

Dec. Ses. 1816. same from time to time by new subscriptions, on the original terms, in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the intent of this act, and of purchasing and taking to themselves, and their successors, in fee simple, or any lesser estate, all such lands, tenements, hereditaments and estate, either real or personal, as shall be necessary to them in the prosecution of their works, provided the said real estate shall not exceed ten acres in any one lot or parcel, and of suing and being sued, answering and being answered, and the said company shall have power to make a seal, and alter, break and renew the same at pleasure.

Privileges of company.

5. *And be it enacted*, That all and every of the provisions and regulations contained in the act of the general assembly, entitled, An act to incorporate a company to make a turnpike road from the town of Westminster, in Frederick county, through Harman's Gap, to Hager's-town, in Washington county, passed at November session, eighteen hundred and nine, except so far as the same may be inconsistent with the provisions of this act, are extended to, and shall be considered as constituting a part of this act; *Provided nevertheless*, that it shall not be necessary to stone the said road if the same is capable of being made to answer all the purposes of stoning the same by other means, in as full and ample a manner, as stoning thereof would do; and the said road shall be so nearly level in its progress, as that it shall in no place rise or fall more than will form an angle of five degrees with a horizontal line, and shall for ever hereafter, during the continuance of the said incorporation, maintain and keep the same in perfect order and repair.

Proviso.

CHAPTER 221.

Passed Feb. 3. An act relating to Insolvent Debtors in the City and County of Baltimore.

Governor and council to appoint comm'rs. Sec. 1. *Be it enacted by the General Assembly of Maryland*, That the governor and council shall commission three persons of legal knowledge, integrity and experience, as commissioners of insolvent debtors for the city and county of Baltimore, and from and after the issuing such commission, the said commissioners shall have and exercise the powers and authority hereinafter mentioned.

All applications to the court or judges to be referred to comm'rs. 2. *And be it enacted*, That in all cases of applications which shall hereafter be made to Baltimore county court, or the judges thereof, for the benefit of the insolvent laws of Maryland, it shall be the duty of the court, or the judge to whom the application may be made, forthwith to refer the same, together with the schedule, petition, and other papers, to the said commissioners, who shall thereupon appoint a provisional trustee to take possession for the benefit of the creditors of such insolvent debtor, of all property, estate and effects, books, papers, accounts, bonds, notes, and evidences of debt; and the said commissioners shall take bond, with security to be by them approved, for the appearance of such insolvent debtor, to answer such interrogatories as may be propounded to him by any of his creditors, or such allegations as may be filed against him, within the time hereinafter