

Sec. 19. *And be it enacted*, That if the said company, should neglect to provide proper wagon ways across said road, as required by the seventeenth 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 said company.

CHAP. 168

Redress for neglect of cross roads, &c.

Sec. 20. *And be it enacted*, That the said Allegany Coal Mine Rail Road [Company,] with the lateral ways, shall be deemed, and is hereby declared a public highway, subject to the imposition of tolls, to be hereafter regulated by this act.

Declared a highway.

Tolls.

Sec. 21. *And be it enacted*, That the company shall not be entitled to exact or receive any toll or duty, exceeding the rate of two cents a ton per mile, on all goods, merchandise or property of any description whatsoever, transported by them on said Rail-road, or any lateral ways which they may construct; and, also not exceeding four cents per mile, for each passenger whom they may transport.

Rate of tolls.

Sec. 22. *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 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 said net profits shall not exceed fifteen per centum, on the amount of the cost of the construction of said Rail-road; and, that if at any time there shall be an excess over that rate, such excess shall be divided among the stockholders, and forthwith paid to them or their legal representatives.

Dividends.

Limit.

Case of excess.

Sec. 23. *And be it enacted*, That the president and directors of the said company be, and they are hereby authorized, if they shall deem it expedient, to cause subscription books to be opened in Hagerstown and Williamsport, in Washington county, in Harpers' Ferry, and in Shepherd's Town, in Virginia, and in the District of Columbia, under the directions of such commissioners as they may select, for the purpose of receiving subscriptions to the above company.

Authority to open books elsewhere.

Sec. 24. *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 machinery of said company, such person or persons so offending, shall each of them, for

Penalty for damaging road, &c.