

LAWS

OF THE

HALL OF RECORDS
ANNAPOLIS, MARYLAND

STATE OF MARYLAND

" *Laws, Decisions, etc.*

MADE AND PASSED

At the Session of the General Assembly Made and Held
at the City of Annapolis on the Third Day of January,
1912, and Ended on the First Day of April, 1912

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CHAPTER 118.

AN ACT to authorize and empower the Mayor, Counselor and Aldermen of the City of Annapolis to borrow money and issue bonds for the sum of one hundred thousand dollars, or so much thereof as may be necessary for the purpose of acquiring the stock of the Annapolis Water Company; to provide for the repayment of the same with interest and to enable it to vote the said stock when acquired, and operate the said Annapolis Water Company through its stock holdings.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the Mayor, Counselor and Aldermen of the City of Annapolis is hereby authorized to borrow money in a sum not to exceed one hundred thousand dollars (\$100,000) and to issue its bonds for the purpose, in addition to all other indebtedness of the City under the conditions set forth in this act.

SEC. 2. *Be it enacted,* That the bonds hereby authorized to be issued shall be in sums of one thousand dollars (\$1,000) each, to be numbered from one (1) to one hundred (100), both inclusive, payable thirty (30) years from the date of issue, and shall be dated April first, nineteen hundred and twelve. Said bonds to be signed by the Mayor, Counselor and the Treasurer of the City of Annapolis and attested by the seal of the said city, and shall be a direct obligation upon the City of Annapolis. The said bonds shall bear interest at an annual rate of interest not exceeding four and one-half per cent. ($4\frac{1}{2}\%$), payable semi-annually, and said bonds when issued shall be exempt from taxation by City of Annapolis and Anne Arundel county while held by residents of this State. The bonds shall be known as "City of Annapolis First Mortgage Water Loan Bonds" and this shall be printed or lithographed on each bond. The Mayor, Counselor and Aldermen of the City of Annapolis or its Finance Commission acting under its authority, are authorized to do all acts and things in connection with the said issue that may be proper to give validity to said bonds.

SEC. 3. *Be it enacted,* That the Mayor, Counselor and Aldermen of the City of Annapolis, or its Finance Commission acting under its authority be and they are hereby authorized and empowered to sell and dispose of the said bonds hereinbefore provided at public sale to the highest bidder or bidders therefor for cash, after thirty days' public notice thereof by advertise-

ment, provided the same, or any part of them, shall not be sold for less than par and accrued interest.

SEC. 4. *Be it enacted*, That the bonds and the proceeds of sale of the same shall be used and applied for the purchase of the stock of the Annapolis Water Company or to pay off the indebtedness which the said Mayor, Counselor and Aldermen of the City of Annapolis, or its Finance Commission acting under its authority, may have assumed in respect to the purchase of stock of said water company; and the said bonds with the interest due and to become due thereon, are hereby declared to be a first lien upon the interest of the Mayor, Counselor and Aldermen of the City of Annapolis in the stock and property of the Annapolis Water Company, or its successors, and the stock of said company owned by the Mayor, Counselor and Aldermen of the City of Annapolis shall be placed on the books of the said company in the name of the Mayor, Counselor and Aldermen of the City of Annapolis as Trustee, so long as said bonds are outstanding, as security for the payment of the said bonds and interest, as and when the same become payable; and should the said obligation not be paid as and when the same become payable, then the bondholder's lien may be enforced as other liens are enforced in equity.

SEC. 5. *Be it enacted*, That the Mayor, Counselor and Aldermen of the City of Annapolis are hereby authorized to vote the said stock at any meeting of the said Annapolis Water Company, and by resolution duly passed to appoint such person or persons to represent and vote said stock as to it may seem proper, to nominate directors to said Annapolis Water Company and generally to have and exercise such powers as stockholders have and exercise in private corporations.

SEC. 6. *Be it enacted*, That the Mayor, Counselor and Aldermen of the City of Annapolis are hereby authorized, empowered, directed and required to create a sinking fund amounting to two thousand one hundred dollars per annum, to redeem and retire said bonds at maturity, and pay the interest thereon, out of the profits accruing to the said Mayor, Counselor and Aldermen of the City of Annapolis on its stock in the Annapolis Water Company, and said profits shall become a special fund to pay and discharge the obligations recognized and authorized under this act and maintain said plant, and the balance may be devoted as the said Mayor, Counselor and Aldermen may determine; which said sinking fund shall be equally divided and deposited in equal instalments semi-annually in the Annapolis Banking and Trust Company of Annapolis, the Farmers' National Bank of Annapolis and the Annapolis Sav-

ings Institution of Annapolis, upon which deposits the said Annapolis Banking and Trust Company of Annapolis, the said Farmers National Bank of Annapolis and the Annapolis Savings Institution of Annapolis shall allow interest thereon at the rate of not less than three and one-half per centum ($3\frac{1}{2}\%$) per annum from the date of such deposits, which interest shall be added to and form a part of the sinking fund hereby created.

And the said Mayor, Counselor and Aldermen of the City of Annapolis are hereby required and directed to maintain such a schedule of charges for water furnished its customers by the Annapolis Water Company, to be uniform in every particular, as will make the profits accruing to the said Mayor, Counselor and Aldermen of the City of Annapolis from its interest in the Annapolis Water Company sufficient in each and every year, to create and maintain the sinking fund to redeem and retire said bonds at maturity and pay the interest thereon when and as the same may be due and payable.

SEC. 7. *And be it enacted*, That this act shall take effect from the date of its passage.

Approved April 4, 1912.

CHAPTER 119.

AN ACT to refund certain sums of money erroneously paid into the State Treasury under the provisions of Chapter 735 of the Acts of the General Assembly of Maryland of 1910, on account of the Oyster Inspection Tax.

WHEREAS, The Court of Appeals of Maryland having declared unconstitutional in the case of D. E. Foote and Company vs. William B. Clagett, Comptroller, the tax of two cents per bushel, as provided in Chapter 735 of the Acts of the General Assembly of Maryland of 1910, one cent of which was to defray the expenses of inspection and the other one cent for the purpose of establishing a reshelling fund; and,

WHEREAS, The one cent tax for inspection under Chapter 413 of the Acts of the General Assembly of Maryland of 1910 having been held constitutional and valid by the Court of Appeals of Maryland in the case of D. E. Foote and Company *et al* vs. Charles H. Stanley, Comptroller; therefore,