

SAMUEL SPRIGG, ESQUIRE, GOVERNOR.

1819.

CHAP. 94.

7. *And be it enacted*, That if after thirty days notice in the public papers aforesaid, of the time and place appointed for the payment of any proportion or instalment of the said capital stock, in order to carry on the work, any stockholder shall neglect to pay such proportion or instalment at the place appointed, for the space of thirty days after the time so appointed, every such stockholder, or his assignee, shall, in addition to the instalment so called for, pay at the rate of two *per centum per month* for the delay of such payment, and if the same, and the additional penalty, shall remain unpaid for such space of time as that the accumulated penalty shall become equal to the sums before paid in part and on account of such shares, the same shall be forfeited to the company, and may be sold to any person or persons willing to purchase, for such price as can be obtained for the same, or in default of payment by any stockholder of any such instalment as aforesaid, the said president and managers may, at their election, cause suit to be brought before an alderman or justice of the peace, or in any court having competent jurisdiction, for the recovery of the same, together with the penalty aforesaid; *Provided*, that no stockholder, whether original subscriber or assignee, shall be entitled to vote at any election, or at any general or special meeting of the said company, on whose share or shares any instalment or arrearages may be due and payable more than thirty days previous to the said election or meeting.

Neglect in paying instalment - penalty

Provided

8. *And be it enacted*, That it shall and may be lawful for the said president, managers and company, their superintendants, surveyors, engineers, artists and workmen, to enter upon the said creek to open, enlarge or deepen the same, in any part or place thereof, which shall appear to them most convenient for opening, changing, making anew, or improving the channel, and also to cut, break and remove and take away, all trees, rocks, stones, earth, gravel and sand, or other materials, or any obstruction or impediment whatsoever, within the said creek, or to use all such timber, rocks, stones, gravel, earth or other materials, in the construction of their necessary works, and to form, make, erect and set up, any dams, locks, or any other devise whatever, which they shall think most fit and convenient to make a complete slack water navigation from one end thereof to the other, as far as the same may be practicable, so as to admit a safe and easy passage for loaded boats, and other vessels, up as well as down said creek, or by means of such collateral sluices and locks as they may devise for the purpose.

Creek to be opened, enlarged or deepened, &c.

9. *And be it enacted*, That the said president, managers and company, shall have power and authority, by themselves, or their superintendants, engineers, artists and workmen, to enter in and upon, and occupy, for the purpose, any land which shall be necessary and suitable for erecting a lock, sluice or canal, and then to dig, construct, make and erect, such lock, sluice or canal, satisfying the owner or owners therefor, but if the parties cannot agree upon the compensation to be made to such owner or owners, it shall and may be lawful for the parties to appoint six suitable and judicious persons, within the proper county where the land lies, or if they cannot agree on such persons, then either the parties may apply to the court of the proper county where the land lies, and the said court shall award a *venire*, directed to the sheriff, to summon a jury of disinterested men, in order to ascertain and report to said

Authorised to enter upon and agree for land, necessary for erecting locks, &c.