

duty may be evaded or lessened, all and every person or persons, in all, every or any of the ways or manners aforesaid offending, shall, for every such offence respectively, forfeit and pay to the said respective president, managers and company, of the road on which said fraud shall or may be practised, any sum not exceeding ten dollars, to be sued for and recovered, with costs of suit, before any justice of the peace, in like manner as debts of a similar amount may be sued for and recovered; *Provided always*, that if any person or persons shall be prosecuted under this section, and the said prosecution shall not be sustained on the part of the prosecutor, then and in such case the person or persons prosecuted as aforesaid shall receive from the company the sum of twenty dollars, in lieu of damages from delay and vexatious prosecution, recoverable as other fines under this act; and if any toll-gatherer shall knowingly demand and receive any greater toll from any person or persons than such toll-gatherer is authorised to demand and receive by virtue of this act, such toll-gatherer shall forfeit and pay the sum of twenty dollars for every such offence, to the use of the county in which the forfeiture is incurred, and for the payment of which the said company shall be responsible.

*Proviso:*

28. AND BE IT ENACTED, That the presidents and managers of the said companies shall keep fair and just accounts of all monies received by them from the said commissioners, and from the subscribers to the said undertakings on account of the several subscriptions, and of all penalties for delay in payment thereof, and of the amount of the profits on the shares which may be forfeited as aforesaid, and also all monies by them expended in the prosecution of their said work, and shall, once at least in every year, submit such account to a general meeting of the stockholders, until the said road or roads shall be complete, and until all the costs, charges and expenses of effecting the same, shall be fully paid and discharged, and the aggregate amount of such expenses shall be liquidated and ascertained, and if upon such liquidation, or when the capital stock of the said company shall be nearly expended, it shall be found that either of the said capital stocks will be insufficient to complete that respective road, according to the true intent and meaning of this act, it shall and may be lawful for the said president, managers and company, at a stated or special meeting, to be convened according to the provisions of this act or their own by-laws, to increase their number of shares to such an extent as shall be deemed sufficient to accomplish the work, and receive subscriptions on original terms, and demand the money subscribed for such shares, in like manner and under like penalties as are herein before provided for the original subscriptions, or as shall be provided by their by-laws.

*Fair accounts to be kept of monies received.*

29. AND BE IT ENACTED, That the court of inspection aforesaid shall, at the end of every third year from the date of those incorporations, until two years next after the whole of either of the said roads shall be completed, lay before the general assembly an abstract of the accounts of the corporations, on the oath or affirmation of the persons intrusted by the companies respectively with keeping of the said accounts, shewing the whole amount of their capitals expended in the prosecution of either of the said works, and of the income and profits arising from the said tolls for and

*Abstract of accounts to be laid before the general assembly.*