

C H A P.
LXIX.
Road, &c.
vested in the
corporation,
&c.

XVII. And be it enacted, That the said road and tolls shall be, and are hereby vested in the said corporation, and their successors, for ever; provided always, that after the proprietors of the said stock shall have been reimbursed by the said tolls the whole of their principal sum advanced, with fifteen *per cent. per annum* thereon from the profits of the said tolls, that from and thereafter all profits of the said tolls, exceeding the said annual interest of fifteen *per cent.* upon their original capital, shall belong to and be paid by the said corporation to the state; and provided also, that the said corporation shall be also obliged thereafter to keep the said road in good repair, out of the fifteen *per cent.* so to be retained and received by the said corporation; and provided also, that whenever, at any time after the expiration of forty years from the establishing and completing of the said road, it shall seem expedient to the legislature to make the said road and tolls so established and made the property of the state, by a law to be enacted for that purpose, three commissioners shall be appointed by the legislature on the part of the state, and three by the corporation aforesaid, who, or any four or more of them, shall examine the accounts, and estimate what sum or sums of money the said corporation has expended and received, and the sum, if any, necessary to be added to their receipts, to reimburse the said corporation the sums by them expended, with an interest of fifteen *per cent. per annum* on the capital expended in completing said road, which said sum being paid to the said corporation, the said road and tolls shall immediately thereon be the property of the state.

Company to
keep a just
account, &c.

XVIII. And be it enacted, That the said company shall keep a just and true account of all and every the monies to be received by their several and respective collectors of tolls at the several gates and turnpikes on said road from beginning to end, and shall make and declare a dividend of the clear profits and income thereof, all contingent costs and charges being first deducted, among all the subscribers to said company's stock, and shall, on every second Monday in January and July in every year, publish the half yearly dividend to be made of the said clear profits among the stockholders, and of the time and place when and where the same will be paid, and shall cause the same to be paid accordingly.

An abstract to
be laid before
the general
assembly, &c.

XIX. And be it enacted, That the president and directors shall, at the end of every third year after the choice of the first directors as aforesaid, until two years next after the whole road shall be completed, and every second year thereafter, lay before the general assembly of this state an abstract of their accounts, shewing the whole amount of their capital expended in prosecution of the said work, and of the profits and income arising from said toll for and during the said respective periods, together with an exact account of the costs and charges of keeping the said road in repair, and all other contingent costs and charges, to the end that the clear annual income and profits thereof may be ascertained and known; and if at the end of two years after the said road shall be completed from the beginning to the end thereof, it shall appear, from the average profits of the said two years, that the said income and profits thereof will not bear a dividend of ten *per centum per annum* on the whole capital stock of the said company so expended, then it shall and may be lawful to and for the said president and directors to increase the tolls herein allowed so much upon each and every allowance thereof as will raise the dividends up to ten *per centum per annum*, in which increase they shall be regulated by the net profits of the preceding year.

Tolls may be
reduced, &c.

XX. 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 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.

XXI. And