

ized, and if the whole of said railway and works shall not be constructed the charter of said company hereby incorporated shall not be forfeited, but shall remain in full force and validity and operation as to the part of said railway constructed and operated by it.

SEC. 10. *And be it further enacted*, That the directors of the said company may cause to be made, constructed and equipped and may contract with others to make, construct and equip the said railway, works, appurtenances and things hereby authorized, and all work which may be necessary for the proper completion and operation of the said railway, and may acquire land, earth, stone, gravel, timber and other material required for any of the purposes aforesaid by agreement with the owner or owners of any land, earth, stone, gravel or other materials or water rights, or any improvements wanted for the construction or repair of said railway or its works, for the purchase, or use, or occupation of the same, and in case it does not agree with said owner or owners, or if the owner or owners, or any of them, be a feme covert, or under age, or non compos mentis, or out of the county in which the property required may be or lie when such land or materials shall be needed, the said company may proceed to condemn and acquire the use of the same for the purposes of said railway, or for the purposes of the motive power thereof, in the manner provided by the Code of Public General Laws, Article 23, as far as the same may be applicable, and may condemn lands, easements, rights of way, materials and privileges for the purposes of the company in the manner aforesaid.

SEC. 11. *And be it further enacted*, That the said company shall enjoy and have all the general powers, provisions and privileges and be subject to the general regulations contained in Article 23 of the Code of Public General Laws of this State, so far as the same may be necessary and proper to enable it to exercise the powers hereinbefore granted.

SEC. 12. Provided that nothing in this act is to be construed as permitting the company herein incorporated to construct or build any railway or railroad tracks within the corporate limits of any incorporated town or towns herein mentioned, without the consent and approval of the municipal authorities; and provided further that said corporation before commencing work or construction upon any portion of any state road or roads included in the State Road System, constructed or adopted as a part of the State Roads System, shall apply to the State Roads Commission for a permit to construct its lines and