

CHAP. 95.

Proviso.

are hereby authorised, as commissioners, to lay out and open, at the expense of said county, a road, not exceeding thirty feet wide, from Emmitsburg, through the South Mountain, to George Oat's tavern on the public road leading from Hager's-town, through Mark Harman's Gap, to Baltimore, so as to do as little injury as possible to the lands through which it may pass; *Provided*, that the said road shall not pass through any houses, gardens, orchards or meadows, unless with the consent of the owner or owners thereof; and the said road, when so laid out and completed, shall be recorded among the records of said county, and be thereafter deemed and taken to be a public road, and shall be kept in repair as other roads in said county are directed to be.

CHAP. XCVI.

Passed Jan 6, 1810

*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. Lib. TH. No. 2, fol. 253.*

Supplementary and other acts, Nov. 1812, ch. 50; Dec. 1813, ch. 138; 1816, ch. 21, and ch. 83.

Company to be incorporated.

1. **BE IT ENACTED**, by the General Assembly of Maryland, That a company be incorporated for making a turnpike road, beginning at or near the town of Westminster, in Frederick county, and running in the nearest and best direction, through Harman's Gap, in the South Mountain, to Hager's-town, in Washington county.

By 1816, ch. 83, the road may pass through Graccham, in Frederick county.

Subscription books to be opened, &c.

2. **AND BE IT ENACTED**, That subscription books be opened for a capital stock of two hundred and fifty thousand dollars, in shares of twenty dollars each, and that subscriptions be taken in for (a) one hundred thousand dollars of the same at the city of Baltimore, under the direction of Thomas Dickson, Cornelius H. Gist, Peter Hoffman, Solomon Etting and George F. Warfield; for eighty thousand dollars at Hager's-town, under the direction of Charles Carroll, Upton Lawrence, Robert Hughes, William Heyser and William Downey; for thirty thousand dollars at Mechanic's-town, in Frederick county, under the direction of James Johnson, Joshua DeLaplanc and John Weller; and for forty thousand dollars at Westminster, in Frederick county, under the direction of David Fisher, John Wampler and David Shriver, junior; who are hereby appointed commissioners for the purposes aforesaid; who shall, on or before the first Monday in April next, procure books, and in each enter as follows, to wit: We, whose names are hereunto subscribed, do promise to pay to the president, managers and company, of the Hager's-town turnpike road company, the sum of — dollars for every share of stock in the said company set opposite to our respective names. Witness our hands, this — day of —, eighteen hundred and —; and shall give notice in one of the public newspapers in the city of Baltimore, one in Frederick-town, and one in Hager's-town, for one month at least, of the times when, and places where, the said books will be open to receive subscriptions of stock for the said company, at which times and places at least two of the said respective commissioners shall attend, and shall permit

(a) By Nov. 1812, ch. 50, reviving this act, other regulations are prescribed as to the sums, commissioners, places and time, &c.