

CHAP. 96.

every cart or wagon, the breadth of whose wheels shall be more than seven inches, and not more than ten inches, or being the breadth of seven inches shall roll more than ten inches, five cents for every horse drawing the same; for every cart or wagon, the breadth of whose wheels shall be more than ten inches and not exceeding twelve inches, or being ten inches shall roll more than fifteen inches, three cents for every horse drawing the same; for every cart or wagon, the breadth of whose wheels shall be more than twelve inches, two cents for every horse drawing the same.

Scales to be erected to ascertain weight drawn along road in wagons. &c.

15. AND BE IT ENACTED, That for the purposes of ascertaining the weight that may be drawn along the said road in any cart, wagon or other carriage of burthen, it shall and may be lawful for the said president, managers and company, to erect and establish scales and weights at or near such and so many of the gates erected, or to be erected, in pursuance of this act, as they may think proper, and where there may seem reasonable cause to suspect that any cart, wagon, or other carriage of burthen, carries a greater weight than is or shall be by law allowable, it shall be lawful for the toll-gatherers, or other persons in their service or employment, to prevent the same from passing such gate or turnpike until such cart, wagon, or other carriage of burthen, shall be drawn into the fixed or erected scales at or near any such gate or turnpike, and the weight or burthen drawn therein ascertained by weighing; and if the person or persons driving or having care or charge of any such cart, wagon, or other carriage of burthen, shall refuse to drive the same into any such scales for the purpose aforesaid, the person or persons so refusing shall forfeit and pay to the said president, managers and company, any sum not less than five dollars nor more than eight dollars, to be recovered in the manner herein after mentioned.

Weight allowed to be carried.

16. 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 two and one 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; 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 wagons aforesaid, shall be drawn along the said road with more than half the burthen or weight 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 three hundred weight or upwards, 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 or all the regulations herein contained respecting the burthens, or 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 burthen of carriages above described.

Proviso.