

Sec. 14. *And be it enacted*, That it shall be the duty of the company hereby incorporated, to cut, make and construct the said canal, with good and sufficient locks, on the most approved plans for expedition in the use thereof, and with the width of not less than forty feet at the surface of the water therein, or of twenty-eight feet at the bottom thereof, unless the quantity of the soil shall require a narrower base, of sufficient slope to preserve the banks from sliding down, and sufficient to admit, at all seasons, the navigation of boats and rafts, with a depth of four feet water at least; and whenever wasters shall be essential to the security of the said canal, and in no other situation along the same, the waste water of the said canal may be from time to time, sold or disposed of by the said company, for the purpose of supplying such works and machinery as require a water power; and along one side at least of the said canal, and such aqueducts as it may render necessary, there shall be provided throughout its whole extent a towing path of sufficient breadth to apply the power of horses to the navigation thereof.

CHAP. 189

Canal, manner of constructing it

Sec. 15. *And be it enacted*, That it shall and may be lawful for any of the said stockholders to transfer his or her shares, by deed, executed before two witnesses, and registered, after proof of the execution thereof, on the company's books, and not otherwise, except by devise, which devise shall be also exhibited to the president and directors, and registered in the company's books before the devisee or devisees shall be entitled to draw any part of the profits from the said tolls or dividends; *Provided*, that no transfer whatsoever shall be made, except for one or more share or shares and not for part of such share or shares, and that no share or shares shall, at any time, be sold, conveyed, or held in trust, for the use and benefit, or in the name of another, whereby the said president and directors, or stockholders of 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 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.

Transfer, how to be made

Sec. 16. *And be it enacted*, That if the said capital, and the other aids already granted by this act, 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

Capital may be increased