PUBLIC LOCAL LAW.

Passed by the Maryland Legislature, Session of 1908, and Operative in Kent County, Maryland.

NO. 21½.

AN ACT to Incorporate the Town of Still Pond, Kent County, Maryland.

Section 1. Be it enacted by the General Assembly of Maryland, That the inhabitants of Still Pond, in Kent county, Maryland, be and they are hereby incorporated and created a corporate body under the name and style of "The Commissioners of Still Pond," and by that name shall have perpetual succession, sue and be sued, plead and be impleaded in any Court of law or equity whatsoever, may purchase and hold real, personal and mixed property, and may sell and convey the same, and may use a common seal and the same alter at pleasure.

Section 2. And be it enacted, That the Commissioners of Still Pond, as hereinafter named, shall forthwith define and locate the limits of said town and shall have same filed and recorded in the office of the clerk of the Circuit Court for Kent county for reference.

Section 3. And be it enacted, That the legal voters of Still Pond, females included, who pay taxes and who have resided within its corporate limits six (6) months, of the age of twenty-one (21) years and upwards, shall elect by ballot, on the first Saturday in May, 1908, three (3) commissioners of the said town of Still Pond, all of whom shall be qualified voters of said town who shall be qualified voters of said town at elections and above twenty-one (21) years of age, one of whom shall serve one year, one for two years, one for three years, and shall serve without pay. And until the first Saturday in May, 1908, Charles W. Hague, John C. Schofield and William Medders shall be and are hereby constituted Commissioners of said town of Still Pond. That a majority of said Commissioners shall constitute a quorum for the transaction of business. The said Commissioners shall meet the first regular meeting after the first Saturday in May of each year from and after the first year, 1908, and take the oath of office to support and maintain the Constitution and laws of the State of Maryland, and to perform the duties of their offices as Commissioners of Still Pond to the best of their ability, without fear, favor, affection or partiality. They shall therefore choose one of their number as their president, who shall also act as the executive officer of said Commissioners of the said town of Still Pond. The said Commissioners shall also choose, not necessarily from among the numbers thereof, a secretary and treasurer, who shall continue in office during the term for which said Commissioners are elected, unless sooner removed for cause by said Commissioners, and the said Commissioners shall require of said treasurer a bond in a penalty to be by them fixed, conditioned to the faithful discharge of his duties as such treasurer. In case of the absence of the presiding officer from any meeting of said Commissioners they may choose from among their number a president pro tem, who shall preside at such meeting. The treasurer shall in no case pay out any money except upon the written order of the president or executive officer of the corporation and every officer of the corporation shall promptly, upon the termination of his office, turn over to his successor all property or money pertaining to his office promptly on demand by such successor. All records shall be public and open to inspection at reasonable hours of the day to any citizen of Still Pond. In case of removal for cause of any officer the commissioners may appoint a successor to act during the pleasure of the Commissioners, or until the next regular election and qualification of such officers. All moneys in the hands of the treasurer shall be applied to the payment of orders drawn by the president, in the order in which they are drawn, if reasonably presented by the legal holders thereof for payment, but the corporation orders duly executed shall be receivable for corporation taxes, payable by the legal holders thereof.

Section 4. And be it enacted, That the said Commissioners of Still Pond shall, at least ten (10) days prior to the said Saturday in May 1908, and annually thereafter, give notice of the time and place of holding an election for one Commissioner of said town, by posting printed notices in three of the most public places in said town, and at some meeting of the said Commissioners prior to the said first Saturday in May 1908, and each year thereafter, they shall appoint three citizens of the said town of Still Pond to act as judges of said election, who, before acting as such, shall take the general oath prescribed by Section 6, Article 1 of the Constitution of Maryland, and shall qualify in same manner prescribed for judges of State and County elections in the State, and the said judges shall have power to appoint two competent persons to act as clerks in said elections who shall qualify as provided by existing law for clerks of election, and shall perform their duties in the same manner as is therein prescribed. The polls shall be open at 2 P. M. and close at 6 P. M. on such election days, and the said judges shall, within three days after each election, notify the person who shall have received the greatest number of legal votes, of his election, and shall make return of such election and shall deposit their polls as directed by the ordinance of said Board of Commissioners, and the same person who shall receive the highest number of votes shall be the Commissioner of said town for the three years next ensuing, or until his successor is duly elected and qualified. And the election held in such town shall not be required to be conducted in conformity to the requirements of Chapter 202, Article 33 of the Acts of 1896, or any amendment thereto.

Section 5. And be it enacted, That if it shall happen that any of the persons voted for and duly elected shall from any cause fail to qualify then and in that case the person receiving the next highest number of votes shall be deemed to have been elected, and shall be so informed by the judges of elections, and shall thereupon be entitled to qualify as one of said Commissioners.

Section 6. And be it enacted, That in case of death, resignation, refusal to act or dis-qualification of any Commissioner, the remaining Commissioners, not less than a quorum, shall choose some person duly qualified and eligible, a Commissioner for the unexpired term.

