

**CHAP. 126.** stalment of the said capital stock, in order to carry on the work, shall neglect to pay such proportion for the space of thirty days after the time appointed for the payment thereof, every such stockholder shall, in addition to the instalment so called for, pay at the rate of five *per centum* per month for every delay of such payment; and if the same, and the additional penalty, shall remain unpaid for such space of time as that the accumulated penalty shall become equal to the sums before paid in part and on account of such share, the same shall be forfeited by and to the said company, at any public meeting of the managers thereof, and may be sold by them to any other person or persons willing to purchase, for such price as can be obtained therefor; or in default of payment by any stockholder of any such instalment as aforesaid, the said president and managers may at their election cause suit to be brought in any court having competent jurisdiction for the recovery of the same, together with the penalty aforesaid; *Provided always*, that no stockholder, whether original subscriber or assignee, shall be entitled to vote at any election, or at any general or special meeting of the said company, unless the whole sum due and payable as aforesaid on the share or shares by him held at the time of such election, or general or special meetings of the said company, shall have been fully paid and discharged as aforesaid.

Proviso

Privileges

“Sec. 8. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful to and for the said president and managers, their superintendants, surveyors, engineers, artists and chain-bearers, to enter into and upon all and every the lands and enclosures, public roads and highways, other than turnpikes, in, through and over which the said intended turnpike road may be thought proper to pass, and to examine the ground most proper for the purpose, and the quarries and beds of stone and gravel, and other materials in the vicinity, that will be necessary in making and constructing the said road, and to survey, lay down, ascertain, mark and fix thereon, such route or track for the same road, as in the best of their judgment and skill will combine shortness of distance, with the most practicable ground, from the Philadelphia and Lancaster turnpike road, through Strasburg, in Lancaster county, to the Susquehanna bridge at M-Call's ferry, and from thence to the city of Baltimore.

Materials for road  
—Damages

“Sec. 9. *And be it further enacted, by the authority aforesaid*, That it shall and may be lawful to and for the said president and managers, by and with their superintendants, engineers, artists, workman and labourers, with their tools and instruments, carts, wagons, wains and other carriages, and beasts of draught and burden, to enter upon the lands in, over, contiguous, and near to which the route and track of the said intended road shall pass, having given notice of their intention to the owners or occupiers thereof, and making amends for any damages that may be done thereon, the amount thereof, if they cannot otherwise agree, to be ascertained by an appraisement made upon oath, or affirmation, of three disinterested freeholders mutually chosen, and any two of them agreeing, or if the owners upon due notice shall neglect or refuse to join in the choice, then the said freeholders shall be appointed by any disinterested justice of the peace; and upon tender of the appraised value it shall be lawful for the said president and managers