

*David*  
LAWS

MADE AND PASSED

BY THE

GENERAL ASSEMBLY

OF THE

STATE OF MARYLAND,

AT A SESSION BEGUN AND HELD AT ANNAPOLIS, ON MONDAY, THE 30TH DAY OF  
DECEMBER, 1844, AND ENDED ON MONDAY THE 10TH DAY OF MARCH, 1845.

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1845.

Ann Littig, Ana Maria Littig, Rachel Littig, Hannah Ann Littig, Frederick Shaffer Littig, junr., William Pitt Littig, Julia Bates Littig and Louisa Emily Littig, at all times hereafter to be called and known by, and use the names of Frederick Littig Shaffer, Catharine Ann Littig Shaffer, Ann Maria Littig Shaffer, Rachel Littig Shaffer, Hannah Ann Littig Shaffer, Frederick Littig Shaffer, junr., William Pitt Littig Shaffer, Julia Bates Littig Shaffer and Louisa Emily Littig Shaffer, and by that name to sue and be sued in any court of law or equity.

## CHAPTER 9.

*A further additional supplement to an act entitled, an act to introduce wholesome water into the city of Frederick.* Passed Jan. 7, 1845.

WHEREAS by an additional supplement to the above recited act, passed at December session 1839, chapter 210, the mayor, aldermen and common council of Frederick were appointed commissioners to raise by a scheme or schemes of lottery, the sum of seventy-five thousand dollars over and above all expenses, charges and interest for the purpose of enabling the corporation of Frederick to introduce a full supply of water into said city; and whereas it is represented by the mayor, aldermen and common council of Frederick, that the water works purchased by the said corporatin not being sufficient to afford a full supply of water to the said city, they have made another and a different location of such works as will effectuate the said object, and are anxious to proceed in the construction of the same, but that the proceeds of the lottery authorised as aforesaid, and now in a course of drawing, owing to the slow sale of the tickets thereof will not afford adequate means for the completion of said works as speedily as the exigencies of the inhabitants of said city shall require, and that a loan on the credit of said corporation will be necessary to accelerate such completion; and whereas the said corporate authorities have further represented that certain portions of land ought to be vested in them in perpetuity for the construction of a part of said works, either by purchase or condemnation, and they have therefore prayed that a law may be passed to authorise said loan and condemnation—therefore,

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the mayor, aldermen and common council May borrow. &c.

cil of Frederick, be and they are hereby authorised and empowered to borrow on the credit of the corporation of Frederick, any sum or sums of money not exceeding in the whole, the sum of thirty thousand dollars, for the purpose of aiding in the construction of the water works contemplated by said corporation, in such manner and on such terms as they from time to time shall think proper and necessary, as the said works shall progress; and it shall be lawful for any of the banks of this state to make such loan or loans; and for the payment of the said sum or sums of money, the said mayor, aldermen and common council be and they are hereby authorised and empowered, in addition to the power of taxation heretofore vested in them, to levy upon the assessable property within the taxable limits of Frederick any sum or sums of money which may be necessary to pay and discharge the principal and interest of said loan or loans, and collect the same as other corporation taxes are collected.

Surplus to be applied to the reduction of taxes, &c.

SEC. 2. *And be it enacted*, That if the proceeds of said lottery together with the said loan or loans shall be more than sufficient to complete the said water works, the said corporation shall apply said surplus to the reduction of the taxes of said corporation or to the discharge of any loan or loans heretofore contracted, and which shall not have been extinguished prior to the accrual of such surplus.

Corporation to lay and make pipes, &c.

SEC. 3. *And be it enacted*, That for completing in an effectual and proper manner, the introduction, distribution and supply of water as aforesaid, in addition to the powers heretofore granted, the said corporation is hereby empowered to lay and make pipes, conduits or tunnels for the conveyance of said water under and along the land or lands of any person or persons whomsoever, and the said pipes, conduits or tunnels from time to time, to repair and renew, and for those purposes to dig, break up and open said land, taking care to restore to its former condition such land as may be at any time dug, broken up and opened for said pipes, conduits or tunnels.

To construct receivers, reservoirs, &c.

