

DEC. SESS.
1815.

teenth section of the aforesaid act, and if the said road shall be found by the freeholders not to be in repair, the tolls shall cease to be demanded, paid or collected until the defective part or parts of the said road shall be put in good order and repair; and for taking or attempting to exact the tolls, the keepers of the gates shall be liable to the penalty, and the persons interested with the care and superintendance of such part of the said road as shall be found defective shall be liable to be indicted and fined in manner and form as is prescribed by the said fifteenth section.

Sections
made applica-
ble.

7. AND BE IT ENACTED, That the nineteenth, twenty first, twenty second, twenty third, twenty fourth and twenty eighth sections of the aforesaid act shall extend and be applied to the said company incorporated by the name of The President Managers and Company of the New-Castle and French-Town Turnpike, and to their officers, agents and servants, and to all other person or persons whatever to all intents and purposes as if the same were inserted and particularly mentioned in this act.

Frauds to
evade tolls—
penalty.

8. AND BE IT ENACTED, That if any person or persons, owning riding or driving any carriage of burthen or pleasure, or owning riding leading or driving any horse mule or ox, or driving any hogs, sheep or cattle, and shall with an intent to evade or defraud the said company of the tolls, pass therewith through any gate or bars, or along or over any other private passage way, or along or over any ground or land near to or adjoining any turnpike or gate which shall be erected in pursuance of this act, or if any person or persons shall with the intent aforesaid take off, or cause to be taken off, any horse or other beast or cattle of draught or burthen from any carriage of burthen or pleasure; or shall practice any other fraudulent measure or devise with intent to evade or lessen the payment of any such toll or duty, all and every such person or persons offending in manner aforesaid, shall for every such offence respectively, forfeit and pay to the said company the sum of fifteen dollars, to be sued for and recovered with costs of suit before any justice of the peace, as debts of the same amount are recovered by the laws of this state.

Annual con-
tracts for tolls,
&c.

9. AND BE IT ENACTED, That every person or persons who shall prefer an annual contract for the use of the said road shall be entitled for himself or herself, and his or her family to all the benefits of the same, except as to stages and carriages for the conveyance of persons for hire, and wagons for the conveyance of goods, wares and merchandise for the sum of one dollar per mile annually, to be paid in such manner that a quarterly payment shall always be in advance, and if any person or persons who shall wish to make such contract, shall think the annual sum aforesaid unreasonable and disproportionate to the number of their family and their use of the said road, the party so aggrieved or dissatisfied, and the president of the said company shall each choose one disinterested person, who shall decide what reduction shall be made from the annual payment aforesaid, and in case the two persons so chosen cannot agree, they shall choose a third person, and then the three persons or a majority of them shall decide as aforesaid. Or in case the said president shall neglect or refuse to choose a disinterested person for the space of five days, the person chosen by the party aggrieved or dissatisfied as aforesaid, shall decide