

1812.

ed 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 intrusted 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 intrusted 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 company should neglect to have the said place repaired within fifteen days after the aforesaid fine shall have been laid, then the said court shall proceed to fine the said president, managers and company, in their discretion, not exceeding two hundred dollars, for the use of the county, under the direction of the levy court.

Frauds—penalties—how to be recovered.

27. AND BE IT ENACTED, That if any person or persons whomsoever, riding in, or driving any sulkey, chair or chaise, phaeton, cart, waggon, wain, sleigh, sled, or other carriage of burthen or pleasure, riding or leading any horse, mare or gelding, or driving any sheep, hogs or cattle, shall therewith pass through any private gate or bars, or along or over any private passage, way or other ground near to or adjoining any turnpike gate erected, or which shall be erected, in pursuance of this act, with intent to defraud the company, avoid the payment of the toll or duty for passing through any such gate or turnpike, or if any such person or persons shall, with such intent, take off, or cause to be taken off, any horse, mare or gelding, or other cattle, from any waggon or carriage of burthen or pleasure, or practice any other fraudulent means or device, with the intent that the payment of any such tolls or 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 president, managers and company, a 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