

executing the same to submit it to one of the judges of the judicial circuit within which the county where it was acknowledged may lie, or to one of the judges of the supreme bench of Baltimore city, if acknowledged in said city, in order that the said judge may determine whether said certificate is in conformity with the law; and if the said judge shall so determine, he shall certify his said determination upon the said certificate, which shall be forwarded to the secretary of state, who shall record and carefully preserve the same in his office; and a copy thereof, duly certified by the secretary of state, under the great seal of the State of Maryland, shall be evidence of the existence of such company.

Under this section and sec. 197 and prior decisions, the *termini* must be fixed in this state with reasonable certainty; the naming of two cities outside of the state as the *termini* not ordinarily sufficient; if, however, it is proved that a road running from Washington, D. C., to Gettysburg, Pa., through the counties and at or near the towns mentioned in the company's charter, will cross the Maryland lines within such distance that the points of crossing can be said to be fixed with reasonable certainty, such points may be treated as the *termini* in Maryland. If it be shown that the lines of Washington and of the District of Columbia are co-extensive, that is sufficient for the southerly terminus. Mention of incorporated towns or villages; object of the second provision of this section. Provision of charter *re. capital stock*. Objection which may not be raised by appellant. See notes to sec. 208, and to art. 33A, secs. 1 and 4. *Hyattsville v. Washington, etc., R. Co., 120 Md. 130; Hyattsville v. Washington, etc., R. Co., 122 Md. 660; Ibid., 124 Md. 578.*

The *termini* of a railroad held to be designated in its charter with reasonable certainty. *Union R. R. Co. v. Canton R. R. Co., 105 Md. 16; Piedmont, etc., Ry. Co. v. Speelman, 67 Md. 270. Cf. Koch v. North Ave. R. R. Co., 75 Md. 225.* And see *Hyattsville v. Washington, etc., R. Co., 120 Md. 132; Ibid., 122 Md. 660; Ibid., 124 Md. 578.*

The precise route between the *termini* must to a great extent be left to the discretion of the company; it is practically impossible to definitely locate precise route before the company is incorporated. *Termini* sufficiently designated. When a corporation is formed under the general law, no further proof is required to show that the incorporators have accepted the charter than their compliance with the provisions of the statute. Questions of the sufficiency of the description of the *termini* in the charter, of the existence of the corporation, etc., are for the court; jury trial properly denied. *Hyattsville v. Washington, etc., R. Co., 122 Md. 668.*

An. Code, sec. 262. 1904, sec. 244. 1888, sec. 160. 1876, ch. 242, sec. 4.

**196.** When the foregoing provisions have been complied with, the persons named as corporators in said certificate are hereby authorized to carry into effect the objects named in said certificate, in accordance with the provisions of this article; and they and their associates, successors and assigns, by the name and style provided in said certificate, shall thereafter be deemed a body corporate, with succession, with power to sue and be sued, plead and be impleaded, defend and be defended, contract and be contracted with, acquire and convey at pleasure, all such real and personal estate as may be necessary and convenient to carry into effect the objects of the incorporation; to make and use a common seal, and the same to alter at pleasure, and do all needful acts to carry into effect the objects for which it was created; and such company shall possess all the powers and be subject to all the rules and restrictions provided by this article.

See notes to sec. 195.

An. Code, sec. 263. 1904, sec. 245. 1888, sec. 161. 1876, ch. 242, sec. 5.

**197.** Said corporations shall be authorized to construct and maintain a railroad with a single or double track, with such side-tracks, turn-outs,