Section 7. And be it enacted, That the said Charles W. Hague, John C. Schofield and William Medders hereinbefore appointed Commissioners of said town, shall meet within thirty (30) days from the passage of this Act and take oath of office prescribed before a justice of the peace for Kent county, and organize as a Board by the election of one of their number as president, who shall act as executive officer and appoint a secretary and treasurer, policeman, and a collector of taxes, and such other officers as may be found necessary and do and perform all things required or allowed to be done by the Commissioners of Still Pond under the provisions of this Act, and they are hereby invested with all the powers, and are to perform all the duties authorized or required to be done by the Commissioners of said town under this Act, and shall continue in office until the first election under this Act and until their successors are elected and qualified.

Section 8. And be it enacted, That the president of said Board of Commissioners, by virtue of his office as president, shall have all the jurisdiction and powers of a justice of the peace except as to the recovery of debt, and may call upon any officer of said town entrusted with the receipts and expenditures of public money for a statement of his accounts as often as he may think necessary. He shall see that the ordinances of the Board are duly kept and faithfully executed, and shall report annually to the Board of Commissioners, at their first annual meeting, the general state of the affairs of the town, with an accurate account of all moneys received and expended during the preceding year, to be made public for the information of the citizens.

Section 9. And be it enacted, That the Commissioners of said town shall meet regularly the first Monday in each month.

Section 10. And be it enacted, That said Commissioners shall fix the compensation and fees of all officers appointed by said Board. They shall keep a journal of their proceedings and enter the yeas and nays on any question, resolution or ordinance at the request of any member.

Section 11. And be it enacted, That the said Commissioners shall have the power to suppress all disorderly meetings, to prohibit the use of profane, indecent, seditious or riotous language, drunkenness, fighting and disorderly conduct in said town, to regulate the firing of cannon, guns, pistols, squibs or any kind of fire arms and fire works in said town, to prevent the running at large in said town of all animals; to prevent any immoderate riding or driving through the streets of said town with carriage, stage, cart, wagon, sleigh, bicycle or other vehicle, or on horse back, so as to endanger the lives, limbs or property of the citizens or corporation or disturb the quiet enjoyment of the streets or thoroughfares of said town, to prevent indecent exhibition of every kind; to preserve order to secure persons and property from violence, danger or destruction within said town, and prescribe fines, penalties and forfeitures for the violations of any of the said ordinances, but no fine or penalty shall exceed the sum of twenty-five dollars ($25.00) and all fines and penalties imposed by said ordinances shall be collected as other fines, penalties and forfeitures are collected under the laws of the State; and all fines, when collected, shall be promptly paid to the treasurer of the corporation for the use of the town, and in case of default in the payment of such fines, penalties and forfeitures and the costs attending their imposition and collection of the same, the offender may be imprisoned in the county jail for a term not exceeding thirty (30) days, in the same manner as commitments are made for fines imposed by the Circuit Court for the judicial district in which said town is situated, on conviction for a misdemeanor; but any party fined or subject to a fine or forfeiture may, after the same is imposed, supersede or stay the same for five days by giving ample security to the officer imposing same; and any party subject to a fine, penalty or forfeiture, by virtue of any of the provisions of this Act, shall have right of appeal within five days thereafter to the Circuit Court of Kent County, upon giving ample security for the payment of such fine and costs. All ordinances shall be posted for five (5) days in some public place in said Still Pond, and the certificate of the secretary entered upon the records of the corporation shall be due evidence of the passage and publication of the ordinance respectively. All ordinances shall be inforced from and after the date on their last respective publication.

Section 12. And be it enacted, That the said Commissioners shall have the power all regulations and ordinances not inconsistent with the Constitution and laws of this State, as from time to time they may deem necessary or expedient for the comfort, convenience and prosperity of the said town and its inhabitants, for the prevention, removal or abatement of any nuisance, and the preservation of health, the suppression of vice and immorality and for the general police regulations within the limits of said town, and to impose fines and penalties for violations thereof, to be collected as provided for in the last preceding section six.

Section 13. And be it enacted, That the said Commissioners shall have the power to pass ordinance requiring all circus or theatrical performance, shows and plays, and public entertainments for which an admission fee is charged to take out a license before giving an exhibition in said town, and to fix the cost of said license; and shall have the power to pass all ordinance to provide for regulating pedlars of nostrums, notions, patent, secret or pretended inventions and remedies on the streets, alleys or side walks of said town.

Section 14. And be it enacted, That said Commissioners may provide by ordinance for the immediate arrest, without warrant, of any person violating any town ordinance, with in the judgement of the said president of the constable, or police of the town, the delay necessary to the issuing of warrants would be dangerous to the peace and quiet of the town or to the lives, limbs or property of the citizens, and when it shall appear that the offender is intoxicated so as to render it unsafe to permit him to ride or drive through the streets of said town, shall provide for the custody of the horse or horses, vehicles, ridden or driven by such person, in some place of safety until such offender or offenders shall become sober, and the said Commissioners shall by ordinance subject the property so taken and deposit it to the payment of all costs of the proceedings, and the keeping of the said property until the same shall be released according to law.

