

to, and the said justice, at such time and place, by oath, or affirmation, of the said freeholders, enquire whether the said road is in such good and perfect order and repair as is required by this act, and shall cause an inquisition to be made under the hands and seals of himself, and a majority of said freeholders, and if the said road shall be found by the said inquisition not to be in such good order and repair as is by this act required, he shall so certify and send one copy thereof to each of the keepers of the gates between which the said defective place shall be, and from thenceforth the tolls hereby granted to be collected shall cease to be demanded, paid or collected at such gates, until such defective part or parts shall be put in such good and perfect order and repair as aforesaid; and that no tolls shall be collected until such repairs are made and allowed by the justice of the peace aforesaid; and if any of the keepers of the gates aforesaid shall take or attempt to accept any tolls for the intermediate distance between the gates aforesaid, from any traveler during the time said road shall continue to be out of repair, such keeper shall forfeit and pay to the person who shall prosecute for the same the sum of five dollars, to be recovered before any justice of the peace as other debts of equal amount are recoverable; *Provided also*, that if the said road shall not be put into good and perfect order and repair within thirty days after the inquisition and notice aforesaid, the said copy of said inquisition so taken as aforesaid, shall be by the said justice sent to the court of the county wherein such inquisition was taken, and the said court shall thereupon cause process to issue, and bring in the body or bodies of the person or persons entrusted by the company with the care and management of said part so complained of, and shall direct a bill of indictment to be sent to the grand jury against the person or persons entrusted as aforesaid, and upon conviction shall give judgment according to the nature and aggravation of the offence and neglect, as the said court in their discretion shall think proper; provided that the fine in no case shall be less than twenty dollars nor exceeding one hundred dollars; to be recovered in the usual way that other fines for misdemeanors are recovered in said county, to be paid over to the levy court for the use of said county.

DEC. SESS.
1815.

20. AND BE IT ENACTED, That the president and managers shall keep fair and just accounts of all monies which shall have been received by them from the said commissioners, and from the said subscribers, for stock of the said company, on account of their several subscriptions, for all penalties for delays in payment thereof, and of all and every other item by them received, for the benefit of the said company, and also a fair and just account of all monies by them expended, and to be expended, in the prosecution of their work, and all contingent expences of every nature whatsoever relative to carrying on said work, and shall at least once in every year submit such account to a general meeting of the stockholders, until said road shall be completed, and until all the costs charges and expences effecting the same shall be fully paid and discharged, and the aggregate amount of such expences shall be liquidated and ascertained; and if upon such liquidation, or whenever the whole capital stock shall be expended, it shall be found that the capital stock will not be sufficient to compleat the said road, ac-

Accounts—
shares may be
increased.