XXXVIII. And be it enacted, That it shall
and may be lawful to and for the said Direc-
tors and they are hereby authorized from
time to time, to nominate and appoint a Trea-
5 surer or Treasurers, and a Clerk or Clerks
to the said Company, taking such security
for the due execution of their respective
offices as the Directors shall think proper,
and such Clerk shall in a proper book or
10 books enter and keep a true and perfect ac-
count of the names and places of abode of
the several proprietors of the said Rail-road
or other works, and of the several persons
who shall from time to time become owners
15 and proprietors of or entitled to any share
or shares therein, and of the other acts, pro-
ceedings and transactions of the said Com-
pany and of the Directors for the time being
by virtue of and under the authority of this
20 Act.

Directors to appoint a Treasurer and Clerks.

Duty of the Clerk.

XXXIX. And be it enacted, That it shall
and may be lawful to and for the said Com-
pany from time to time and at all times here-
after, to ask, demand, take and recover to and
25 for their own proper use and behoof, for all
goods, wares, merchandize and commodities
of whatever description transported upon the
said Rail-road, as they with the approbation
of the Governor or Person adminis-
30 tering the Government for the time be-
ing, may deem expedient, which said
tolls shall from time to time be fixed and
regulated by By-laws of the Company, or by
the Directors if thereunto authorized by the
35 said By-laws, and shall be paid to such per-
son or persons, and at such place or places
near to the said Rail-road, in such manner
and under such regulations as the said Com-
pany or the said Directors shall direct and
40 appoint, and in case of denial or neglect of
payment of any such rates or dues or any
part thereof on demand, to the person or per-
sons appointed to receive the same as afore-
said, the said Company may sue for and re-
45 cover the same in any Court having compe-

Proprietors may establish Tolls for all goods, &c. passing on the Rail-road.

How tolls may be recovered if not paid

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