Section 15. And be it enacted, That the police and the other officers of the peace appointed by the said Commissioners under the powers conferred in this Act, are hereby vested with the same power and authority as any constable or police officer may now or hereafter have under the laws of the State.

Section 16. And be it enacted, That the justices of the peace resident in said town are hereby declared to be the covenantors of the peace of the said town, and it shall be their duty to order the arrest of any person or persons found breaking the peace or disturbing the quiet or order of said town, or violating any of the ordinances made by the Commissioners for securing the safety, health, property or lives of the inhabitants of said town, destroying or injuring the property of said town, and shall have power to require any person so offending to give security to keep the peace, or in default thereof, may commit said person to the county jail for not more than (30) thirty days, or may, for the commission of said offense impose a fine on such person of not more than five dollars ($5.00) and such person, in default of payment thereof, may be committed to the county jail for a period of not more than thirty (30) days.

Section 17. And be it enacted, That the said Commissioners shall have the power to levy and collect taxes in said town not exceeding the rate of thirty cents (30 cents) on the hundred dollars in any one year, on all assessable property in said town, on the same basis of assessment as the said property shall for said year be assessed for State and county purposes; provided, that all property in said coporate limits used only for agricultural purposes shall only be assessed as such agricultural property, and not as town lots. On the first day of September taxes shall be due and collectible, and on the first day of October in each year taxes shall be deemed to be in arrears and interest shall be charged and collected from that date till paid, and immediately after the first day of October the collector of taxes shall deliver to each delinquent, who has not prior thereto received the same on account of his assessment, and the taxes and interest due thereon, convenient notice warning to said delinquent thereto attached, that unless payment be made in full within thirty (30) days from the date of delivery of said notice, the same will be collected by process of law, and the said collector may at any time after the first day of October proceed to seize, levy upon and sell the property of said delinquent, or so much thereof as may be necessary to pay said taxes with interest and costs thereon, and on the first day of October of each year the collector shall immediately proceed to collect all unpaid tax bills by seizing, levying upon, advertising and selling said property or so much thereof as may be necessary to pay said taxes, together with interest charges and cos of sale, and for this purpose the said collector is hereby clothed with all powers possessed by collectors of taxes under the Code of Public General Laws.

Section 18. And be it enacted further, That the Commissioners may erect lamps in any of the streets, lanes or alleys of said town and cause the same to be lighted at the public expense.

Section 19. And be it enacted, That the said Commissioners shall have the power to establish the limits and width of the streets of said town and to improve the same and remove obstructions therefrom, and may open new streets, lanes and alleys; that the said Commissioners shall have the power to provide for the payment of damages and expenses of opening, widening and laying out, grading, improving and keeping in good condition the streets, lanes, alleys and sidewalks in said town, and for the purpose may levy and assess the property adjoining such improvements to the extent the same may be benefited thereby; provided, that the property owners may appeal from their decision in the manner as other similar appeals are taken to the Circuit Court of Kent county.

Section 20. And be it enacted, That if, in opening or laying out any new street or alley, the said Commissioners cannot agree with the owner or owners of any land or property wanted for the purpose, for the purchase, use or occupation of the same, or if the owner is a femme covert, under age or non compos mentis, or out of Kent county, application may be made to any Justice of the Peace for said county, who shall thereupon issue his warrant under his hand and seal, directed to the sheriff of said county, requiring him to summon a jury of twenty (20) inhabitants of said county of legal age, not related to the parties or in any wise interested, and from such panel of twenty (20) jurors, each party or his agent, or if either be not present in person or by agent, the sheriff for him, may strike off four (4) jurors, and the remaining twelve (12) shall act as a jury of inquest of damages to meet on the land or near the property to be valued, on a day to be named in the warrant not less than ten (10) or more than twenty (20) twenty days after the issuing of the same, that the sheriff shall, before the jury shall proceed to act, administer an oath to each that he will justly and impartially value the damages the owners will sustain by the use or occupation of the property for the use hereinafter mentioned. That the jury in estimating the damages shall take into consideration the benefits resulting to the owner from the opening and laying out of said streets and alleys, through, along or near to the property of said owner; and the jurors shall reduce their inquisition to writing, and shall sign and seal the same, and it shall then be returned by the sheriff to the clerk of the Circuit Court for Kent county, and shall be confirmed by the said court at its next session, if no sufficient cause to the contrary be shown, and when confirmed shall be recorded by said clerk at the expense of the said Commissioners, and if the said inquisition shall be set aside by the Circuit Court of Kent county, the said court may direct another to be taken in the same manner as the first. That every inquisition shall describe the property taken or the bounds of the land condemned, and the quantity or duration of the interest of the same therein valued, and such valuation, when paid or tendered to the owner or owners of the property taken, or his legal representatives, shall entitle to said Commissioners to the estate, use and interest in the same so valued for the purpose aforesaid as fully as if the same had been conveyed by the owner or his legal representative.

