

such sale to retain the tolls payable as aforesaid, and all charges and expenses of such detention and sale, rendering the overplus, if any, to the person entitled thereto; or it shall be lawful for the Commissioners to recover any such tolls by action at law.

13. If any person being the owner or having the care of any carriage or goods passing or being upon the railway, shall on demand fail to give to any person appointed to collect the tolls, a true and correct account in writing signed by him of the number and quantity of goods conveyed by any such carriage, and of the point on the Railway from which such carriage or goods have set out, or are about to set out, and at what point the same are to be unloaded or taken off the Railway, and if the goods conveyed by any such carriage, or brought for conveyance as aforesaid, be liable to payment of different tolls, shall fail to specify the respective quantities or numbers thereof liable to each or any such tolls, with intent to avoid in any case the payment thereof, he shall for every such offence forfeit and pay to the Commissioners a sum not exceeding ten pounds for every ton of goods, or for any parcel not exceeding one hundred weight, and so on in proportion for any quantity of goods less than one ton, or for any parcel exceeding one hundred weight (as the case may be) which shall be upon any such carriage, and such penalty shall be in addition to the toll to which such goods may be liable.