

CHAP. 189. empowered and required, after giving at least two months previous notice thereof, in at least four of the newspapers of the city of Annapolis, Washington and Baltimore, to open books in the beforementioned cities for receiving and entering 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, in like manner to return under the hands of any three or more of them, an exact list of all such additional subscriptions, with the sums subscribed, to the public authorities as aforesaid, to be by them preserved as aforesaid; and all such stockholders of such additional shares shall and are hereby declared to be from thenceforward incorporated into the said company.

Proceedings in case consent of owners of land cannot be obtained

Sec. 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.

Survey of country

Sec. 18. *And be it enacted*, That the governor of this state, immediately after the passage of this act, shall make application to the president of the United States, to cause an examination to be made by engineers to be appointed by him in pursuance of the provisions of the twenty-first section of the act incorporating the Chesapeake and Ohio Canal Company, to ascertain whether the junction of the canal proposed by this act to be joined to the Chesapeake and Ohio Canal, will injure or impede the navigation thereof, and request his early decision thereon, and also that he request the president to have the country between the city of Annapolis and the Chesapeake and Ohio Canal, examined and surveyed by the corps of engineers of the United States, with a view to ascertain the best route for said Annapolis and Potomac Canal.