Section 21. And be it enacted, That the said Commissioners shall have the power to license and regulate the sweeping of chimneys and fix the rates thereof; to regulate the sweeping of any chimney, by neglect of which the said town may be endangered.

Section 22. And be it enacted, That the Commissioners shall have the power to enact ordinances for the prevention of cruelty to animals, and fix the penalties for the violation thereof, not inconsistent with the laws of the State.

Section 23. And be it enacted, That the Commissioners shall have the power to establish regulations for the prevention and extinguishment of fires, to appoint firemen and appoint, organize and equip fire companies, and to fix the penalties for the violation of any fire regulation.

Section 24. And be it enacted, That the said Commissioners shall have the power to pass ordinances to preserve the health of the said town, to prevent and remove nuisances, to prevent the introduction of contagious or infectious disease within the said town and within two miles of the same, and may regulate the place for the erection of slaughter houses, canning factories and whatever other offensive trade is carried on.

Section 25. And be it enacted, That the said Commissioners shall have full power to construct and keep in repair all necessary drains and sewers and to pass such regulations as may be necessary for the preservation of the same, and may authorize any person appointed by them to enter upon the lots, grounds and possession of any person or body politic through which said sewers or drains may pass, and regulate, make or repair the same and may pass such ordinances as they may deem proper for the protection of the same, and fix penalties for the violation thereof, to be collected as provided for in Section 11 of this Act. The cost of constructing, opening, enlarging or straightening any sewer in any street or alley or through any private property shall be chargeable to the property adjacent thereto, and the said amounts as charged to the property adjacent shall be collected in the same manner as taxes.

Section 26. And be it enacted, That all the streets, alleys, lanes and public grounds in said town of Still Pond shall be subject, however, at all times to the control of the Commissioners of Still Pond who may establish, maintain, alter and repair said streets, alleys, lanes and public grounds, and make such improvements therein as in their judgment from time to time seem to be necessary, as herein provided for in the town of Still Pond. That every inquisition shall describe the property taken or the bounds of land condemned, and the quantity or duration of the interest of the same therein valued, and such valuation, when paid or tendered to the owner or owners of the property taken, or his legal representatives, shall entitle said Commissioners to the estate, use and interest in the same so valued for the purpose aforesaid as fully as if the same had been conveyed by the owner or his legal representative.

Section 27. And be it enacted, That this act shall take effect from the date of its passage.

Approved March 30, 1908.

HON. AUSTIN L. CROTHERS,
Governor.

HON. JAMES ENOS RAY, Jr.,
Speaker of the House of Delegates.
HON. JOSEPH B. SETH,
President of the Senate.

Office of the Chief Clerk of the House:

I hereby certify, that the aforegoing is a true copy of an Act of the General Assembly of Mary land, passed at the January Session, 1908.

A. J. ALMONEY,
Chief Clerk of the House.

Public Local Law

Passed by the Maryland Legislature, Session of 1908, and Operative in Kent County, Md.

NO. 53¼.

AN ACT to Incorporate the Town of Rock Hall, Kent County, Maryland.

SECTION 1. Be it enacted by the General Assembly of Maryland That the inhabitants of Rock Hall, in Kent county, Maryland, be and they are hereby incorporated and created a corporate body under the name and style of "The Mayor and Councilmen of Rock Hall," and by that name shall have perpetual succession, sue and be sued, plead and be impleaded in any court of law or equity whatsoever; may purchase and hold real, personal and mixed property, and may sell and convey the same, and may have and use a common seal, and the same alter at pleasure.

SEC. 2. And be it further enacted, That the boundaries of said town shall be as follows: Beginning at Rock Hall creek, at the south side of the public landing in Green lane, and running thence easterly bounding on the south side of said lane to the public road leading from Rock Hall cross roads to Grey's Inn, and continuing said line easterly 200 feet to a point on Mr. Kimble's farm marked by a stone; thence by a straight line to a stone on the east side of the public road leading from Rock Hall to Chestertown, said point being distant 100 feet south from the Arch bridge over Grey's Inn creek, said point being marked by a stone; thence by a straight line northwesterly to a point on the north side of the Haven road, marked by a stone; thence parallel with the line of the public road leading from Rock Hall cross roads to Denly, 200 feet; thence west to W. M. Miller's line; thence by a straight line to the extreme end of Windmill Point; thence by a straight line to place of beginning.

