

Trust for the use and benefit or in the name of another, where- by the said president and directors, or the stockholders of the said company, or any of them, shall or may be challenged or made to answer concerning any such trust, but that every person appearing as aforesaid to be a stockholder, shall as to the others of the said company, be to every intent taken absolutely as such; but as between any trustee, and the person for whose benefit any trust shall be created; the common remedy may be pursued.

Increase of capital authorised—regulations.

16. *And be it enacted*, That if the capital aforesaid shall prove insufficient, it shall and may be lawful for the said company from time to time to increase the said capital, by the addition of so many whole shares as shall be judged necessary by the said stockholders, or a majority of them present at any general meeting of the said company; and the said president and directors, or a majority of them, are hereby empowered and required, after giving at least two months previous notice thereof, in such newspapers printed in this state, as they shall think proper, to open books at such cities, towns and other places, as they shall think proper, for receiving such additional subscriptions, in which the stockholders of the said company for the time being, shall, and are hereby declared to have the preference of all others, for the first thirty days after the said books shall be opened as aforesaid, of taking and subscribing for so many whole shares as any of them shall choose; and the said president and directors are hereby required to observe in all other respects the same rules therein as are by this act prescribed for receiving and adjusting the first subscriptions, and in like manner to return under the hands of any three or more of them, an exact list of such additional subscriptions, with the same subscribed, to the governor and council and to the board of public works, to be by them preserved as aforesaid, and all stockholders of such additional shares, shall, and are hereby declared to be, from thenceforward incorporated into the said company.

May proceed without waiting for consent of owners.

17. *And be it enacted*, That whenever it shall become necessary to subject the lands of any individuals to the purposes provided for in this act, and their consent cannot be obtained, it shall and may be lawful for the company to enter upon such lands, and proceed to the execution of such works as may be requisite; and that the pendency of any proceedings in any suit in the nature of a writ of ad quod damnum, or any other proceedings, shall not hinder or delay the progress of the work, and it shall be the duty of every court to give precedence to controversies which may arise between the company created by this act, and the proprietors of land sought to be condemned for public uses, and to determine them in preference to all other causes.

Precedence in trial of controversies.

18. *And be it enacted*, That the right to take a canal or canals from any part of the above named canal, in any direction, is hereby reserved to the state of Maryland, and to any compa-

Right reserved.