

the board of public works, said court or judge shall, upon good cause shown, appoint a competent, disinterested engineer, not a resident of any county through which said road passes, to examine such crossing and to prescribe the plan and condition thereof, so as not to impede navigation; and such engineer shall, within twenty days from his appointment, make his return to the circuit court of the county where such crossing is to be made, subject to exception by either party; and thereupon the court shall, at the next term after the filing of said return, proceed to examine the same, and unless good cause is shown, shall approve and confirm the same, and such order of confirmation shall be sufficient authority for the erection, use and occupancy of such bridge, in accordance with such plan; *provided*, that no railroad company shall be authorized to construct any permanent bridge over any canal of this state which shall be less than twelve feet in the clear above the top water line of said canal; and the piers and abutments of such bridge shall be placed so as not in any manner to contract the width of the canal or interfere with free passage on the towing path.

Court may appoint engineer to report

Proviso.

Height of bridges.

242. Whenever the lines of railroad of any railroad companies in this state, or any portions of such lines, have been or may be constructed, so as to admit the passage of burden or passenger cars over any two or more of such roads continuously, without break or interruption, such companies are hereby authorized to consolidate themselves into a single corporation, in the manner following:

Ibid. s. 21.

Connecting companies may consolidate.

The directors of said two or more corporations may enter into an agreement, under the corporate seal of each, for the consolidation of the said two or more corporations, prescribing the terms and conditions thereof, the mode of carrying the same into effect, the name of the new corporation, the number of the directors thereof, which shall not exceed thirteen, the time and place of holding the first election of directors, the number of shares of capital stock in the new

Mode of consolidation.