affairs of the said corporation, and for the carrying into effect the powers vested in them by this act.

President, &c.
may make
by-laws, &c.

XXII. And be it enacted, That the said proprietors, or a majority of them, holding at least three thousand shares, shall have full power, at any general meeting, to lessen said tolls, or determine what article shall pass free of tollage.

Tolls may be
lessened, &c.

XXIII. And be it enacted, That the said president and directors shall have full power and authority from time to time to farm the said tolls and toll-gates, or any of them, for such term or terms, during the continuance of the said corporation, and upon such conditions, as they, in their discretion, shall deem expedient, provided that the same shall be ratified and confirmed by the general meeting of the stockholders that shall next happen thereafter.

And may be
farmed out,
&c.

XXIV. And be it enacted, That if any person shall drive any carriage or wagon, cart or other carriage of burthen, round any turnpike gate, with intentions to avoid the payment of the tolls, and if any person shall lead or drive his riding horse, or any horse or horses, ox or oxen, mule or mules, hog or hogs, sheep or black cattle, liable to tolls, round any such turnpike gate, with intent to evade the payment of the toll, such person, if a free man, shall forfeit and pay two dollars for every such offence, or if a servant or slave, the master or mistress shall forfeit and pay one dollar.

Penalty for
attempting to
avoid pay-
ment, &c.