

"establish a turnpike road from the city of Washington to Baltimore-town; I do further swear, or affirm, that I am not invested in any lands through which the said road is likely to pass."

C H A P.
LXIX.

VII: And be it enacted, That the commissioners aforesaid, after they shall have laid out and marked the said road, are hereby directed to return the courses, bounds and plot thereof, to the clerk of Baltimore county court, and a duplicate thereof to the clerk for recording of deeds in the territory of Columbia, and to the clerks of Prince-George's and Anne-Arundel county courts, to be by them recorded at the expence of the said body corporate; and the said road, so laid out and returned as aforesaid, shall be for ever thereafter taken, held and adjudged, a public road and common highway.

Courses, &c.
to be return-
ed, &c.

VIII: And be it enacted, That the said president and directors, and their successors, or a majority of them assembled, shall have full power and authority, from time to time, to agree with and employ any person or persons on behalf of said company to grub, stone, clear and make, said road sixty-six feet in breadth, in the manner hereafter directed, and to do all other things for the completion of said road in the manner required by this act; and that the president and directors may establish rules and regulations for conducting the business of the corporation, and appoint the various officers and labourers, and pay all expences, which they may find necessary.

President, &c.
may agree
with persons,
&c.

IX: And be it enacted, That the sums so subscribed before the said directors shall be appointed as aforesaid, shall be paid to the directors as follows, to wit: One fourth thereof at the end of one month after the election of the directors, one fourth at the end of one year after the election of the directors, one fourth at the end of eighteen months after the election of the directors, and the residue at the end of two years after the election of the directors; and that all subscriptions which shall be so made, after the election of such directors, shall be paid in such manner, and in such proportions, as the said directors shall from time to time order and direct; provided nevertheless, that the directors for the time being may, in their discretion, suspend, or totally release, the payments of any part of the said subscriptions made before or after the election of directors, as they may find expedient; and if any subscriber shall fail in making payment as aforesaid within sixty days after the time limited therefor, he shall be liable to forfeit, if the possessor of one share, the said share so subscribed, as also all monies paid on account thereof; if the subscriber so failing shall be the holder of more than one share, he shall be entitled to retain and hold as many shares as the sums of money by him advanced will pay for, the remaining shares, as also the surplus of money advanced, if insufficient to pay for an additional share, shall be liable to forfeiture, if the said president and directors shall choose to declare the same forfeited; and in such case it shall and may be lawful for the said president and directors to sell and dispose of such forfeited shares, for the use and benefit of the said corporation; and if any of the subscribers or proprietors, after any payment shall have been so ordered and advertised as aforesaid, shall refuse or neglect to make such payment within the time limited, and the said president and directors shall elect, instead of the forfeiture aforesaid, to proceed against such subscriber or proprietor in order to compel such payment, it shall and may be lawful for the said president and directors, in the name of the said corporation, to prosecute an action of law against such person, either in the general court, or the county court of the county where such person shall reside, and if a copy of the declaration in such case be served with the writ ten days before the court to which such writ shall be returnable, the said court shall proceed to trial and judgment at the first term; and any purchaser or purchasers of any forfeited shares, shall, in case of non-compliance with his or their contract, or failure to make any future payments that may accrue upon such purchased share after the time of such purchase, be liable, in the election of the said president and directors, to forfeiture, or to such summary proceedings as aforesaid, in the same manner as any original subscriber or proprietor.

Sums sub-
scribed to be
paid to the
directors, &c.