SEC. 3. And be it enacted, That the legal voters of Rock Hall who have resided within the corporate limits six months preceding an election, and who are assessed for taxes on real and personal property to the amount of one hundred dollars or more, and all persons who own and are assessed for taxes on any interest in real or personal estate in said town to the value of one hundred dollars or over, and who are of twenty-one years and upwards, shall elect by ballot, on the first Saturday of May of each year, commencing the first Saturday of May, 1908, five councilmen of the said town of Rock Hall, all of whom shall be qualified voters of said town, and above twenty-one years of age, and shall serve without pay. And until the first Saturday in May, 1908, and until their successors shall qualify, R. S. Crew, A. Alexander, J. A. Casey, T. B. Durding and Joseph Downey shall be and are hereby constituted councilmen of said town of Rock Hall. A majority of said Councilmen shall constitute a quorum for the transaction of business. The Councilmen so elected shall meet on the third Saturday in May in each year, or as soon after said date as possible, and take the oath of office to support and maintain the Constitution and laws of the State of Maryland, and to perform the duties of their offices as Councilmen of Rock Hall to the best of their ability, without fear, favor, affection or partiality. They shall choose one of the number as their president, who shall also act as Mayor and executive officer of the said town of Rock Hall. The said Councilmen shall also choose, not necessarily from among their own number, a secretary and treasurer, who shall continue in office during the term for which said Councilmen are elected, unless sooner removed for cause by said Councilmen, and the said Councilmen shall require of said treasurer a bond in the penalty to be by them fixed, conditioned for the faithful discharge of his duties as such treasurer. In case of the absence of the presiding officer from any meeting of said Councilmen, they may choose from among their number a president pro tem, who shall preside at such meeting. The treasurer shall in no case pay out any money except upon the written order of the president or executive officer of the corporation, and every officer of the corporation shall promptly, upon the termination of his term of office, turn over to his successor all property or money pertaining to his office promptly, on demand by such successor. All records shall be public and open to inspection at reasonable hours of the day to any citizen of Rock Hall. In case of removal for cause of any officer, the Councilmen may appoint a successor to act during the pleasure of the Councilmen, or until the next regular election and qualification of such officer. All moneys in the hands of the treasurer shall be applied to the payment of orders drawn by the president in the order in which they are drawn, if reasonably presented for payment, but the corporation orders duly executed shall be receivable for corporation taxes, payable by the legal holders thereof.

SEC. 4. And be it enacted, That the said Commissioners of Still Pond shall, at least ten (10) days prior to the said Saturday in May 1908, and annually thereafter, give notice of the time and place of holding an election for one Commissioner of said town, by posting printed notices in three of the most public places in said town, and at some meeting of the said Commissioners prior to the said first Saturday in May 1908, and each year thereafter, they shall appoint three citizens of the said town of Still Pond to act as judges of said election, who, before acting as such, shall take the general oath prescribed by Section 6, Article 1 of the Constitution of Maryland, and shall qualify in same manner prescribed for judges of State and County elections in the State, and the said judges shall have power to appoint two competent persons to act as clerks to said elections, who shall qualify as provided by existing laws for clerks of election, and shall perform their duties in the same manner as is therein prescribed. The polls shall be opened at 2 o'clock p. m. and close at 6 o'clock p. m., on such election days, and the said judges shall, within three days after each election, notify the person who shall have received the greatest number of legal votes of their election, and shall make return of such election, and shall deposit their polls as directed by the ordinances of said Board of Councilmen, and the same persons who shall respectively receive the highest number of votes shall be the Councilmen for the said town for the ensuing year, and until their successors are duly elected and qualified. And the elections held in such town shall not be required to be conducted in conformity to the requirements of Chapter 202, Article 33 of the Acts of 1899, or any amendment thereto.

SEC. 5. And be it further enacted, That if it shall happen that any of the persons voted for and duly eleeted shall from any cause fail to qualify, then and in that place the person receiving the next highest number of votes shall be deemed to have been elected, and shall be so informed by the judges of elections, and shall thereupon be entitled to qualify as one of said Councilmen.

SEC. 6. And be it enacted, That in case of death, resignation, refusal to act or disqualification os any Councilman, the remaining Councilmen, not less than a quorum, shall choose some person duly qualified and eligible, a Councilman for the unexpired term.

SEC. 7. Ann be it enacted, That the said R. S. Crew, A. Alexander, J. A. Casey, T. B. Durding and Joseph Downey, hereinbefore appointed Councilmen of said town, shall meet within thirty days from the passage of this Act, and take the oath of office prescribed before a justice of the peace for Kent county, and organize as a board by the election ol one of their number as president, who shall act as Mayor and executive officer, and appoint a secretary and treasurer, one or more policemen and a collector of taxes, and such other officers as may be found necessary, and do and perform all things required or allowed to be done by the Mayor and Councilmen of Rock Hall under the provisions of this Act; and they are hereby invested with all powers and are to perform all the duties authorized or required to be done by the said corporation under this Act, and shall continue in office until the first election under this Act, and until their successors are elected and qualified.

SEC. 8. And be it further enacted, That the president of said board of Councilmen and Mayor, by virtue of his office as president and Mayor, shall have all the jurisdiction and powers of a justice of the peace, except as to the recovery of debts, and may call upon any officer of said town, entrusted with the receipts and expenditures of public money, for a statement of his accounts as often as he may think necessary. He shall see that the ordinances of the board are duly and faithfully executed, and shall report annually to the board of Councilmen at their first annual meeting, the general state of the affairs of the town, with an accurate account of all moneys received and expended during the preceding year, to be made public for the information of the citizens.

