

eight dollars, to be recovered in the common way that debts of that description are recoverable. CHAP. 99.

18. 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 therein than two and a half tons; that no such carriage the breadth of whose wheels shall not be seven inches, or being six inches or more shall roll at least ten inches, shall be drawn along the said road with more than five tons; and that no such carriage the breadth whereof 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 as the wagons aforesaid, shall be drawn along the said road with more than half the burthen of weight aforesaid; and if any cart, wagon, or carriage of burthen whatever, shall be drawn along the said road with a greater weight than hereby allowed, the owner or owners of such carriage, if the excess weight shall be more than three hundred weight, shall forfeit and pay four times the customary toll, for the use of the said company; *Provided always*, that it shall and may be lawful for the said company, by their by-laws, to alter and change all or any of the aforesaid regulations herein contained respecting the burthen of carriages to be drawn over the said road, and to establish other regulations, if upon experiment such alterations shall be conducive to the public good; *Provided nevertheless*, that such regulations shall not lessen the burthen of the carriages above described.

Burthen to be drawn, regulated.

Provisos

19. AND BE IT ENACTED, That if the said company shall neglect to keep the said road in good and perfect order and repair for the space of fifteen days, and information shall be given to any justice of the peace of the county where the said road is complained of, such justice shall issue a precept, directed to any constable, commanding him to summon three disinterested freeholders, to meet on said road thus complained of, at a time to be mentioned in said precept, of which meeting notice shall be given to the keepers of the gates nearest thereto, and the said justice, at such time and place, by oath, or affirmation, of the said freeholders, enquire whether the said road is in such good and perfect order and repair as is required by this act, and shall cause an inquisition to be made under the hands and seals of himself, and a majority of said freeholders, and if the said road shall be found by the said inquisition not to be in such good order and repair as is by this act required, he shall so certify, and send one copy thereof to each of the keepers of the gates between which the said defective place shall be, and from thenceforth the tolls hereby granted to be collected shall cease to be demanded, paid or collected, at such gates, until such defective part or parts shall be put in such good and perfect order and repair as aforesaid; and that no tolls shall be collected until such repairs are made and allowed by the justice of the peace aforesaid; and if any of the keepers of the gates aforesaid shall take or attempt to accept any tolls for the intermediate distance between the gates aforesaid, from any traveller during the time said road shall continue to be out of repair, such keeper shall forfeit and pay to the person who shall prosecute for the same the sum of five dollars, to be recovered before any justice of the peace

Penalty for neglecting to keep road in repair.