

LAWS

MADE AND PASSED

BY THE

GENERAL ASSEMBLY

OF THE

STATE OF MARYLAND,

*AT A SESSION BEGUN AND HELD AT THE CITY OF ANNAPOLIS, ON
MONDAY THE FOURTH OF DECEMBER, EIGHTEEN HUNDRED
AND FIFTEEN, AND ENDING ON TUESDAY THE THIRTIETH
OF JANUARY EIGHTEEN HUNDRED AND SIXTEEN.*

PUBLISHED BY AUTHORITY.
(FROM THE ENGROSSED BILLS.)

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PRINTER TO THE STATE.

1816.

land, That the justices of the levy court of Cecil county, or a majority of them, are hereby authorised and empowered to sell the poor's house in said county, and the public ground appertaining thereto, on such terms as they or a majority of them may think proper, and to apply the money arising therefrom to the purchase of such lands and erection of such buildings as are authorised by this act.

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2. BE IT ENACTED, That the said levy court or a majority of them, are hereby empowered and directed after any sale made as aforesaid, to execute a deed of conveyance to the purchaser or purchasers of said poor's house, and the public ground sold as aforesaid, and when the same shall be recorded as other deeds are, the same shall be valid and effectual to pass to the purchaser or purchasers, all the right title and interest of the said county in and to the same.

Deed.

3. AND BE IT ENACTED, That the levy court of Cecil county aforesaid, or a majority of them be, and they are hereby authorised and empowered to purchase any quantity of land lying and being in Cecil county aforesaid, not exceeding one hundred acres, and to erect such buildings thereon as they in their judgment may think necessary, for the use of the poor of said county, and the same when so obtained, to be applied to the use of the poor of said county, subject to the laws and regulations that the poor's house in said county and the public ground appertaining thereto now are.

May purchase
land &c.

4. AND BE IT ENACTED, That the levy court aforesaid be, and are hereby authorised to assess and levy on the assessable property of said county, such sum or sums of money, and at such times as they or a majority of them may think necessary to carry into effect the provisions of this act.

May assess.

CHAPTER 51.

An act for introducing a copious supply of water into the town of Cumberland.

Passed Jan.
5, 1816.

Sec. 1. BE IT ENACTED by the General Assembly of Maryland, That a company be and they are hereby incorporated and made a body politic, for the purposes hereinafter mentioned, and that the said body politic shall be known and distinguished by the appellation of The President and Directors of the Cumberland Water Company, and shall have full and ample power and authority to do, perform and execute, all and every matter and thing which a similar corporation may or rightfully can do, and shall have succession during the continuation of this act; and to that end, for perpetuating the said incorporate body, the heirs, devisees, representatives, and assignees of the individual members thereof, shall be, and are hereby declared to be members thereof, and by the name aforesaid may sue and be sued, answer and be answered, in any court of law or equity in this state or elsewhere.

Style—ef-
fect in law.

2. AND BE IT ENACTED, That the capital stock of the said corporation shall not exceed ten thousand dollars, to be divided into five hundred shares of twenty dollars each, and that subscriptions to the said capital stock shall be opened in the town of Cumberland, under the direction of John Scott, Peter Londermilk, Samuel Smith, George Thistle, David Schriver, and Michael C. Sprigg or any two or more of them, on a day appointed by them for that purpose, and notified in

Capital—
subscriptions.

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the papers published in said town at least three weeks previous thereto, who shall meet on the day appointed for receiving subscriptions at ten o'clock A. M. and continue the same open until five o'clock P. M. and if the subscriptions shall exceed the capital, the commissioners shall apportion the same, according to the subscribers, by proportionate deductions, so that the whole be reduced to the proper limit; but if the said subscriptions shall not be filled on the first day, the commissioners aforesaid may adjourn from day to day until the whole stock is subscribed, and those who have previously subscribed shall be entitled to the stock in said company, from each of whom the said commissioners shall exact the first instalment of two dollars and fifty cents on each share so subscribed.

Commissioners to elect a president and directors.

3. AND BE IT ENACTED, That within ten days after closing the subscriptions, two or more of the commissioners shall meet at Cumberland for the purpose of holding an election for the president and directors.

Directors to elect a president.

