

or collegiate, or communities and all persons whatsoever, so conveying as aforesaid, are hereby indemnified for what he, she, or they, or any of them, shall respectively do by virtue of or in pursuance of this Act.

Compensation  
to be an annual  
rent in certain  
cases.

VIII. Provided always, and be it enacted, That any 5  
body politic, community, corporation, or other person or  
persons whomsoever, who cannot in common course of  
law sell or alienate any lands or grounds so required by  
the said Company for the purposes of this Act, shall agree  
upon a fixed annual rent as an equivalent, and not upon a 10  
principal sum, to be paid for the lands or grounds so re-  
quired by the said Company for the purposes of this Act;  
and in case the amount of such rent shall not be fixed by  
voluntary agreement or compromise, it shall be fixed in  
the manner hereinafter prescribed, and all proceedings 15  
shall in that case be regulated as hereinafter prescribed;  
and for the payment of the said annual rent, and every  
other annual rent agreed upon or ascertained and to be  
paid by the said Company for the purchase of any lands,  
or for any part of the purchase money of any land which 20  
the vendor shall agree to leave in the hands of the said  
Company, the said Railroad and the tolls to be levied  
and collected thereon shall be, and are hereby made  
liable and chargeable, in preference to all other claims or  
demands thereon whatsoever, the deed creating such 25  
charge and liability being duly registered.

Certain agree-  
ments made  
binding.

IX. Provided always, and be it enacted, That when-  
ever there shall be more than one party proprietor of any  
land or property *par indivis*, any agreement made in faith  
between the said Company and any party or parties pro- 30  
prietor, or being together proprietors of one-third or more  
of such land or property, as to the amount of compensa-  
tion for the same or for any damages thereto, shall be  
binding as between the remaining proprietor or proprie-  
tors *par indivis* and the Company, and the proprietor or 35  
proprietors who have so agreed may deliver possession  
of such land or property to the Company, or empower  
them to enter upon the same, as the case may be.

Company to  
settle with the  
owners of pro-  
perty.

X. And be it enacted, That it shall be lawful for the  
said Company to apply to the several owners of, or parties 40  
hereby empowered to convey the lands through which  
such Railroad is intended to be carried, or which may  
suffer damage from the making of the said Railroad; or  
the exercise of any of the powers granted to the said  
Company by this Act; and to agree with such owners or 45  
parties respectively, touching the compensation to be paid  
to them by the said Company for the purchase thereof;  
and for the respective damages, and to make such agree-  
ments and contracts with the said parties touching the  
said lands or the compensation to be paid for the same, 50  
or for the damages, or as to the mode in which the said