

cession, and all the privileges and franchises incident to a corporation, and shall be capable of suing and being sued, answering and being answered. CHAP. 197.

8. AND BE IT ENACTED, That after thirty days public notice of the time and places appointed for the payment of any proportion of the said capital stock, if any stockholder shall neglect to pay such proportion at the time and place appointed, for the space of forty days after the time so appointed, every stockholder, his, her, or their assignee or assignees, shall in addition to the payment so called for, pay at the rate of five per cent per month for delay on such payments; and if the same shall remain unpaid until the interest aforesaid shall amount to a sum equal to the payments already made on such shares, in that case the said share or shares be forfeited to the said company, and may and shall be sold for the benefit thereof, and assigned by the president and managers to the purchaser or purchasers aforesaid, which purchaser or purchasers, by virtue of such assignment, shall have all the benefit and advantage of such share or shares, as if he, she or they, had been an original subscriber or subscribers: *Provided*, that no stockholder or stockholders, whether an original subscriber or assignee, shall be entitled to vote at any election of the said company, unless the whole sum due and payable as aforesaid by him, her or them, held at the time of such election, shall have been fully paid and discharged as aforesaid. Penalty on stockholders neglecting to pay.

9. AND BE IT ENACTED, That the president and three managers shall be a board competent to transact the business of the corporation. Board to transact business.

10. AND BE IT ENACTED, That the board shall have power to complete the stock by requisitions not exceeding two dollars on each share, after thirty days notice thereof; to decide upon the rail road to be made, and the operations to be undertaken for effecting the same; to determine upon the manner of conducting the concerns of the company, and the rules and forms to be observed therein; to appoint and pay the various agents, mechanics, clerks, officers and servants, that they may deem necessary, and to dispose of the funds and credits of the said company, and to direct its affairs, in all respects for the benefit of the stockholders. Powers of the board.

11. AND BE IT ENACTED, That it may be lawful for the said president and managers, superintendants, surveyors, engineers, artists or chain-bearers, to enter into and upon all and every the lands and enclosures in and through and over which a rail road may be thought proper to pass, and also to survey, lay down, ascertain, mark and fix, such routs or tracks for the same, as in the best of their skill and judgment will combine shortness of distance with the most practicable ground whereon the said road shall pass. President, &c. to enter upon all lands they may deem proper for a rail-way.

12. AND BE IT ENACTED, That the said company shall have power to erect bridges over all sinks, gullies and water courses, whereon the same shall be found necessary, and cause a road to be laid out not exceeding sixty feet in width. To erect bridges.

13. AND BE IT ENACTED, That if any rail road shall be founded and laid out over and upon any land, whereby the owner or owners thereof may suffer damages, the person or persons sustaining such damages may make application to the judges of the county court, or in the recess thereof to any judge thereof, where such Damages to be assessed.