

1809.

NOVEMBER.

L A W S OF M A R Y L A N D.

C H A P.
LXXX.

VII. AND BE IT ENACTED, That on the first Monday in June in every year thereafter, an election shall be held as aforesaid in the city of Baltimore, or at such place as the directors may appoint, for seven directors, qualified as aforesaid, to continue in office until the first Monday in June next succeeding such election, which election shall be holden by the president and directors for the time being, and of which two months notice shall be by them given in so many news-papers as they may think proper.

VIII. AND BE IT ENACTED, That the amount of each share of said stock shall be paid to the president and directors for the time being, by instalments, not exceeding ten dollars, at such times as they shall appoint, of which required payments two months public notice shall be by them given in one or more news-papers, specifying the time and place at which such payments are to be made, and in case any instalment shall not be paid at the time appointed, or within thirty days thereafter, the same may be recovered, in the name of the company, in the like manner as debts of equal amount are recoverable, or the share or shares of the person so in default, with the previous payments made thereon, may be declared forfeited to the company, at the discretion of the president and directors; and in case proceedings at law shall be adopted for the recovering of any instalment, extracts from the lists of stockholders in said company, signed by the president, and attested under the corporate seal, shall be considered *prima facie* evidence of ownership of the shares set forth in such extracts.

IX. AND BE IT ENACTED, That the said president and directors shall, as soon as may be after their appointment, proceed to Havre-de-Grace, and fix on a site deemed by them most proper whereon to erect a bridge, and cause a survey thereof to be made, and when a survey of the same is so made, the president and directors may receive deeds of gifts of the grounds so surveyed, if the proprietors be inclined to make donations, and if not, and a price cannot be agreed upon by the parties, or if the parties be minors, *femes-covert* or insane, a jury of disinterested freeholders may be summoned, at the instance of either party, by the sheriff of the county where the land lies, to view the said grounds, and upon oath, or affirmation, to value the same, of the meeting of which jury ten days notice at least shall be given to the opposite party, and so proved to the satisfaction of the jury before they proceed to such valuation, and the same, when made as aforesaid, shall be final.

X. AND BE IT ENACTED, That when the said survey and valuation is made as aforesaid, and the proprietors paid for the property, or a tender made of the value so ascertained, the said survey, with all the proceedings thereon, shall, within six months after its completion, be recorded both in Cæcil and Harford county court offices, and remain as perpetual testimony of a fee-simple title in the president and directors aforesaid, and their successors, of the property mentioned in said survey, to and for the use and benefit of the stockholders in said company, as tenants in common, in proportion to their respective shares of said stock; and the said president and directors, and their successors, shall be and are hereby accordingly vested, (for the use aforesaid,) with an estate in fee-simple in the property to be included within such survey, or to be acquired by contract and deeds, in pursuance of this act; provided nevertheless, that nothing shall be done by the said company to interrupt the navigation of said river more than what may unavoidably arise from the erecting, repairing or rebuilding, the said bridge; and the said bridge, when erected, shall be and is hereby declared a public highway for ever thereafter, subject however to the provisions contained in this act.

XI. AND BE IT ENACTED, That it shall and may be lawful to and for the president and directors aforesaid for the time being, their agents and servants, to enter into and upon the lands near to where the said bridge is to be built, and take stone, gravel or sand, necessary for building, repairing or rebuilding, said bridge, first giving notice thereof to the owner of the land, and doing as little damage as possible, and repairing any breaches made in enclosures, and making amends for any damage by agreement, if the parties can agree, if they cannot agree, or if the proprietors be minors, *femes-covert* or insane, a jury of disinterested freeholders may be summoned, at the instance of either party, by the sheriff of the county where the lands lie, to view the said damage, and upon oath, or affirmation, to value the same, of the meeting of which jury ten days notice at least shall be given to the opposite party, and so proved to the satisfaction of the jury, before they proceed to such valuation, and the same, when made so as aforesaid, shall be final.

XII. AND BE IT ENACTED, That the said company shall cause to be built, and kept in repair, a convenient and sufficient draw, or passage way, at least twenty-five feet wide, in the said bridge over the main channel of the river, for the passing and repassing of vessels by day and by night, and shall also cause to be built, and to be kept in repair, a well constructed and substantial wharf, erected on piles, on each side of said bridge, and adjoining or near to said draw, in every respect sufficient for