

XXI. And be it enacted, That in case the tolls should be increased by the said president and directors by virtue of the authority herein before given them, and when so increased they shall exceed in net profits the sum of ten *per centum per annum*, that then and in such case the legislature may, at any subsequent session, and from time to time, reduce the said tolls, provided that when thus reduced they shall not yield in net profits a less sum than ten *per centum per annum*; and in making such reduction they shall be governed by the average of the clear income and profits arising from the tolls of the two years next preceding such reduction.

C H A P.  
LXIX.  
Tolls, if increased, may be reduced, &c.

XXII. And be it enacted, That in case the said president and directors shall not comply with the provisions of this act, in publishing an account of their expenditures and net proceeds semi-annually, and also in laying before the legislature every two years after the choice of the first directors as aforesaid a statement, upon oath, of their capital expended, and the profits arising from the same, they shall forfeit and pay, for each neglect, the sum of five hundred dollars.

Penalty for not complying, &c.

XXIII. And, for the punishment of all offences created by this act, and committed by the corporation or their agents, Be it enacted, That prosecutions, by action, shall be carried on and prosecuted against the said president in the county court of the county in which the said president shall reside; and all fines or forfeitures imposed by this act, which may affect other persons, shall be recovered by indictment against the party offending in the county court of the county in which he or she shall reside, and the same, when received, shall be paid to the state, or to such person or persons to whose use the same are by this act appointed; and if any person shall refuse to pay the toll or tolls imposed by this act, at the respective places at which they may be demanded by law, or shall evade the payment thereof, by going round the toll-gates, such toll shall be recovered by warrant issued by any justice of the peace of the county in which the payment of such toll may be demanded by virtue of this act, or of the county in which such person shall reside; and all such justices are hereby authorized and required to issue such warrants on the application of the said president and directors, or their agent or toll receivers, and to hear and determine the said complaint, and to pass judgment, and award execution thereon, in the same manner as they are authorized to proceed in other cases by the act, entitled, An act for the speedy recovery of small debts out of court, and to repeal the acts of assembly therein mentioned.

Prosecutions may be carried on, &c.

XXIV. And be it enacted, That the said proprietors, or a majority of them holding at least five hundred shares, shall have full power, at any general meeting, to lessen said tolls, or determine what article shall pass free of tollage.

Tolls may be lessened, &c.

XXV. And be it enacted, That the said president and directors shall have full power and authority, from time to time, to farm the said tolls and toll-gates, or either of them, for such term or terms during the continuance of the said corporation, and upon such conditions, as they, in their discretion, shall deem expedient, provided that the same shall be ratified and confirmed by the general meeting of the stockholders that shall next happen thereafter.

And may be farmed out, &c.

XXVI. And be it enacted, That if any person shall drive any carriage or wagon, cart or other carriage of burthen, round any turnpike gate, with intention to avoid the payment of the tolls, and if any person shall lead or drive his riding 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.

Penalty for attempting to avoid payment, &c.

XXVII. And be it enacted, That if any part of the said road, 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,

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

such