

**CHAP. 498.** menced, before or after such confirmation, or the payment of said valuation.

**To provide wagon ways** **SEC. 15.** *And be it enacted,* That if the said company should neglect to provide wagon ways across said road, as required by the thirteenth section of this act, it shall be lawful for any individual to sue said company, and be entitled to such damages as a jury may think him or her entitled to, for such neglect or refusal on the part of the said company.

**Declared a public highway** **SEC. 16.** *And be it enacted,* That the Cecil county rail road, with the lateral ways, shall be deemed, and is hereby declared a public highway, subject to the imposition of tolls, to be hereinafter regulated by this act.

**Rates of toll prescribed** **SEC. 17.** *And be it enacted,* That the company shall not be entitled to exact or receive any toll, exceeding the rate of three cents a ton per mile, on all goods, merchandise, or property of any description whatsoever, transported on said rail road, or any lateral ways which they may construct, and four cents per ton per mile, for transportation, and also not exceeding four cents per mile, for each passenger whom they may transport.

**Dividends.** **SEC. 18.** *And be it enacted,* That the said president and directors shall, annually or semi-annually, declare and make such dividend as they may deem proper, of the net profits arising from the resources of the said company, after deducting the necessary current and probable contingent expenses, and that they shall divide the same amongst the stockholders of the said company, in proper proportions to their respective shares; *provided,* that the net profits shall not exceed fifteen per centum on the amount of the cost of construction of said rail road, and that if, at any time, there shall be an excess over that rate, such excess shall be forthwith paid into the State treasury, for the use of the State.

**Proviso**  
**Penalty for injuring, etc.** **SEC. 19.** *And be it enacted,* That if any person or persons shall wilfully, by any means whatsoever, injure, impair or destroy any or any part of any rail road 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 the said company a sum not exceeding one hundred dollars, which may be recovered in the name of the said company, by an action of debt, before any justice of the peace of Cecil county, and also shall be subject to an indictment in Cecil county court, and upon conviction of such offence shall be punished by fine or imprisonment, in the discretion of the court.