

SEC. 6. *And be it enacted*, That if any vacancies shall happen by death, resignation, refusal to act, or removal from the county, of any manager, president or treasurer, a stockholder may be elected by the managers to fill such vacancy until the next annual election.

CHAP. 172.

Fill vacancy

SEC. 7. *And be it enacted*, That the sums subscribed to the stock of the said company, shall be paid in the following manner: one dollar on each share to the commissioners at the time of subscribing; four dollars on each share to the managers elected, agreeably to the provisions of this act, within one month after the election of managers, and the remainder in such sums, and at such times as the managers or a majority of them may appoint, they giving two months notice of the payment required in one or more of the papers printed in the county of Frederick aforesaid.

Payment of subscription

SEC. 8. *And be it enacted*, That the stockholders in the said company shall be, and they are hereby incorporated and constituted a body politic, by the name of the Catoctin Valley Turnpike Company of Frederick County, and by the same name shall have succession during the continuance of this incorporation; and the said stockholders and their successors by the name aforesaid, may sue and be sued, answer and be answered in any court of law or equity in this State, and may do and execute every other matter and thing by the name aforesaid, that they are authorised to do in virtue of this act.

Stockholders incorporated

Name

Legal capacity

SEC. 9. *And be it enacted*, That after the manager and president are elected in the manner herein before mentioned, they shall have full power and authority to receive subscriptions for all unsubscribed or vacant shares, and upon the said election the powers heretofore vested in the commissioners for receiving subscriptions, shall cease; *provided nevertheless*, that when either the capital stock or a sum sufficient for the completion of said road is subscribed for, no further subscriptions shall be received.

May receive subscriptions

Proviso

SEC. 10. *And be it enacted*, That the president and managers be, and they are hereby authorised to appoint three commissioners, who, or a majority of whom, agreeing, shall lay out the said road from Middletown in the best manner to some point on the Chesapeake and Ohio Canal to intersect the same, somewhere between the Catoctin and Blue Ridge mountains; and after having laid out and marked said road, shall make out a plat of the same specifying the course and distance, and return the said plat to the president and managers; and the said commissioners before they proceed to act, shall take the following oath or affirmation: I, A. B.

Commissioners to lay out road

Their oath