

president shall preside until the annual election there-
after, or until he shall return, or another president be
chosen by the directors, and in case of the death or re-
signation of the president or vice president, or of any di-
rector, such vacancy or vacancies may be filled by the
board of directors.

SEC. 7. *And be it enacted*, That in case it should at
any time so happen that an election of directors shall
not be made on any day when pursuant to this act it
ought to have been made, the said corporation shall not
for that cause be deemed to be dissolved, but such elec-
tion may be held at any other time directed by the bye-
laws of the said corporation, within sixty days after the
day on which it should have been held.

Failure to
elect directors
not to dissolve
corporation.

SEC. 8. *And be it enacted*, That the said company
shall have the right to purchase such lands as may be ne-
cessary for lateral canals, or locks, or abutments of dams,
or toll-houses and any other buildings of the company,
but if no agreement can be made with the owner, or if
the owner be an infant, feme covert, non compos men-
tis, or out of the State, then the company shall make ap-
plication for a writ of ad quod damnum to the court of the
county wherein the lands are, giving ten days notice to
the proprietor thereof, if to be found in the county, or if
not, then to his or her agent, if he or she hath any,
which court shall thereupon order the clerk to issue said
writ, directed to the sheriff or any other fit officer, com-
manding him to summon and empanel twelve fit persons,
freeholders, to meet upon the lands required to be con-
demned, or which may be probably damaged or affected,
on a certain day to be named by the court and inserted in
said writ, of which notice shall be given by the sheriff or
other officer, to the proprietor or proprietors, or his, her
or their agent or agents, if not present in court when the
said order was made, the said freeholders shall be charg-
ed by the officer impartially, and to the best of their
skill and judgment, to view the lands required to be con-
demned, to locate by metes and bounds what may be
necessary, to appraise the same according to its true
value, to examine the lands above and below which may
be probably damaged or overflowed, to say what the
damage will be to the proprietor or proprietors, to say
whether in their opinion the health of any person or
persons will be materially annoyed by the stagnation of
the waters, and the probable damage thus arising, the
inquest of the jurors together with the writ shall be re-
turned by the officer to the succeeding court, and unless
good cause be shown against the inquest, it shall be con-

Authority to
purchase.

In case of dis-
agreement be-
tween compa-
ny and owner.

Notice to be
given.

To charge

Restoration.

Provision.

Fine for ob-
struction.