

pany hereby incorporated, and for carrying the objects of this act into effect; *Provided, only*, that such by-laws shall not be contrary to the laws of the United States, or the laws of this State, or any of the provisions of this act.

May increase capital stock. SEC. 9. *And be it enacted*, That if the capital stock of said company shall be deemed insufficient for the purposes of this act, then and in that case, it shall and may be lawful for the president and directors of said company or a majority of them, from time to time, to increase the said capital stock by the addition of as many shares as they may deem necessary, for which they may, at their option, cause subscriptions to be received in the manner prescribed by them, or may sell the same for the benefit of the company, for any sum not under their par value; and that they or a majority of them, shall have power to borrow money for the objects of this act, to issue certificates or other evidence of such loans, and to pledge the property of the company for the payment of the same and its interest.

President and directors vested with power to construct road, &c. SEC. 10. *And be it enacted*, That the president and directors of said company shall be, and they are hereby invested with all the rights and powers necessary to the construct a road or roads from Hagerstown, to any point on the Baltimore and Ohio rail road, within the limits of Frederick or Washington counties as prescribed in the first section of this act, not exceeding sixty-six feet wide, with as many sets of tracks as the said president and directors may deem necessary; and they may cause to be made, or contract with others for making said rail roads, and they, their agents, or those with whom they may contract for making any part of the same, or their agents, after the purchase and condemnation thereof in the manner hereinafter prescribed, may enter upon, and use and excavate any land which may be wanted for the site of the said rail road, or the erection of the warehouses or other works necessary for said rail road, or for any other purposes necessary for the construction or repair of said road or its works, and that they may build bridges, fix scales and weights, lay rails, and may take and use any earth, timber, gravel, stone or other materials, which may be wanted for the construction or repair of any part of said road or any of its works, and may make and construct all works whatsoever, necessary or expedient in order to the proper completion of said road.

May agree with owners of land, &c. SEC. 11. *And be it enacted*, That the president and directors of said company or a majority of them, or their agents, may agree with the owner or owners of any land,