

filed in his office, which inquisition shall be confirmed by said Court at its next session, if no sufficient cause to the contrary be shown, and when confirmed shall be recorded by said Clerk, but if set aside the same Court shall direct another inquisition to take place in the manner before described, whose decision shall be returned as before directed, and such valuation when paid or tendered to the owner or owners of said property, or his, her, their legal representatives, shall entitle the said Company to the estate and interest in the same, thus valued as fully as if it had been conveyed by the owner or owners of the same, and the said valuation, if not received when tendered, may at any time thereafter be received from the said Company by the said owner or owners, his, her or their legal representatives; *provided*, that no private property shall be taken by said Company for the use of the said Railroad, without just compensation as agreed upon by the parties or awarded by the jurors, being first paid or tendered to the party entitled to such compensation.

Proviso.

Sec. 14. *And be it enacted*, That on the completion of the said Railroad, or any section thereof, it shall and may be lawful for the said Company to demand and receive for tolls and transportation of all goods, produce, merchandise or property of any kind whatsoever, at the rate of not exceeding ten cents per ton per mile, and for the transportation of passengers not exceeding five cents per mile for each passenger.

Rate of tolls.

Sec. 15. *And be it enacted*, That if any person or persons shall wilfully break, injure, or destroy the Railroad, or any part thereof, to be erected by the said Company in pursuance of this Act, or shall in any manner obstruct the free passage along the said Railroad, he, she, or they shall forfeit and pay to the said Company, three times the actual damages so sustained, to be sued for, and recovered with cost of suit before any Justice of the Peace, or in any court having cognizance thereof by action of debt, or in the case, in the name and for the use of the said Company.

Forfeiture.

Sec. 16. *And be it enacted*, That this Company shall have power to borrow one hundred thousand dollars and mortgage the property of the said Company for that purpose.

Power to borrow money.