SEC. 9. And be it enacted, That the Councilmen of said town shall meet regularly at least once a month at a time to be fixed by an ordinance of said town, and shall hold such meetings as may be necessary for the dispatch of business.

SEC. 10. And be it enacted, That said Councilmen shall fix the compensation and fees of all officers appointed by said board. They shall keep a journal of their proceedings and enter the yeas and nays of their proceedings on any question, resolution or ordinance at the request of any member.

SEC. 11. And be it enacted, That the said corporation shall have the power to suppress all disorderly meetings; to prohibit the use of profane, indecent, seditious or riotous language, drunkeness, fighting and disorderly conduct in said town; to regulate the firing of cannon, guns, pistols, squibs or any kind of fire arms and fire works in said town; to prevent the running at large in said town of all animals; to prevent any immoderate riding or driving through the streets of said town with carriage, stage, cart, wagon, sleigh, bicycle or other vehicle or on horseback, so as to endanger the lives, limbs or property of the citizens or corporation, or disturb the quiet enjoyment of the streets or thoroughfares of said town; to prevent indecent exhibition of every kind; to preserve order and secure persons and property from violence, danger or destruction within said town, and prescribe fines, penalties and forfeitures for the violations of any of the said ordinances, but no fine or penalty shall exceed the sum of twenty-five dollars ($25.00) and all fines and penalties imposed by said ordinances shall be collected as other fines, penalties and forfeitures are collected under the laws of the State; and all fines, when collected, shall be promptly paid to the treasurer of the corporation for the use of the town, and in case of default in the payment of such fines, penalties and forfeitures and the costs attending their imposition and collection of the same, the offender may be imprisoned in the county jail for a term not exceeding thirty days, in the same manner as commitments are made for fines imposed by the Circuit Court for the judicial district in which said town is situated, on conviction for a misdemeanor; but any party fined or subject to a fine or forfeiture may, after the same is imposed, supersede or stay the same for five days by giving ample security to the officer imposing same; and any party subject to a fine, penalty or forfeiture, by virtue of any of the provisions of this Act, shall have right of appeal within five days thereafter to the Circuit Court of Kent County, upon giving ample security for the payment of such fines and costs. All ordinances shall be posted for five days in some public place in said town, and the certificate of the secretary entered upon the records of the corporation shall be due evidence of the passage and publication of the ordinance respectively. All ordinances shall be enforced from and after the date of their last respective publication.

SEC. 12. And be it enacted, That the said corporation shall have full power to make all regulations and ordinances not inconsistent with the Constitution and laws of this State as from time to time they may deem necessary or expedient for the comfort, convenience and prosperity of said town and its inhabitants, for the prevention, removal or abatement of any nuisance and the preservation of health, the suppression of vice and immorality, and for general police regulations within the limits of said town, and to impose fines and penalties for violations thereof, to be collected as provided for in the last preceding section 6.

SEC. 13. And be it enacted, That the said corporation shall have power to pass ordinances requiring all circus or theatrical performances, plays and public entertainments for which an admission fee is charged to take out a license before giving an exhibition in said town and to fix the cost of said license; and shall have the power to pass all ordinances to provide for regulating peddlers of nostrums, notions, patent, secret or pretended inventions and remedies on the streets, alleys or sidewalks of said town.

SEC. 14. And be it further enacted, That said corporation may provide by ordinance for the immediate arrest, without warrant, of any person violating any town ordinance, when in the judgment of the said president or of the constable or police of the town the delay necessary to the issuing of warrants would be dangerous to the peace and quiet of the town or to the lives, limbs or property of the citizens; and when it shall appear that the offender is intoxicated so as to render it unsafe to permit him to ride or drive through the streets of said town, shall provide for the custody of the horse or horses, vehicles or vehicles; ridden or driven by such persons, in some place of safety until such offender offender or offenders shall become sober; and the said corporation shall by ordinance subject the property so taken and deposited to the payment of all cost of the proceedings and the keeping of the said property until the same shall be released according to law.

SEC. 15. And be it enacted, That the police and the other officers of the peace appointed by the said corporation under the powers conferred by this Act, are hereby vested with the same power and authority as any constable or police officer may now or hereafter have under the laws of the State.

SEC. 16. And be it enacted, That the justices of the peace resident in said town are hereby declared to be the conservators of the peace of said town, and it shall be their duty to order the arrest of any person or persons found breaking the peace or disturbing the peace, or in default thereof may commit said person to the county jail for not more than thirty days, or may, for the commission of said offenses, impose a fine on such person of not more than five dollars; and such person, in default of payment thereof, may be committed to the county jail for a period of not more than thirty days.

