

**CHAP. 45.** lawful attorney, the person to whom the same is transferred shall thereupon be entitled to all the rights and privileges vested in the original stockholder by this act.

Meeting of subscribers—appointment of managers.

**5. AND BE IT ENACTED.** That as soon as three hundred shares be subscribed, the persons hereby empowered to take subscriptions, or any five of them, may call a meeting of the subscribers at the city of Washington, after not less than four weeks notice successively in at least one of the Washington city, Winchester and Elizabethtown news-papers; and the subscribers assembled in consequence of such notice shall choose, by ballot, from among the subscribers, by a majority of votes of such as may be present, or by proxy, five managers for the term of one year thereafter, and on the same day annually a like election shall be made; and in case of refusal, death, resignation or disqualification, of any manager, the remaining managers, at their next meeting thereafter, shall elect, by ballot, another person qualified as aforesaid in his place for the residue of the year; the managers, or any three of them, shall at their first meeting after every annual election, elect, by a majority of members present, by ballot, from among the stockholders, a president, who shall, whether a manager or not, be thereupon entitled to all the powers and privileges of one, and if he was before a manager, another manager shall be elected as aforesaid, so as to keep up the number of managers prescribed by this act, exclusive of the president, and in case of refusal, death, resignation or disqualification, of the president, the managers shall meet, as soon as conveniently can be thereafter, and elect another person for president in the manner aforesaid.

Subscribers incorporated.

**6. AND BE IT ENACTED,** That all those who shall become subscribers to the said road, their successors or assigns, shall be and they are hereby created and made a body politic, by the name and style of The President, Managers and Company, of the Allegany Turnpike Road, and by the said name the subscribers shall have perpetual succession, and all the privileges incident to a corporation, and shall be capable of taking and holding their capital stock, and the increase and profits thereof, and of enlarging the same from time to time by new subscriptions, 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, taking and holding, to them, and their successors and assigns, in fee-simple, or for any lesser estate, all such lands, tenements, hereditaments and estates, real and personal, as shall be necessary to them in the prosecution of their works, and of suing and being sued, and of all and every other matter and thing which a corporation or body politic may lawfully do, by making by-laws, rules, orders and regulations, not inconsistent with the constitution and laws of this state, and of the United States.

President, &c. may enter upon lands over which road may pass—damages.

**7. AND BE IT ENACTED,** That it shall and may be lawful to and for the said president and managers, their superintendents, surveyors, engineers, artists and chain-bearers, to enter into and upon all and every the lands, tenements and enclosures, through which the said intended road may be thought proper to pass, and to examine the ground most proper for the purpose, and to survey, lay down, mark and fix, such rout or tract for the same, as in the best of their judgment and skill will combine shortness of distance