

CHAP. 96. except in cities, and be sounded at intervals until it shall have crossed such road or street, under the penalty of thirty dollars for the neglect of the provisions of this section, to be sued for before any justice of the peace of the election district in which such neglect may happen in ten days after such penalty was incurred, one-half thereof to go to the informer, and the other half to the county in which such neglect may happen, and said company shall also be liable for all damages which may be sustained by any person by reason of such neglect, and all penalties imposed by this act may be sued for in the name of the State, and if such penalty shall be for a sum not exceeding one hundred dollars, then such suit may be brought before a justice of the peace, and may be commenced by serving a summons on any director or engineer of said company.

Penalty.

Rates. SEC. 15. *And be it enacted,* That the company shall be entitled to exact or receive not more than four cents a ton per mile on all goods, merchandise or property of any description whatsoever transported on said railroad, and also, not exceeding four cents per mile for each passenger whom they may transport.

Dividends. SEC. 16. *And be it enacted,* That the said president and directors shall annually or semi-annually declare and make such dividends as they may deem proper of the net profits arising from the resources of the company, after deducting the necessary current and probable contingent expenses, and that they shall divide the same among the stockholders of said company in proportion to their respective shares.

Road protect-
ed against in-
jury. SEC. 17. *And be it enacted,* That if any person or persons shall wilfully by any means whatsoever injure, impair or destroy any part of any railroad constructed by said company under this act, or any of the necessary works, buildings, carriages, vehicles or machinery of said company, such person or persons so offending, shall each of them for every such offence forfeit and pay to said company the actual damages sustained, which may be recovered in the name of said company by an action of debt before any justice of the peace or in the Circuit court of the county in which such damages shall be sustained, and also be subject to an indict-