

3. Any breach of any rule made under this Act may on conviction be punished with fine which may extend to fifty rupees, or, in the case of a second or subsequent conviction, to two hundred rupees. Penalties.

4. (1) Any police-officer may, without an order from a Magistrate and without a warrant, arrest any person committing in his view a breach of any rule made under section 2, if the name and residence of such person be unknown to such officer and cannot be ascertained by him then and there. Arrest of offenders without warrant.

(2) When any such arrest has been made, the provisions of section 57, sub-sections (2) and (3), and sections 60 to 63 of the Code of Criminal Procedure shall apply.

### THE TOLLS ACT.

[ INDIA ACTS VIII, 1851 ; XV, 1864. ] ( 4th July, 1851. )

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2. The President of the Union may cause such rates of toll, as he thinks fit, to be levied upon any road or bridge which has been, or shall hereafter be, made or repaired at the expense of the Government ; and may place the collection of such tolls under the management of such persons as may appear to him proper ; and all persons employed in the management and collection of such tolls shall be liable to the same responsibilities as would belong to them if employed in the collection of the land-revenue. Power to cause levy of tolls on roads and bridges and to appoint collectors. Collectors' responsibilities.

3. In case of non-payment of any such toll on demand, the officers appointed to collect the same may seize any of the carriages or animals on which it is chargeable, or any part of their burden of sufficient value to defray the toll, and, if any toll remains undischarged for twenty-four hours, with the cost arising from such seizure ; the case shall be brought before the officer appointed to superintend the collection of the said toll, who may sell the property seized for discharge of the toll, and all expenses occasioned by such non-payment, seizure and sale, and cause any balance that may remain to be returned, on demand, to the owner of the property ; and the said officer, on receipt of the property, shall forthwith issue a notice that, at noon of the next day, exclusive of Sunday or any close holiday, he will sell the property by auction : Their powers for recovery of toll.

Provided that, if, at any time before the sale has actually begun, the person whose property has been seized shall tender the amount of all Release of seized property.

tender of dues the expenses incurred and of double the toll payable by him, the said officer shall forthwith release the property seized.

Exemptions from payment of toll. 4. No tolls shall be paid for the passage of police-officers on duty, or of any person or property in their custody, or, in Upper Burma, of any person or property exempted by the President of the Union from payment of tolls, but no other exemption from payment of the toll levied under this Act shall be allowed.

Assistance of toll-collectors by police-officers. 5. All police-officers shall be bound to assist the toll-collectors, when required, in the execution of this Act; and, for that purpose, shall have the same power which they have in the exercise of their common police-duties.

Penalty for offences under Act. 6. Every person, other than the persons appointed to collect the tolls under this Act, who shall levy or demand any toll on any public road or bridge, or for passing through any bazaar situated thereon, and also every person who shall unlawfully and extortionately demand or take any other or higher toll than the lawful toll, or under colour of this Act seize or sell any property knowing such seizure or sale to be unlawful, or in any manner unlawfully extort money or any valuable thing from any person under colour of this Act, shall be liable on conviction before a Magistrate to imprisonment for any term not exceeding six calendar months, or to fine not exceeding two hundred rupees, any part of which fine may be awarded by the Magistrate to the person aggrieved; but this remedy shall not be deemed to bar or affect his right to have redress by suit in the civil Court.

Compensation to person aggrieved. Saving of his right to sue.

Exhibition of table of tolls, and statement of penalties. 7. A table of the tolls authorized to be taken at any toll-gate or station shall be put up in a conspicuous place near such gate or station legibly written or printed [in Burmese words and figures, and also in the language of the locality, if any,]<sup>1</sup> of the district, to which shall be annexed, written or printed in like manner a statement of the penalties for refusing to pay the tolls and for taking any unlawful toll.

Application of proceeds of tolls. 8. The tolls levied under this Act shall be deemed public revenue; but the net proceeds thereof shall be applied wholly to the construction, repair and maintenance of roads and bridges within the Union of Burma.

Compounding of tolls. 9. Any person entrusted with the collection of tolls under this Act may compound (for any period not exceeding one year) with any person for a sum to be paid by such person for himself or for any vehicle or animal kept by him, in lieu of the rates of toll authorized to be levied under this Act.

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<sup>1</sup> Substituted by the Union of Burma (Adaptation of Laws) Order, 1948.