

CHAP. 304.

Neglect to provide proper wagon ways.

SEC. 17. *And be it enacted,* That if the said company should neglect to provide proper wagon-ways across said road, as required by the fourteenth section of this act, it shall be lawful for any individual to sue said company, and be entitled to such damage as a jury may think him or her entitled to, for such neglect or refusal on the part of the said company.

Power of president and directors to purchase locomotives, and to fix the rates of charge for passengers, &c.

SEC. 18. *And be it enacted,* That the said president and directors shall have power to purchase with the funds of said company, and place on the rail road constructed by them under this act, all locomotives, passengers, baggage, burden cars, or carriages of any description whatsoever, which they may deem necessary or proper for the purposes of transportation on said road, and that they shall have power to charge for the transportation of passengers on their road, any sum of money not exceeding six cents per mile; and for the transportation of produce and merchandise, and property of every description, not exceeding eight cents per ton of two thousand pounds per mile, except the following articles, to wit: Wood, coal, lime and limestone, upon each of which they shall charge at the rate of four cents per mile per ton of two thousand pounds, which rates respectively shall be considered as including all charges for toll as well as for transportation, and it shall and may be lawful for the said president and directors to charge for tolls and motive power to any person or persons, or company, who may be, by them, authorised to place his or their own cars on the rail road, not exceeding four cents per mile for each passenger, or six cents per ton aforesaid per mile for produce, merchandise or other property, except those which are hereinbefore excepted, and it shall not be lawful for any other company, or any person or persons whatsoever, to travel upon or use any of the roads of said company, or to transport persons, merchandise, produce or property, of any description whatsoever, along said road, or any of them, without the license or permission of the president and directors of said company, and that the said company may refuse to transport the cars, goods and merchandise of any individuals or company, after he, they, or it shall have violated the published rules and regulations of said company, until full satisfaction shall be made for such violation, and should any individuals or company transport, without the consent of said company, gun powder or friction matches, he, it or they shall be subject to a fine of one hundred dollars for each offence, to be recovered in the name of the State, before any justice of the peace, as other fines, one-half for the use of the informer and one-half for the use of the State; *Pro-*

Proviso.