

SEC. 6. *And be it enacted*, That any vacancy that may from time to time occur, by resignation, death, declining to act, or any other cause, in the board of commissioners, the person or persons appointed to such vacancy or vacancies, being however, hereby required, before they shall be competent to act, to enter into bond, with sureties and condition, and in penalty as prescribed by the second section of this act, in regard to the commissioners herein named.

CHAP. 212.

Vacancies

Commissioners  
to bond

SEC. 7. *And be it enacted*, That this act and all the privileges, franchises and rights conferred hereby, shall expire and cease after the first day of December, eighteen hundred and forty-five.

In force

## CHAPTER 212.

*A supplement to an act, entitled an act to incorporate a Company to make a Turnpike Road from Hagerstown, in Washington County, to the Pennsylvania Line, passed at December session, eighteen hundred and thirty-five, chapter three hundred and twenty-one.*

Passed Mar. 4,  
1840.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That the commissioners specified in the ninth section of the original act, who or a majority of whom agreeing, shall lay out a turnpike road, in the nearest and best direction from the northern or eastern limits of Hagerstown, through Leitersburg, in the direction of Waynesborough, in Franklin county, Pennsylvania; and that said commissioners shall have discretionary power to change the location of said turnpike road, from the bed of the public road leading from Hagerstown, through Leitersburg, in the direction of Waynesborough, at such places as they conceive the general interest of the company and the public may require; *provided*, the commissioners do not make the location on any other land than the bed of the public road, without first obtaining the free consent, in writing, of the owner or owners of such land through which they contemplate making the new location, or by paying the said owner or owners such sums of money as three disinterested land-holders, living near said road, may adjudge to be a fair compensation for such land so taken by the commissioners.

To lay out turn  
pike roadDiscretionary  
power to change  
location

Proviso