

ration, be, and the same is hereby ratified and confirmed, and is hereby declared to be as good and valid, to all intents and purposes, as if the same had been made in strict conformity with the provisions of the original act for incorporating said company.

DEC. Sess.  
1813.

Officers to  
serve until  
another elec-  
tion.

2. AND BE IT ENACTED, That the president, managers and treasurer, so chosen as aforesaid, shall hold their offices and exercise all the powers vested in them respectively, until a new election shall take place, which election shall hereafter be made on the days and in the mode prescribed by the original act aforesaid.

Where it  
may be com-  
menced.

3. AND BE IT FURTHER ENACTED, That the president and managers for the time being, of the said corporation, shall and may, if they shall deem it expedient so to do, commence making a part of the turnpike road aforesaid at the foot of the south mountain, on the west side thereof, and progress with the same in the direction towards Westminster; and so soon as the said road from the point aforesaid towards Westminster shall be fully completed to the extent of five miles, the said corporation shall and they are hereby authorised to receive the same rate of tolls on so much of that part of said road, as if the said road had been commenced at and proceeded from Westminster; *Provided always*, That nothing herein contained shall be construed to prevent the said president and managers from beginning to make the turnpike road aforesaid at or near Westminster, and progressing towards Hagerstown, at the same time that they shall commence on the west side of the mountain aforesaid.

Proviso.

4. AND BE IT FURTHER ENACTED, That if any stockholder shall, at any time hereafter neglect or refuse to pay the several instalments as they shall be called for, according to law, on the stock by him, her or them subscribed, the amount due at any time may be sued for by the said corporation, and recovered as other debts due them, and in all cases where a suit shall be brought to recover the amount of any instalment due and unpaid, it shall be sufficient for the said corporation to declare, in an action for money had and received for the use of the said corporation, and thereupon judgment shall be given for the sum due from such stockholder, together with interest thereon and costs of suit, and thereupon execution shall issue as in like cases between private persons; *Provided always*, That nothing in this act shall authorise the said president and managers to commence suit for any instalment, unless they shall previously have entered into a contract with some person or persons for the making of one or more miles of said road; *And provided also*, That no recovery shall be had against any delinquent stockholder to a greater amount than one half of the stock by him, her or them subscribed for.

Instalments,  
Neglect or re-  
fusal to pay.

Proviso.

Proviso.