

by the Company to the Government, shall not be deemed an infringement of the privileges intended to be conferred by this Act.

Company to have Rail-road measured and miles marked.

XLIII. And be it enacted, That as soon as conveniently may be after the said Rail-road shall be completed, the said Company shall cause the same to be measured, and stones, or posts, with proper inscriptions on the sides thereof denoting the distance, to be erected and forever after maintained at a distance of every mile from each other.

Treasurer, Receiver and Collector to give security.

XLIV. And be it enacted, That the said Company shall and are hereby required and directed to take sufficient security by one or more bond or bonds, in a sufficient penalty or penalties from their Treasurer, Receiver and Collector for the time being, of the moneys to be raised by virtue of this Act, for the faithful execution by such Treasurer, Receiver and Collector of his and their office and offices respectively.

Fines under this Act how to be recovered.

XLV. And be it enacted, That all fines and forfeitures imposed by this Act, which shall be lawfully imposed by any By-law to be made in pursuance thereof, (of which By-law when produced, all Justices are hereby required to take notice,) the levying and recovering of which fines and forfeitures are not particularly herein directed, shall upon proof of the offence before any one or more Justice or Justices of the Peace, for any of the Districts through which the said Railroad shall pass, either by the confession of the party or parties, or by the oath of affirmation of any one creditable witness, (which oath or affirmation such Justice or Justices are hereby empowered and required to administer without fee or reward,) be levied by distress and sale of the offender's goods and chattels by warrant under the hand and seal or hands and seals of such Justice or Justices, and all such fines, forfeitures or penalties by this Act imposed or authorized to be imposed, the application whereof is not hereinbefore particularly directed, shall be paid into the hands of the Treasurer or receiver of the moneys to be raised by virtue of this Act, and shall be applied and disposed of for the use of the said Rail-road or undertaking, and the overplus of the money raised by such distress and sale, after deducting the penalty and the expenses of levying and recovering thereof, shall be rendered to the owner of the

Levy by distress and sale of goods and chattels.

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