4. AND BE IT ENACTED, That the stockholders aforesaid, or such as shall be present in person, or by proxy, shall elect by ballot out of the stockholders, five directors, to serve until successors to them shall be chosen, and the said corporation shall annually thereafter, upon the same day, in each and every year, or within ten days thereafter, in like manner elect five directors for one year, or until successors to them shall be chosen; and the said directors immediately after their appointment, and so after every subsequent appointment as aforesaid, shall choose from among the stockholders by ballot, a president, to serve for one year from the time of his appointment; and the said president and his successor for the time being, shall always be entitled to vote as a director, and shall perform such duties, and receive such compensation for his services as the directors shall from time to time appoint; and in case any director shall be chosen president, the remaining directors shall immediately choose by ballot from among the stockholders, a person to supply his place; and whenever a vacancy shall happen in the office of director or president by death, resignation or removal from the state, or by any other means, it shall immediately be filled by ballot by the directors, from among the stockholders, until the next election in course.

Ratio of votes.

5. AND BE IT ENACTED, That in choosing directors no person or body politic shall have more than twenty votes, and that each person having one or more shares under the said number of twenty shall have one vote for every share so held.

Instalments.

6. AND BE IT ENACTED, That it shall and may be lawful for the said president and directors to call and demand from the said subscribers respectively, all sums of money by them subscribed, in instalments not exceeding two dollars and fifty cents on each share, under pain of forfeiture of their shares, and of all previous payments made thereon, to the said president, directors and company; *Provided*, that no such demand shall be made without one month's previous notice being given in the different newspapers published in the town of Cumberland; *And provided also*, that no more than one such payment shall be called for or required in the term of three months.

Provisos.

Officers to take an oath.

7. AND BE IT ENACTED, That the president and directors, and subordinate agents of the said company, shall

severally take an oath before some justice of the peace of said DFC SESS. county, that they will faithfully and diligently perform the du- 1815. ties of their respective stations, according to the best of their skill and judgment; and the subordinate agents shall moreover give satisfactory security to the president of said company before they shall be permitted to act as such.

8 AND BE IT ENACTED, That the said president and directors shall have full power and authority to make all by-laws, rules and regulations, for the well-ordering and conducting of the business of the company, and such by-laws rules and regulations to alter change and annul, at their pleasure; but every such by-law, rule or regulation, may be altered or repealed by the stockholders at a general meeting, to be called for that purpose by any ten or more stockholders, *Provided* that there be present at such meeting stockholders holding one hundred shares, or their proxies, and that four weeks previous notice be given in the newspapers printed in the town of Cumberland, of such meeting, and of the alteration or repeal intended to be proposed thereat.

9. AND BE IT ENACTED, That the said president and directors shall have power to appoint and remove at their pleasure all clerks, superintendants, agents or other officers necessary for carrying on the business of the said company, to dispose of its funds or property in the manner hereinafter directed, and to fix and pay, out of the funds of the said company, the compensation of all such agents, superintendants, clerks or officers; to make such contracts, purchases or agreements, of all such matters and things, in behalf of the said company, and of all such privileges, permissions, rights and advantages of every kind and nature whatsoever, as they shall judge necessary for completing, in an effectual and proper manner, the introduction, distribution, and supply of water to the town of Cumberland, with any individual, companies, firms or corporations, and to use and dispose of any surplus water to the best interest and advantage of the said company, and all such contracts to rescind, alter, abridge or enlarge with consent of the parties thereto respectively, and to lease, sell, convey, transfer and bind, by their contracts, deeds and writing under the hand of the president and the seal of the company, all the property, estate, common stock, and joint funds of the said company, subject to the ratification of the stockholders, or a majority of them, at some general meeting, if the value of the matter in question shall exceed five hundred dollars but not the persons or separate property of themselves or any of the stockholders.

10. AND BE IT ENACTED, That the said corporation may purchase and hold, in fee simple or otherwise, all such lands and real estates suitable for the erection of the necessary works, and that may be necessary in whole or in part, for the proper accomplishment of their undertaking, as they shall judge proper, and may divert from the usual bed and course, for the purpose aforesaid, at such place or places as they shall think fit, any stream or streams which they may think suitable for the purpose, or any part or parts thereof, they obtaining the consent of all persons having any right, interest or property, in the stream or streams respectively, so to be diverted in whole or in part, or in the lands through which such stream or streams

By laws &c.

Proviso.

Subordinate officers—regulations &c.

May purchase land &c —pipes.

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may be intended to pass after being so diverted; and the said corporation shall have full power and authority to make a canal and tunnel or either of them, for the conveyance of the said water under and along any public highway, or any street or streets, lane or lanes, alley or alleys, of the county or town of Cumberland, and to lay a pipe or pipes in such highway, or in any of the said streets, lanes or alleys, for the purpose of conveying and distributing the said water, and the said pipes from time to time to renew and repair, and for those purposes to dig, break up and open, at their own expence, all or any part of such highway, or of such streets and alleys, and of the pavements and footways thereof, leaving at all times a sufficient passage way for carriages, horses, and foot passengers, and restoring forthwith to their former condition all such highways, or all such of the said streets, lanes and alleys, pavements and footways, as shall from time to time, and at any time be so dug opened or taken up.

