

shall keep minutes of all their transactions, fairly entered in a book, and a quorum being formed, they shall have full power and authority to appoint all such surveyors, engineers, superintendents, and other officers, as they shall deem necessary to carry on their intended works, and to fix their salaries and wages, and to draw on the bank for all monies as shall have been so as aforesaid deposited by the commissioners aforesaid, which draughts shall be signed by the said president, or in his absence, by a majority of a quorum, and countersigned by the treasurer, and generally to do all such other acts, matters and things, as by this act and the respective by-laws, rules, orders and regulations, of the company, they shall be authorised to do.

9. AND BE IT ENACTED, That after thirty days public notice in all the public papers aforesaid, of the time and place appointed for the payment of any proportion of the said capital stock of the said company, if any stockholder shall neglect to pay such proportion at the time and place appointed, for the space of thirty days after the time so appointed, every such stockholder, his, her or their assignee, shall, in addition to the payment so called for, pay at the rate of five per cent. per month for delay of such payment, and if the same, and the said additional penalty, shall remain unpaid for such space of time as that the accumulated penalties shall become equal to the sums before paid in part on account of such share or shares, the same shall be forfeited to the said company, and may and shall be sold and assigned by the president and managers of said company to any person willing to purchase the same, for such price as can be obtained for the same, and the purchaser or purchasers aforesaid shall have all the benefit and advantage of such assignment and purchase, as if he, she or they, had been an original stockholder.

See December 1813, ch. 133.

10. AND BE IT ENACTED, That the said road be made in, over and upon, the bed of the present road, as laid out and used; *Provided always*, that should it appear on a resurvey of any part of the said road, by sworn surveyors, that a considerable saving in distance or in expense, would arise to the company, that in all such cases it shall be lawful to depart from the tract of the road so originally laid down, and improve the shorter or less expensive route; *Provided also*, that in all such deviations the road shall not be diverted or taken from any town or village through which it now passes, nor shall it pass through the meadows, gardens, orchards or grain fields, whilst the grain or crop is growing therein, without the consent of the proprietor or proprietors thereof; *And provided also*, that where the track of the original road shall be departed from, the president, managers and company, shall agree with the owner or owners of the land through which the same may pass, for the purchase of the same, (if the owner shall require any compensation therefor,) and in case of disagreement, or in case the owner should be a *feme covert*, or *non compos*, or under age, or out of the state, in such case the compensation to the owner or owners aforesaid, for the land aforesaid, shall be ascertained and paid in the manner herein after provided for ascertaining and paying the value of materials for making said road, before the direction of the said road shall be altered or changed.

CHAP. 96.

Stockholders delaying payment after time appointed 30 days, to pay five per cent. per month, &c.

Course of the road. *Proviso.*