

horse or horses, ox or oxen, mule or mules, hog or hogs, sheep or black cattle or other animal liable to pay tolls round any such toll or turnpike gate, with intent to evade the payment of the toll, such person, if a free man, shall forfeit and pay two dollars for every such offence, or if a servant or slave, the master or mistress shall forfeit and pay one dollar, to be recovered as other small debts now are or may be recoverable.

SEC. 14. *And be it enacted*, That if any part of said road, bridges, culverts or causeways upon which tolls shall have been received shall be and continue to be for the space of ten days out of good and perfect order and repair, and information thereof shall be given to any justice of the peace of the county where such road lies such justice shall issue a precept to be directed to the sheriff of the said county commanding him to summon three judicious inhabitants of said county to meet at a certain time in said precept to be mentioned at the place on said road, bridge, culvert or causeway of which complaint is made, notice of which meeting shall also be given to the keeper of the toll gate nearest thereto, and the said justice shall at said time and place, by the oath or affirmation of said inhabitants, enquire whether said road, bridge, culvert or causeway or any part thereof is in such good and perfect order and repair as aforesaid, and shall cause an inquisition to be made out under the hands of himself and a majority of said inhabitants, and if the said road, bridge, culvert or causeway shall be found by them to be in good and perfect order and repair, the party making complaint shall pay all the cost and charges of the proceedings, but if said road, bridge, culvert or causeway shall be found by said inquisition to be out of order and repair according to the true intent and meaning of this act, the said justice shall certify and send one copy of said inquisition to each of the keepers of the toll gates between which such defective place may be, and from thenceforth the tolls hereby granted to be collected at such gates for passing the interval of road between them shall cease to be demanded, paid or collected at such toll gates until the said defective part or parts of said road, bridge, culvert or causeway shall be put into good and perfect order and repair as aforesaid, to be certified to by said justice or a majority of said inhabitants, and if the same shall not be put into such order and repair before the next meeting of the county court of the county where the same lies, the

Liability of company if the road is not kept in good order — Mode of ascertaining the fact.

Reservation.

Passed March 5, 1847.

Governor to appoint three persons to examine the construction of road and report to him.

Force.

Inconsistent is repealed.

When to be commenced & when to be completed.

1847.