

CHAPTER 319.

Passed Mar. 10, 1854. AN ACT to incorporate the Hancock and Warfordsburg Turnpike or Plank Road Company.

Incorporated. SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the Hancock and Warfordsburg Turnpike or Plank Road Company, incorporated by the State of Pennsylvania in the year one thousand eight hundred and forty-six, is hereby incorporated, constituted and made a body politic and corporate, by the name of the Hancock and Warfordsburg Turnpike or Plank Road Company, and by that name shall have succession, and shall be able and capable to sue and be sued, plead and be impleaded in any court whatever, and may have and use a common seal, and may alter and amend the same at pleasure, and the said body corporate shall have all the powers, facilities, franchises and rights necessary to extend, build, keep in repair, maintain and charge tolls on said road from the Pennsylvania line at its point of intersection with the Maryland line through Washington county, to the town of Hancock in said county, in the manner and at such rates as hereinafter provided, and shall have authority to purchase, lease and hold any property, real, personal and mixed which may be deemed by said company necessary for its purpose.

Authority to condemn land.

SEC. 2. *And be it enacted,* That for the purpose of acquiring land and materials for the construction, repair and maintenance of said turnpike or plank road, it shall and may be lawful for the president and directors of the said company, to agree with the owner or owners of said land or materials for the purchase of the same, or on failure to agree, or if the owner or owners, be absent or legally incompetent to contract for any cause, the president and directors of said company in the corporate name of the said company, shall and may apply to the judge of the circuit court for Washington county, or any justice of the peace of said county, setting forth in a petition the facts with an affidavit or affirmation of the truth thereof thereto annexed, and the said judge or justice shall issue at the cost of said company a precept or warrant to the sheriff of said county, commanding him to summon twenty freeholders of said county, not interested in any manner for or against the location of said road, nor owning lands in its vicinity, nor