

horse, liable to tolls, round any such 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.

C H A P.
LXX.

XXVIII. And be it enacted, That if any part of the said roads, bridges or causeways, upon which tolls shall have been received, shall be and continue to be out of good and perfect order and repair for the space of five days, and information thereof shall be given to any justice of the peace of the neighbourhood, such justice shall issue a precept, to be directed to any sheriff, commanding him to summon three judicious freeholders, to meet at a certain time in the said precept to be mentioned, at the place in the said road, bridge or causeway, of which complaint is made, notice of which meeting shall also be given to the keeper of the gate or turnpike nearest thereto; and the said justice shall, at such time and place, by the oaths or affirmations of the said freeholders, inquire whether the said road, bridge or causeway, or any part thereof, are in such good and perfect order and repair as aforesaid, and shall cause an inquisition to be made, under the hands of himself and of a majority of the said freeholders, and if the said road, bridge or causeway, shall be found by the said inquisition to be out of order and repair, according to the true intent and meaning of this act, he shall certify and send one copy of the said inquisition to each of the keepers of the turnpike gates between which such defective place shall be, and from thenceforth the tolls hereby granted to be collected at such turnpikes or gates, for passing the interval of road between them, shall cease to be demanded, paid or collected, at such turnpikes or gates, until the said defective part or parts of the said road, bridge or causeway, shall be put in good and perfect order and repair as aforesaid; and if the same shall not be so put into good and perfect order before the meeting of the next court of the county wherein the president of the company shall reside, the said justice shall certify and send a copy of the said inquisition to the judges of the said court, and the said court shall thereupon order *capias ad respondendum* against the said president, to which the name of the attorney-general, or his deputy, shall be put, on which action the same proceedings shall be had as in other suits of law; and if it shall appear that the neglect charged in the said inquisition is well founded, the said court shall give judgment, according to the nature and aggravation of the neglect, and shall proceed to fine the said president and company in any sum not exceeding two hundred dollars.

Justice, in
certain cases,
may issue a
precept, &c.

XXIX. And be it enacted, That it shall and may be lawful for every of the said proprietors to transfer his or her shares, by such deed, and in such form, as the corporation by ordinance shall direct.

Shares may
be transfer-
ed, &c.

XXX. And be it enacted, That in case any person shall die intestate, holding any share or shares in the said corporation funds, the administrator or administrators of such intestate, or the survivor or survivors of them, shall hold the same interest in the said funds, and be entitled to all the benefits thereof, as the said intestate in his life shall have had or held therein, and shall be and are hereby authorized and empowered to transfer the same, or make sale thereof, in his, her or their own name or names, and the same be subject to the same disposition as other personal property of the said intestate.

Administra-
tor may hold,
&c.

XXXI. And be it enacted, That as soon as the said company shall have perfected the said roads, or either of them, for any distance not less than ten miles, and so from time to time any other like distance progressively, they shall give notice thereof to the governor of this state, who shall thereupon appoint three skilful and judicious persons to view and examine the same, and report to him, in writing, whether the said road is so far executed in a masterly workmanlike manner, according to the true intent and meaning of this act, and if their report shall be in the affirmative, then the governor shall, by licence under the seal of the state, permit and suffer the said company to erect and fix such and so many gates and turnpikes across the said road or roads as will be necessary to collect the tolls and duties herein granted to the said company.

When per-
fected, notice
to be given,
&c.