

CHAP. 114. upon the subscription paper, his or her christian and surname, and annex thereto the number of shares intended to be subscribed for, in words at length, which subscription thus made, shall be held and taken as evidence of the persons actual subscription in all the courts of law and equity in this state.

When 300 shares are or shall be organized to be organized.

4. **AND BE IT ENACTED,** That when three thousand shares of said stock shall have been subscribed for, the commissioners shall give twenty days public notice in two of the newspapers published in Hagers-town, Frederick-town, and Baltimore, of the time and place appointed by them for the subscribers to meet to organize said company, and to choose, by plurality of votes, by ballot, a president, five managers, (three of whom shall be a quorum,) a treasurer, and such other officers as they shall deem necessary, for conducting the affairs of said company until a new election, which shall be held on the first Monday in May next succeeding said first election, and an election shall also be held on the first Monday in May in every year thereafter, at such place as the president and managers shall appoint; and in all elections by stockholders, each share shall be entitled to one vote, provided that no person shall have more than twenty-five votes.

Payments, how to be made.

5. **AND BE IT ENACTED,** That all subscribers for the stock of said company shall pay the same in such instalments, and at such times, and to such persons, as the president and managers may appoint, they giving sixty days previous notice in the public papers of the payment required.

Stockholders incorporated.

6. **AND BE IT ENACTED,** That the stockholders in said company shall be and they hereby are erected and created into a body corporate, by the name and style of The Hagers-town and Boonsborough Turnpike Company, and by the same name shall have perpetual succession, and shall be capable of suing and being sued, of answering and being answered, and of enlarging their stock whenever they may find such enlargement necessary for the completion of said road.

Commissioners to be appointed to lay out road.

7. **AND BE IT ENACTED,** That the president and managers be and they hereby are authorised and empowered, to appoint three commissioners, who, (or a majority of whom,) agreeing, shall lay out said road in the nearest and best direction, from the public square in Hagers-town, through Funks town, and thence on or near the bed of the new road to Boonsborough; and after they have laid out and marked said road, shall make out a plot thereof, specifying the course and distance, and return the same to the president and managers; and the said commissioners, before they proceed to act, shall take the following oath, or affirmation, before some justice of the peace: "I do swear, or affirm, that I will lay out and mark the Hagers-town and Boonsborough turnpike road, according to the best of my skill and judgment, agreeably to the directions of this act, and that I am not interested in any land through which it is likely to pass."

Road to be opened according to their location.

8. **AND BE IT ENACTED,** That the said company shall open said road from Hagers-town according to the location of the commissioners aforesaid, sixty feet wide, of which at least twenty feet shall be an artificial road, composed of stone or gravel, and shall erect and keep up bridges over streams crossing the same, and when the said road and bridges shall be completed, said company shall be entitled to receive toll for one full gate.