

CHAP. 139. substances, before such alteration is made; and that it shall not be necessary, after such view, in order to the use or occupation of the same to wait the issue of the proceedings upon such view; and the inquest of the jury, after confirmation, and after payment or tender of the valuation, shall be a bar to all actions for using or taking such property, whether before or after such confirmation, or the payment of such valuation.

Machines wagons
&c to be purchas-
ed. Tolls

Sec. 14. *And be it enacted*, That the said president and directors, or a majority of them, shall have power to purchase, with the funds of said company, and place on any rail road constructed by them under this act, all machines, wagons, vehicles, or carriages of any description whatsoever, which they may deem necessary or proper for the purposes of transportation on said road; and they shall have power to charge for the tolls upon (and the transportation of,) persons, goods, produce, merchandise, or property of any kind whatsoever, transported by them along said rail road, any sum not exceeding the following rates: For the transportation of passengers five cents per mile for each passenger, including the customary baggage; provided the charge for a passenger shall in no case exceed the sum of two dollars on the whole route; on all coal, plaister of paris, lime and ore, one cent a ton per mile for toll, and one cent and one half cent per mile for transportation; and on all other goods, produce, merchandise, or property of any description whatsoever, transported by them, not exceeding one cent a ton per mile for toll, and three cents a ton per mile for transportation; and it shall not be lawful for any other company, or any other person or persons whatsoever, to travel upon, or use any of the roads of said company, or to transport persons, merchandise, produce, or property of any description whatsoever, along said road, or any of them, without the license or permission of the president and directors of said company; and the said road, with all their works, improvements and profits, and all the machinery of transportation used on said road, are hereby vested in said company and their successors, forever; and the shares of the capital stock of said company shall be deemed and considered personal estate; but all property, except the road and the carriages used thereon, which may be held by said company, shall be subject to taxation as the property of a like kind held by citizens of this state.

Profits

Annual profits not
to exceed ten per
cent. Excess

Sec. 15. *And be it enacted*, That the clear annual profits of the company hereby incorporated, shall in no one year exceed ten *per centum* upon the amount of the costs of the construction of said road, and that if at any time there shall be an excess over that rate, such excess be forthwith paid into the state treasury for the use of the state, and the receipt of the treasurer of the western shore taken