

CHAP 186.

the travelling on, or using any part of any such turnpike or county or rail road, or any private road which any person or persons is or may be entitled to travel on or use:

To secure payment of instalments.

SEC. 9. *And be it enacted*, That after thirty days public notice in the public papers aforesaid, of the time and place appointed for the payment of any instalment of the said capital stock of the said company, if any stockholder shall neglect to pay such instalment at the place appointed, for the space of thirty days after the time so appointed, every such stockholder, his, her or their assigner, may be required, in addition to the payment so called for, to pay at the rate of one 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 such account of such share or shares, the same shall be forfeited to the said company, and may 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; or the managers may, at their option, enforce payment of any instalment, by warrant or action, as the case may require.

Use of and payments for land for roads, &c.

SEC. 10. *And be it enacted*, That the president, managers and company may agree with the owner or owners of the land through which the said road 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 shall be a *feme covert* or *non compos*, or under age, or out of the state, the compensation to the owner or owners aforesaid, for the land aforesaid, shall be ascertained and paid in the manner hereinafter provided for ascertaining and paying the value of materials for making said road; and the trustees for the poor of Baltimore city and county, are hereby authorised and empowered in their discretion, and on such terms and conditions as they shall think reasonable, to assent that the said turnpike road may pass over or through any part of the lands vested in them, for the use of the alms house and poor in said county.

For materials.

SEC. 11. *And be it enacted*, That in all cases where stone, gravel, earth or sand, not already quarried or dry for the use of the owner, or for sale, shall be necessary for making or repairing of the said turnpike road, the president and managers of the said company, or a majority of them, or any person authorised by them, may agree with the owner or owners of said materials, for the purchase of the same, or with the said owner or owners of the land on which the same may be for the purchase of said land; 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 or country, the president of the company or any person authorised by him for that purpose, shall apply to a justice of the peace for the county wherein the said