

CHAP. 126. enjoy the said land and premises required for the purposes of said company, for or on account of which damages shall have been so assessed, and in case of the death of any such commissioner, the others shall act; the expenses of the assessment by the said commissioners of the damages aforesaid, shall always be paid by the said company.

Crossings.

SEC. 4. *And be it enacted,* That it shall be the duty of said company to construct and keep in repair good and sufficient passages across said railroad, where any public road shall intersect and cross the same, so that the passage of any carriages, horses, persons and cattle along said roads shall not be obstructed, and likewise, when said railroad shall intersect any farm, to provide and keep in repair a suitable passage across the said railroad for the use of said farm.

Tolls.

SEC. 5. *And be it enacted,* That on the completion of said railroad, or any section thereof, it shall and may be lawful for the said company to demand and receive such sum or sums of money for tolls of person or property as they shall from time to time think reasonable and proper; *Provided,* that the same shall not exceed six cents a mile per ton on all goods, merchandise or property of any description whatsoever, transported on said railroad, and also not exceeding six cents a mile for each passenger whom they may transport.

Railroad protected from injury.

SEC. 6. *And be it enacted,* That if any person or persons shall wilfully and knowingly break, injure or destroy the said railroad, or any part thereof, to be erected by 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 the costs of suit, before any justice of the peace, or in any court having cognizance thereof, by action of debt, or on the case, in the name and for the use of the said company.

Power to hold houses, evidence of route, &c.

SEC. 7. *And be it enacted,* That the said company shall have full power and authority to buy, lease, build and hold houses, shops and real estate necessary for their corporate purposes and when the final survey of any part or parts of said road shall be made by the company's engineer, such survey shall be recorded in the recorder's office of the