

power, at any general meeting, to lessen said tolls, or to determine what article shall pass free of tollage.

CHAP. 78.

25. AND BE IT ENACTED, That no wagon or other carriage with four wheels, the breadth of whose wheels shall not be four inches, shall be drawn along the said road with a greater weight thereon than three tons; that no such carriage, the breadth of whose wheels shall not be seven inches, or being six inches or more shall not roll at least ten inches, shall be drawn along the said road with more than five tons; that no such carriage, the breadth of whose wheels shall not be ten inches or more, or being less shall not roll at least twelve inches, shall be drawn along the said road with more than eight tons; that no cart or other carriage with two wheels, the same breadth of wheels as the wagon aforesaid, shall be drawn along the said road with more than half the burthen aforesaid; and if any cart, wagon, or carriage of burthen whatsoever, shall be drawn along the said road with a greater weight than is hereby allowed, the owner or owners of such carriage, if the excess of burthen shall be greater than three hundred weight, shall forfeit and pay four times the customary tolls for the use of the company; *Provided always*, that it shall and may be lawful for the said company, by their by-laws, to alter any and all the regulations herein contained, respecting the burthens on carriages to be drawn over the said road, and to substitute other regulations, if upon experiment such alterations shall be found conducive to the public good; *Provided nevertheless*, that such regulations shall not lessen the burthens above described.

Weight to be drawn along said road.

Provisos;

26. AND BE IT ENACTED, That if the said company, after the said road be completed as aforesaid, shall neglect to keep the said road in good and perfect order for the space of fifteen days, and information shall be given to any justice of the peace within the county, such justice shall issue a precept, to be directed to any constable within the county, commanding him to summon five disinterested persons, to be named by the said justice in the said precept, to meet at a certain time, in the said precept to be mentioned, at the place in the said road which shall be complained of, of which meeting notice shall be given to the keeper of the gate or turnpike nearest thereto; and the said justice shall at such time and place, on the oaths or affirmations of the said persons, enquire whether the said roads, or any part thereof, is in such good and perfect order and repair as aforesaid, and shall cause an inquisition to be made and certified under the hands of himself, and a majority of the said persons; and if the road shall be found by the said inquisition to be out of order and repair contrary to the true intent and meaning of this act, the said justice shall certify and send one copy of the said inquisition to the judges of the county court, who shall thereupon cause to be brought before them the body or bodies of the person or persons instructed by the company with the care and superintendance of such part of the said road as shall be found defective, and if the person or persons instructed by the company aforesaid, shall be convicted of the offence by the said inquisition charged, the said court shall fine the said person or persons according to the nature and aggravation of the neglect, in their discretion, not exceeding one hundred dollars for every week such place shall have been out of order and repair; and in case the said

Penalty for not keeping road in repair.