

and directors of said company; and that the said road or roads, with all their works, improvements and profits, and all their machinery of transportation used on said road, are hereby vested in the said company incorporated by this act, and their successors forever, and the shares of the capital stock of the said company shall be deemed and considered personal estate.

SEC. 10. *And be it enacted*, That the said president and directors shall declare and make such dividends as they may deem proper, of the nett 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 proprietors of the stock of said company, in proper proportions to their respective shares.

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, vehicles or machines of said company, or place any obstruction on said road, so as to endanger the lives of passengers or property of said company, such person or persons so offending, shall be subject to indictment in the circuit court of the county wherein the offence shall be committed, and upon conviction of such offence, shall be punished by fine and imprisonment, in the discretion of the court.

SEC. 12. *And be it enacted*, That it shall be lawful for the president and directors of the Baltimore and Elysville Rail Road Company aforesaid, or a majority of them, to regulate, ascertain and fix from time to time, the price or sum to be charged and taken by the said company, for receiving, weighing, delivering and storage of merchandise, produce and other articles, and for the transportation of any single bale, box or parcel of merchandise, or other articles not exceeding two hundred and fifty pounds weight; *Provided*, that nothing herein contained, shall be construed to prevent the General Assembly of Maryland from altering, fixing and controlling said price or prices so charged, whenever in its discretion it may think fit or necessary.

SEC. 13. *And be it enacted*, That nothing contained in this act shall authorise the said company to use or occupy any land or other property, for the purpose of said company, without just compensation, as agreed upon between the said company and the owner or owners of such land or property, or awarded by a jury, being first paid or tendered to the party or parties entitled to such compensation.