

of said streets, avenues and roads, and shall have the power to widen the limits of said roads to a width requisite for the purposes of the construction of said railroad, and whenever said company shall determine to widen said roads, and when it becomes necessary to occupy grounds for the purpose of erecting the necessary depots, stables and other buildings requisite for the enjoyment and operating of said railroad, or to use new materials, and the consent of the owner or owners of said ground or materials cannot be obtained, a jury shall be summoned by the sheriff of Anne Arundel county, or Baltimore county or Baltimore city, as the case may be, upon a warrant of a justice of the peace of Anne Arundel county, or Baltimore county or Baltimore city, as the case may be, for that purpose, to be issued upon the application of said company, to condemn said land and materials and assess the damages, if any, of the widening of said roads, and the occupying of said shall be considered by the jury, and the inquisition thereupon taken shall be signed by the sheriff and jury, and be returned by said sheriff to the circuit court of Anne Arundel county, or to the circuit court of Baltimore county, as the case may be, or Baltimore city court, if the condemnation is in Baltimore city, and unless good cause be shown against said inquisition of the jury it shall be confirmed by the said court at the term next after the return of said inquisition and be recorded; and upon payment or tender of payment of the damages assessed by said inquisition, said company shall proceed to occupy and possess the land or materials so condemned for the purpose aforesaid; but if said inquisition shall be set aside, the said court may, in its discretion, as often as may be necessary, direct another or other inquisitions in the manner above described.

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Fare.

SEC. 8. *And be it enacted*, That the rate of fare to be charged by said railroad company, shall not exceed the sum of five cents per passenger for the first mile, (or fraction of a mile,) between the city of Baltimore and the southern terminus of the road, for each additional mile or fraction of a mile, the sum of three cents per mile.

Indict-  
ment.

SEC. 9. *And be it enacted*, That if any person or persons shall wilfully, by any means whatsoever, injure, impair or destroy any part of said road or railroad, or any of its necessary works and buildings, or place any obstruction on said road or railroad, such person or persons so offending shall be subject to indictment in the circuit court for Anne Arundel county, or in the circuit court for Baltimore county, or in the criminal court of Baltimore city, as the case may be, where the offense or offenses are committed respectively, and upon conviction of such offense or offenses, shall be punished by a fine of not less than one nor more than five hundred dollars, or by confinement in the jail or in the house of correction for a period not exceeding two years, or by both fine and imprisonment in the discretion of the court.