

CHAP. 166.

Vacancies.

SEC. 3. *And be it enacted*, That as often as the said persons, or any of their successors, shall die, resign or remove from Carroll county, the county commissioners of said county shall appoint others in their places.

Subscriptions
—by whom
received and
how applied:

SEC. 4. *And be it enacted*, That the persons hereinbefore named shall receive all sums of money which may be paid for subscriptions to the capital stock of said company, and shall apply the same to the making of a turnpike road from the west end of Uniontown to the completed terminus of the Westminster and Hagerstown turnpike road, and for that purpose they are hereby authorised in their corporate capacity to purchase or lease that part of the road heretofore condemned or set apart for the use of the Westminster and Hagerstown turnpike company which lies between Uniontown and the present completed terminus of the last named turnpike road from the said Westminster and Hagerstown turnpike company; and if the said company shall refuse to sell or lease the same to the said Uniontown turnpike company, the State's attorney for the county of Carroll shall issue a scire facias in the name of the State against the said Westminster and Hagerstown turnpike company, and upon the return of the said scire facias, the Circuit court for Carroll county shall inquire if the said Westminster and Hagerstown turnpike company have by non-user or misuser forfeited that part of the road hereinbefore authorised to be purchased or leased, and if the court shall decide the same to be forfeited, then the said Uniontown turnpike company may enter upon and use the same for the purposes hereinbefore mentioned.

Toll-gates
and tolls.

SEC. 5. *And be it enacted*, That the company hereby incorporated shall, when the said road shall be fully completed, be authorised to erect a toll gate thereon, appoint a keeper and collect the same rate of tolls as are charged on the Westminster and Hagerstown turnpike, and shall apply the same to keeping up the repairs and paying the current expenses of the said company, and if any surplus shall remain, shall make dividend thereof among the stockholders of the company annually, paying to the county commissioners of Carroll county the dividend on the shares of stock purchased with the money hereinbefore authorised to be applied by them as commissioners as aforesaid to the subscrip-

Dividends.