

ner prescribed by them, or may sell the same for the benefit of the Company for any sum not under their par value, and that they, or a majority of them, shall have power to borrow money for the objects of this act, to issue certificates, or other evidence of such loans, and to pledge the property of the Company for the payment of the same and its interest.

Sec. 12. *And be it enacted*, That the President and Directors of said Company shall be, and they are hereby invested with all the rights and powers necessary to the construction and repair of a Railroad from the town of Cumberland, to some suitable point on the dividing line between the States of Maryland and Pennsylvania, to be by them determined, not exceeding sixty feet wide, with as many sets of tracks as the said President and Directors, or a majority of them, may necessary, and they, or a majority of them may cause to be made, or contract with others for making said Railroad, or any part of it, and they, their agents, or those with whom they may contract for making any part of the same, or their agents, may enter upon, and use and excavate, all lands which may be wanted for the site of said road, or the erection of warehouses or other works necessary to said road, or for any other purpose necessary or useful in the construction or repair of said road or its works, and that they may build bridges, may fix scales and weights, may lay rails, may take and use any earth, timber, gravel, stone or other materials which may be wanted for the construction or repair of any part of said road, or any of its works, and may make and construct all works whatsoever which may be necessary and expedient, in order to the proper completion of said road, and that they, or a majority of them, may make or cause to be made, lateral Railroads in any direction whatsoever, in connecting said Railroad from the town of Cumberland to the dividing line between the States of Maryland and Pennsylvania, and in the construction of the same or their works, shall have, possess, and may exercise all the rights and powers hereby given to them, in order to the construction or repair of the said Railroad, from the town of Cumberland to the dividing line between the States of Maryland and Pennsylvania.

Sec. 13. *And be it enacted*, That the President and directors of said company, or a majority of them, or any person or persons authorized by a majority of them, may agree with the owner or owners of any land, earth, timber, gravel stone or other materials, or any improvements which may be wanted for the construction or repair of any of said roads, or of any of their works, for the purchase or use and occupation of the same, and if they cannot agree, or if the owner or owners, or any of them, be a feme covert, under age, non compos mentis, or out of the county in which the property wanted may lie, when such land or materials shall be wanted, application may be made to any justice of the peace of such county, who shall