SEC. 17. And be it enacted, That the said corporation shall have the power to levy and collect taxes in said town not exceeding the rate of thirty cents on the hundred dollars, in any one year, on all assessible property in said town, on the same basis of assessment as the said property shall for said year be assessed for State and County purposes; provided, that all property in said corporate limits used only for agriculturl purposes shall only be assessed as such agricultural property and not as town lots. On the first day of October in each year taxes shall be deemed to be in arrears and interest shall be charged and collected from that date until paid; and immediately after the first day of October the collector of taxes shall deliver to each delinquent who has not prior thereto received the same, an account of his assessment and the taxes and interest due thereon, with a notice and warning to said delinquent thereto attached that unless payment be made in full within thirty days fro m the delivery of said notice, the same will be collected by process of law; and the said collector may at any time after the first day of November proceed to seize, levy upon and sell the property of said delinquent, or so much thereof as may be necessary to pay said taxes with interest and costs thereon, and on the first day of December of each year the collector shall immediately proceed to collect all unpaid tax bills by seizing, levying upon, advertising and selling said property, or so much thereof as may be necessary to pay said taxes, together with interest charges and costs of sale, and for this purpose the said collector is hereby clothed with all the powers possessed by collectors of taxes under the Code of Public General Laws.

SEC. 18. And be it further enacted, That the said corporation may erect lamps in any of the streets, lanes or alleys of said town, and cause the same to be lighted at the public expense.

SEC. 19. And be it enacted, That the said corporation shall have the power to establish the limit and width of the streets of said town and to improve the same, and to remove obstructions therefrom, and may open new streets, lanes and alleys; that the said corporation shall have the power to provide for the payment of damages and expenses of opening, widening and laying out, grading, improving and keeping in good condition; the streets, lanes, alleys and sidewalks in said town, and for the purpose may levy and assess the property adjoining such improvements to the extent the same may be benefited thereby; provided, that the property owners may appeal from their decision in the manner as other similar appeals are taken to the Circuit Court of Kent county.

SEC. 20. And be it enacted, That if, in opening or laying out any new street or alley, the said corporation cannot agree with the owner or owners of any land or property wanted for the purpose for the purchase, use or occupancy of same, or if the owner is a feme covert, under age or non compos mentis, or out of Kent county, application may be made to any justice of the peace for said county, who shall thereupon issue his warrant, under his hand and seal, directed to the sheriff of said county, requiring him to summon a jury of twenty inhabitants of said county, of legal age, not related to the parties, or in any wise interested, and from such panel of twenty persons, each party or his agent, or if either be not present in person or by agent, the sheriff for him may strike off four jurors, and the remaining twelve shall act as a jury of inquest of damages, to meet on the land or near the property to be valued, on a day to be named in the warrant, not less than ten or more than twenty days after the issuing of the same; that the sheriff shall, before the jury shall proceed to act, administer an oath to each that he will justly and impartially value the damages the owners will sustain by the use or occupation of the property for the uses hereinafter mentioned; that the jury in estimating the damages shall take into consideration the benefits resulting to the owner from the opening and laying out of said streets, through, along or near to the property of said owner, and the jurors shall reduce their inquisition to writing, and shall sign and seal the same, and it shall then be returned by the sheriff to the clerk of the Circuit Court for Kent county, and shall be confirmed by the said court at its next session, if no sufficient cause to the contrary be shown, and when confirmed shall be recorded by said clerk at the expense of the said Commissioners, and if the said inquisition shall be set aside by the Circuit Court of Kent county, the said court may direct another to be taken in the same manner as the first. That every inquisition shall describe the property taken or the bounds of the land condemned, and the quantity or duration of the interest of the same therein valued, and such valuation, when paid or tendered to the owner or owners of the property taken, or his legal representatives, shall entitle said Commissioners to the estate, use and interest in the same so valued for the purpose aforesaid as fully as if the same had been conveyed by the owner or his legal representative.

SEC. 21. And be it enacted, That the said corporation shall have the power to license and regulate the sweeping of chimneys and fix the rates thereof; to regulate the sweeping of any chimney, by neglect of which the said town may be endangered.

SEC. 22. And be it enacted, That the said corporation shall have the power to enact ordinances for the prevention of cruelty to animals, and fix the penalties for the violation thereof not inconsistent with the laws of this State.

SEC. 23. And be it enacted, That the said corporation shall have the power to establish regulations for the prevention and extinguishment of fires, to appoint firemen and appoint, organize and equip fire companies, and to fix the penalties for the violation of any fire regulation.

SEC. 24. And be it enacted, That the said corporation shall have the power to pass ordinances to preserve the health of said town, to prevent and remove nuisances, to prevent the introduction of contagious or infectious disease within the said town and within two miles of the same, and may regulate the place for the erection of slaughter houses, canning factories and whatever other offensive trade is carried on.

SEC. 25. And be it enacted, That the said corporation shall have full power to construct and keep in repair all necessary drains and sewers, and to pass such regulations as may be necessary for the preservation of the same, and may authorize any person appointed by them to enter upon the lots grounds and possession of any person or body politic, through which said sewers or drains may pass, and regulate, make or repair the same; and may pass such ordinances as they may deem proper for the protection of the same, and fix penalties for the violation of the same, and fix penalties for the violation thereof, to be collected as provided in section 11 of this Act. The cost of constructing, opening, enlarging or straightening any sewer in any street or alley, or through any private property shall be chargeable to the property adjacent thereto, and the said amounts as charged to the adjacent owners shall be collected in the same manner as taxes.

