

CHAP. 170

Limitation.

will raise the dividends to six per centum per annum: *Provided, however,* That said tolls shall in no event be increased more than fifty per centum on their amount as fixed by this act: *And provided, nevertheless,* That it shall be the duty of said president and managers, whenever the dividends arising from the stock at the rates herein before prescribed equal six per centum per annum, to reduce the said rates to the original rates herein before prescribed:

To return annual accounts to the legislature

Sec. 9. *And be it enacted,* That the president and managers of the said company, shall at the end of two years next after the said rail road shall have been completed and in operation, and at the end of every second year thereafter, lay before the General Assembly of this state, an abstract of their accounts, shewing the whole amount of their capital, and of the profits and income arising from said road, to the said company, for and during the said respective periods, together with an exact account of the costs and charges, to the end that the clear annual income and profits thereof, may be ascertained and known.

Time limited for commencing and completing

Sec. 10. *And be it enacted,* That if the said rail road shall not be commenced within two years from the passage of this act, and finished within this state in five years thereafter, then this act shall be null and void.

Penalty for injuring,

SEC. 11 *And be it enacted,* That if any person or persons shall wilfully, by any means whatsoever, injure, impair or destroy, any part of any rail road constructed by said company under this act, or any of their necessary works, buildings, carriages, machines or vehicles, such person or persons so offending, shall, each of them, for every such offence, forfeit and pay to the said company, the sum of five hundred dollars, which may be recovered in the name of said company, by an action of debt in the county court of the county wherein the offence shall be committed, and shall also be subject to indictment in said court, and upon conviction of such offence, shall be punished by fine and imprisonment in the discretion of the court.

Appointment of agents, officers &c by laws and regulations.

SEC. 12. *And be it enacted,* That the said president and managers, or a majority of them, may appoint all such officers, engineers, agents or servants whatsoever, as they may deem necessary for the transacting of the business of the company in the completion of said road, and may remove any of them at their pleasure; they, or a majority of them, shall have power to determine by contract, the compensation of all the engineers, officers, agents or servants, in the employ of said company, and to determine by their by-laws the manner of adjusting and settling all accounts against the company, and also the manner and evidence of transfers of stock in said company, and they or a majority of them, shall have power to pass all by-laws which they may deem necessary or proper for exercising the powers granted by the act incorporating the said company, and also all the powers herein granted: *Provided,* That such by-laws shall not be contrary to the laws of the United States, or of this state.

Provide.