SEC. 4. *And be it enacted*, That in addition to the powers granted to the Frederick Water Company, the said corporation is hereby authorised and empowered to establish and construct receivers, reservoirs and other works which it shall deem necessary for the conveyance and distribution of said water, on any land or lands of any person or persons whomsoever, through which the said water is intended to be conveyed, on purchasing the same from the owner or owners thereof by the said corporation; and if the owner or owners of such land or lands be a feme

covert, under age, non compos mentis or under any other legal disability to contract for a sale of any said lands, or unwilling to make such sale, or cannot agree with the said corporation on the terms of sale, in either or any of said cases, any one of the judges of the fifth judicial district on the application of the said corporation shall pass an order directing the clerk of Frederick county court, to issue a commission to three disinterested persons, named in said order, to value such land or lands as shall be required for said purposes, and to make return thereof to Frederick county court at the term next ensuing the issuing of said commission; and before the said commissioners shall value such land, they shall take an oath to execute the trust reposed in them without favor, partiality or affection; and in making such valuation, they shall make a survey and plot of the land or lands so valued, and fix boundaries around the same, and shall in their return describe said land or lands, and the interest and estate in the same, and the valuation of the same.

SEC. 5. *And be it enacted*, That the return of said commissioners shall be confirmed by the said court at the term to which the same shall be made, unless cause be shown to the contrary, within the first six days of the said term, if the said return shall be made on or before the first day of said term, and if during said term after the first day of said term, then within six days from the filing thereof in the said court; and if any objection in writing shall be made to said return by the owner or owners of such land or lands, or by any person authorised in behalf of said owner or owners at any time before the same be confirmed by the court, the said court shall thereupon proceed to hear testimony, if any should be offered, and may increase or reduce the valuation of said commissioners if the testimony will so warrant; *provided*, that either party on motion to the court shall before the hearing of testimony by the court be entitled to trial by jury on an issue to be framed under the direction of the court, which issue shall be confined to the valuation of the said commissioners; and the court may amend said return, either on testimony before the court as aforesaid, or the verdict of the jury as the case may be, in reference to said valuation and confirm the same so amended, and upon the confirmation of said return as aforesaid, the same shall be conclusive on all persons; and upon payment or tender of payment of any sum or sums of money so as aforesaid ascertained as the value of said land or lands, such land or lands shall be vested in the said corporation forever; and the said return, plot and all the proceedings connected therewith, shall be recorded among the land re-

Return to be confirmed by the court in six days, &c.

cords of Frederick county, at the expense of the said corporation, and a certified copy of the same shall be received in evidence in all cases touching the premises.

CHAPTER 10.

Passed Jan. 16, 1845. *An act to authorise W. H. Redwood, of Baltimore, to hold and retain in this State, negro girl Emily.*

May hold, &c.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That it shall be lawful for W. H. Redwood, of Baltimore city, to hold and retain in this State, as a slave for life, a negro girl named Emily, who is now within this State; *provided,* that the said W. H. Redwood, shall within thirty days after the passage of this act, make affidavit before some Justice of the Peace of Baltimore city, and have the same filed in the office of the clerk of Baltimore city, of his intention to become a resident of this State; *and provided also,* that the said W. H. Redwood shall within the time aforesaid, file with the said Clerk a list of said slave, with an affidavit thereto attached, that the same is a true and faithful list of said slave, and that he, the said W. H. Redwood, has not brought or removed said slave into this State for sale, and that the said negro girl Emily is a slave for life; *and provided,* that the said W. H. Redwood pay the sum of fifteen dollars to the clerk of said county at the time of giving said list, to be paid over to the Treasurer of the Western Shore for the use and benefit of the Colonization Society.

Proviso.

CHAPTER 11.

Passed Jan 16, 1845.

*An act to change the name of Alice Fowler White, the Infant daughter of Edward H. White, of Worcester County, to Alice Priscilla White.*

Name changed.

*Be it enacted by the General Assembly of Maryland,* That from and after the passage of this act, the name of Alice Fowler White, infant daughter of Edward H. White, of Worcester county, be and the same is hereby changed to the name of Alice Priscilla White, and by said name she shall hereafter be called and known, sue and be sued; *provided,* nothing herein contained shall alter or abridge any legal right to which said infant might otherwise be entitled,