

to determine by contract the compensation of all engineers, officers, agents or servants in the employ of said company, and to determine by their by-laws the manner of adjusting and settling all accounts against the company, and also the manner and evidence of transfer of stock in said company, and that they, or a majority of them shall have power to pass all by-laws which they may deem necessary or proper for exercising all the powers vested in the company hereby incorporated, and for carrying the object of this Act into effect; *provided only*, that such by-laws shall not be contrary to the laws of this State, or to any of the provisions of this Act.

Proviso.

Sec. 10. *And be it enacted*, That whenever it shall be necessary for said company to have, use or occupy any lands, materials or other property, in order to the construction or repair of any part of said road, or the works or necessary buildings, the President and Directors of said company, or their agents, or those contracting with them for making or repairing the same, may immediately take and use the same, they having first caused the property wanted to be viewed by a jury formed in the manner hereinafter prescribed, and that it shall not be necessary after such view in order to the use or occupation of the same, to wait the issue of the proceedings upon such view, and the inquest of the jury after confirmation, and after payment or tender of the valuation shall be a bar to all actions for taking or using such property, whether commenced before or after such confirmation or the payments of such valuation.

Inquisition.

Sec. 11. *And be it enacted*, That the said President and Directors of said company, or a majority of them, may construct and repair a railroad from some suitable point near Back Creek in Somerset county, by the way of Newtown, to the line of Virginia, and said President and Directors, or a majority of them, may contract for the making of said railroad, and may, with their agents, enter upon, use and appropriate any land they may need for the site of the said road, or the erection of warehouses or other works necessary to said road, and may build bridges and fix scales and weights, lay rails, take and use any earth, timber, gravel

Power to construct and repair.