

sufficient to reimburse the capital which shall be expended in the purchase of such land and making said roads, and twelve per cent. interest per annum thereon, to be ascertained by the circuit court of the United States, in and for the district of Columbia, the same shall become free roads, and tolls shall be no longer collected thereon; and said company shall annually make returns to said circuit court of the amount of the tolls collected, and of their necessary expenses, so as to enable said circuit court to determine when said tolls shall cease.

When the roads shall become free.

SEC. 13. *And be it further enacted*, That if any person or persons, riding in or driving any carriage of any kind, or leading, riding, or driving any horses, sheep, hogs, or any kind of cattle whatever, on said road, shall pass through any private gate, bars or fence, or over any private way or passage, or pass through any toll gate under any pretended privilege or exemption, to which he or she, or they may not be entitled, or do any act or thing with intent to lessen or evade the tolls for passing through the gates established under this act, such person or persons, for every such offence, shall forfeit to the said president and directors, not less than three, nor more than ten dollars, to be recovered before any justice of the peace, with costs, in the same manner that small debts are recoverable: *Provided*, that it shall not be lawful for the company to ask, demand or receive from or for persons living on or adjacent to the said roads, who may have occasion to pass by said road upon the ordinary business relating to their farms, so far as the limits of the same may extend on the roads respectively, who shall not have any other convenient road or way, by which they may pass, from one part to another part thereof, any toll for passing on, or by either of the said turnpikes.

Penalty for evading payment of tolls.

Proviso.

APPROVED, April 20, 1810.

STATUTE II.

CHAP. XXVII.—*An Act to amend an act, entitled "An act for the establishment of a Turnpike Company in the County of Alexandria, in the District of Columbia."*

April 25, 1810.

Act of March 3, 1809, ch. 31

Mode of obtaining stone or gravel where it is necessary.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That it shall and may be lawful to and for the president and directors of the Washington and Alexandria turnpike company, in all cases where stone, gravel, earth or sand, may be necessary for making or repairing the Washington and Alexandria turnpike road, and the president and directors of the Washington and Alexandria turnpike company cannot agree for the same with the owners thereof, it shall and may be lawful for any one of the judges of the circuit court of the district of Columbia, upon application by the said president and directors, or any person authorized by them, by warrant under his hand and seal, to command the marshal of the said district to summon a jury of thirteen disinterested persons, qualified to serve as petit jurors in the said circuit court, to meet at the place where such materials may be, on some day not more than ten after the date of such warrant, and to give the other party five days' notice of the time and place, if such party be found within the district of Columbia, and if any of the said jurors should fail to attend at the said time and place, the marshal may immediately summon talesmen in the place of those who are absent, and shall administer an oath to the said jurors or talesmen as the case may be, justly and impartially to value the said materials, and to assess the damage which the owner thereof shall sustain by the taking thereof by the said president and directors, which valuation and assessment of damages made by the said jurors or a majority of them, shall be signed by the said marshal and the jurors, or so many of them, as shall agree thereto, and be returned to the clerk of the said court for the county of Alexandria, to be by him recorded, and shall be conclusive between the parties; and a copy thereof shall be delivered to each of the

parties who may be resident in the said district of Columbia, and the sum so awarded and assessed being paid to the said clerk of the said court, for the use of the party entitled thereto, the said president and directors may proceed to take and carry away the said materials so valued for the purposes aforesaid, and the said president and directors shall pay the said marshal five dollars for his service in summoning and impanelling the said jury, and taking and returning said inquest, and two dollars to each of the said jurors so sworn.

Toll gate may be removed.

Proviso.

Mode of obtaining the ground for a new toll house, &c. &c.

Corporation authorized to increase the number of shares.

SEC. 2. *And be it further enacted*, That the president and directors aforesaid, may remove their toll gate from the bridge that is made across Four mile creek, and place the same, and collect the tolls of their said road and bridge, on any part of the said road: *Provided*, that the said toll gate shall not be placed any nearer to the town of Alexandria, than where it now stands, nor more than half a mile from where it now is.

SEC. 3. *And be it further enacted*, That it shall and may be lawful for the president and directors of the said company, or a majority of them, to agree with the owners of any ground, to be occupied by the necessary toll houses and gates, for the right thereof, or in case of disagreement, or in case the owner thereof shall be a *feme covert*, under age, *non compos*, or out of the district, then the same shall be condemned, and paid for in the same manner, and subject to the same conditions as is provided by the act to which this is a supplement, for condemning the lands through which the road was to be conducted: *Provided*, the quantity of land so condemned, does not exceed half an acre.

SEC. 4. *And be it further enacted*, That to enable the said company immediately to complete and render sufficient the said road, according to the true intent and meaning of the said recited act, it shall and may be lawful for the stockholders of the said company, at any general meeting at which a majority of them in person, or by proxy, shall be present, to increase the number of shares, to such extent as shall be necessary to accomplish the work, on the road aforesaid, as now laid out, and to demand and receive the money subscribed for such shares in the like manner, and under the like penalties, as therein provided, for the original subscriptions.

APPROVED, April 25, 1810.

#### STATUTE II.

April 25, 1810.

CHAP. XXIX.—*An Act to allow the benefit of drawback on merchandise transported by land conveyance from Newport to Boston, and from Boston to Newport, in like manner as if the same were transported coastwise.*

All goods imported into Boston and Newport which shall be conveyed by Rhode Island bridge and Taunton, or exported by the same routes from Boston, shall be entitled to the benefit of a drawback upon exportation to a foreign port.

Act of March 2, 1799, ch. 22.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all goods, wares and merchandise, duly imported into either of the ports of Boston and Newport, which shall be transported by land conveyance from the port of Newport, by the way of Rhode Island bridge and Taunton, to Boston; or from Boston, by the same route, to Newport, and which being imported into Newport, shall be exported from Boston: or which being imported into Boston shall be exported from Newport, shall be entitled to the benefit of a drawback of the duties upon exportation, to any foreign port or place, under the same provisions, regulations, restrictions and limitations, as if the said goods, wares and merchandise were transported coastwise from one to another of the said districts; and on the proviso that all the provisions, regulations, limitations and restrictions existing in the case of goods, wares and merchandise, transported by any of the routes mentioned in the seventy-ninth section of the act, entitled "An act to regulate the collection of duties on imports and tonnage," passed the second of March, one thousand seven hundred and ninety-nine, shall be duly observed.

APPROVED, April 25, 1810.