SEC. 26. And be it enacted, That all the streets, alleys, lanes and public grounds in said town of Rock Hall shall be subject however at all times to the control of the police purposes, in the control of the corporation, who may establish, maintain, alter and repair said streets, alleys, lanes and public grounds, and make such improvements therein as in their judgment from time to time seem to be necessary, as herein provided, and the County Commissioners of Kent county have power to compel any person to pay to the said corporation the sum of seven hundred dollars ($700) on or before the first day of January of each year for the purpose of keeping in repair the public ways of said town of Rock Hall.

SEC. 27. And be it enacted, That this Act shall take effect from the date of its passage.

Approved March 30, 1908.

HON. AUSTIN L. CROTHERS,
Governor.

HON. JAMES ENOS RAY, JR.,
Speaker of the House of Delegates.

HON. JOSEPH B. SETH,
President of the Senate.

Office of the Chief Clerk of the House:

I hereby certify, that the aforegoing is a true copy of an Act of the General Assembly of Maryland, passed at the January session, 1908.

A. J. ALMONEY,
Chief Clerk of the House.

a18-tf.

Public Local Law.

Passed by the Maryland Legislature, Session of 1908, and Operative in Kent County, Maryland.

An Act to repeal Section 2, 3 and 26 of Chapter 227 of the Acts of the General Assembly of Maryland, passed at the January Session of 1906, and to re-enact the same with amendments.

Section 1. Be it enacted by the General Assembly of Maryland, that Section 2, 3 and 26 of the Acts of the General Assembly of Maryland, passed at the January Session of 1906, be and the same are hereby repealed and re-enacted with amendments, to read as follows:

Sec. 2. Be it enacted, That the boundary lines of the town of Betterton shall be as follows: The southern boundary line shall be a straight line parallel with the Howell's Point Road, distant one hundred and fifty feet south of the south side of said road, beginning in the lands now or recently owned by Frank Canby at a point one hundred and eighty feet east of the middle line of the Betterton road and ending in the line dividing the lands of Capt. Harvey Brice from the lands of William J. Coleman. The eastern boundary line shall be a straight line beginning at the eastern end of the southern boundary line aforesaid and running north two degrees and twenty minutes east to the middle of the channel of Sassafras river, a distance of about six thousand feet. The western boundary line shall be a straight line beginning at the end of the southern boundary line aforesaid, and running parallel with the east boundary line aforesaid, north two degrees and twenty minutes east, to the middle of the channel of Sassafras river aforesaid, a distance of about six thousand feet. The northern boundary line shall be the middle of the channel of Sassafras river from the eastern to the western boundary lines aforesaid.

Sec 3. And be it enacted, That there shall be three Commissioners for the town of Betterton who shall be elected for a term of three years, all of whom shall be qualified voters of said town elections, and above 21 years of age, and shall serve without pay, and until their successors are duly elected and qualified. The first election for commissioners under this Act shall take place on the last Saturday of May 1908, between the hours of two and six P. M. Immediately after said commissioners shall be assembled in consequence of said election, they shall be divided by lot into three classes, the term of the commissioner of the first class shall be vacated at the expiration of one year, of the second class at the expiration of two years, and of the third class at the expiration of three years from said first election, so that thereafter one commissioner shall be elected every year on the last Saturday of May; and the legal voters of Betterton who have resided within the corporate limits six months preceding an election, and all persons who own any interest in real estate in said town, of the age of twenty one years and upwards, shall be entitled to vote at said election and at any election held for the choosing of said commissioner on the last Saturday of May in each of the years after the year nineteen hundred and eight. That a majority of said commissioners shall constitute a quorum for the transaction of business. The said commissioners shall meet on the first Saturday in June of each year on and after the year 1908 and take the oath of office to support and maintain the constitution and laws of the State of Maryland, and to perform the duties of their office as commissioners of Betterton to the best of their ability, without fear, favor, affection or partiality. They shall, therefore, choose one of their number as their president, who shall also act as executive officer of said commissioners of said town of Betterton. The said commissioners shall also choose, not necessarily from among the members thereof, a secretary and treasurer, who shall continue in office for the term of one year, unless sooner removed for cause by said commissioners, and the said commissioners shall require of said treasurer a bond, in the penalty to be by them fixed conditioned to the faithful discharge of his duties as such treasurer. In the case of the absence of the presiding officer from any meeting of said commissioners they may choose from among their number a president *pro tem*, who shall preside at such meeting. The treasurer shall in no case pay out any money except upon written order of the president or executive officer of the corporation (*and every officer of the corporation*) shall promptly upon the termination of his office, turn over to his successor all property and money pertaining to his office on demand by his successor. All records shall be public and open to inspection at reasonable hours of the day to any citizen of Betterton. In case of removal for cause of any officer the Commissioners may appoint a successor to act during the pleasure of the Commissioners or until the next regular election and q