Reservoirs &c

11. AND BE IT ENACTED, That the said corporation shall have full power and authority to establish reservoirs and public fountains in such parts of the streets and squares of the said town as they may think proper; and to grant to all persons whomsoever, and to all bodies politic and corporate, the privilege of using the said water so to be introduced, in such manner, and on such terms and conditions, and in such quantities respectively, as they shall think fit; and the said water so to be introduced, together with all the reservoirs, pipes, canals and tunnels, engines, buildings, and machines whatsoever, to be by them made and used for the purpose of introducing, raising, and distributing the said water, to hold to them, their successors and grantees, as their sole and exclusive property.

Damaging
improvements
—penalty.

12. AND BE IT ENACTED, That if any person or persons shall wilfully do, or cause to be done, any act whatsoever whereby the said works, or any pipe, conduit, canal, water course, mound, plug, cock, reservoir, dyke, or any engine, machine or structure, or any matter or thing appertaining to the same, shall be stopped, obstructed, impaired, weakened or injured, or wilfully pollute the said water by the throwing any dead animals, or other impure substance, into the same, or by swimming, bathing, or washing therein, the person or persons so offending shall forfeit and pay to the said company treble the amount of the damages sustained by means of such offence or injury, to be recovered by such company with costs of suit, by action of debt, or action on the case, in any court of judicature of this state, or by warrant before any magistrate thereof; which action shall in every instance be considered as transitory in its nature, and shall and may be triable in any county in this state.

Shall not issue notes &c.

13. AND BE IT ENACTED, That it shall not be lawful for the said corporation to enter into any negotiations on bills or notes, nor to deal in exchange, discount, or other commercial or banking operations, and dividends of the profits of the stock shall be annually made, reserving only, at the discretion of the directors, such proportion as they, or a majority of stockholders shall deem sufficient for maintaining and supporting the works necessary to promote or obtain the objects of this incorporation; and if the said corporation shall not carry

into effect the intentions of this act within five years from the passage thereof, in that case all the powers hereby vested in them shall cease and determine.

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CHAPTER 52.

An act to incorporate the Steam Company of Princess Anne.

Passed Jan. 5, 1816.
Preamble.

WHEREAS, Several citizens of Maryland have associated and formed themselves into a company, and raised a stock of thirty thousand dollars, for the purpose of erecting a steam mill and manufacturing establishment; Therefore,

Sec. 1. BE IT ENACTED by the General Assembly of Maryland; That the subscribers for the said stock, consisting of thirty thousand dollars, divided into shares of twenty dollars, their legal representatives, successors or assigns, shall be and they are hereby made and created a body politic and corporate, by the name and style of The President and Managers of the Steam Company of Princess Anne, and by that name may sue and be sued, plead and be impleaded, and do and suffer all acts, matters and things, which a body politic and corporate may lawfully do and suffer.

Style—of
fact in law.

2. AND BE IT ENACTED, That the affairs of said company shall be managed by five managers, one of whom to be chosen by the others the president, the managers to be chosen by the stockholders by ballot, each stockholder having as many votes as he has shares, and voting either in person or by proxy.

Election of
president and
managers.

3. AND BE IT ENACTED, That the persons now acting as president and managers, shall continue to act until after a new election of managers, which shall take place in the town of Princess-Anne, on some day in April next, and on some day in the same month annually, after giving ten days notice thereof.

Persons now
acting.

4. AND BE IT ENACTED, That no person shall be chosen a manager unless he is a stockholder at the time of his election.

Managers
must be stock-
holders.

5. AND BE IT ENACTED, That the president and managers now acting, and those from time to time elected, shall and may make and adopt all by-laws, rules and ordinances, for the government and direction of said company, and the affairs thereof, as the said board may judge necessary for carrying into effect the provisions of this law; Provided, the same be not repugnant to the laws of this state or of the United States.

By-laws &c.

6. AND BE IT ENACTED, That all contracts for the purchase or sale of property, or for the payment of money, signed by the president, and secretary of the board of managers, shall be obligatory upon the corporation.

Proviso,
Contracts.

7. AND BE IT ENACTED, That whenever a vacancy shall happen in the office of manager by death, resignation, removal from the county, or ceasing to be a stockholder, it shall be immediately filled up by ballot, by the directors from among the stockholders until the next election in course.

Vacancies.

8. AND BE IT ENACTED, That the president and managers shall have power,

Powers.

1st. To purchase and hold on behalf of the said company, in fee simple or otherwise, lands and real estate suitable for the erection of the necessary works for the accomplishment of their