

OK.
S. L. P.



Sealed with the Great Seal
and presented to the Governor,
for his approval this 27 day of
March at 11³⁰ o'clock, A. M.
H. Amory
Chief Clerk.

Examined and enrolled for presentation
to Governor.

C. A. Duwall

H. B. Plehner
Members of House Engrossing Committee.

Filed March 30th 1908

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H. B. Richard
Members of House Engraving Committee

An Act to incorporate the town of Still Pond in Kent County.

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 have^{and} 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 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. Hagar, John G. 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 ^{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 members 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 ^{the} 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 holder 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 our Commissioners 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 law for clerks of elections 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 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 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 disqualification of any Commissioner, the remaining Commissioners, not less than a quorum, shall choose some person duly qualified ^{and} eligible as a Commissioner for the unexpired term.

Section 7. And Be It Enacted, That the said Charles W. Hague, John C. Schofield ^{and} William Medders, heretofore 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 debts ^{and} may call upon any officer of said town entrusted with the receipts ^{and} expen-

disburse 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 & 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 year and days 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 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 violation 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 town or 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 misdemeanor, but any party fined or subject to a fine or forfeiture may after the same be imposed suspend or stay the same for five (5) days by giving ample security to the officer imposing the 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 (5) 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 enforced from ^{and} after the date of their last respective publications.

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 the 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 6.

Section 13. And Be It Enacted, That the said Commissioners shall have the Power to Pass ordinances requiring all Circus or theatrical Performances, 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 ordinances to provide for regulating Jugglers of nostrums, notions, Patent ^{or} Patent-d inventions ^{and} remedies, on the streets, alleys or sidewalks 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, within 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, horses, vehicle or 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 Power conferred by this Act, are hereby vested with the same Power ^{and} authority as any Constable

or Police officers 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 conservators 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 offences 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 Commissioner shall have the Power to levy ^{and} collect taxes in said town not exceeding the rate of thirty cents (30¢) 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 corporate 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} collectable, ^{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, with a notice ^{and} warning to said delinquent thereto attached, that unless payment be made in full within thirty days from 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 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 ^{and} levying upon, advertising ^{and} selling said property or so much thereof as may be necessary to pay said taxes together with interest charges ^{and} cost 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 said 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 benefitted thereby provided that the property owners may appeal from their decision in like manner

as other similar appeals are taken to the Circuit Court of St. Louis County.

Section 20. And Be It Enacted, That if in opening or laying out any new streets 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 now compos mentis or out of St. Louis 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 two (10) or more than (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 damage the owner 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 such streets ^{and} alleys, through, along or near to the property of said owner, ^{and} the jury 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 St. Louis 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 the said Commissioners to the estate 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 representatives.

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 said 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 diseases 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 for municipal and police purposes, 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 thereof and thereon as may from time to time seem to be necessary, as herein provided, and the County Commissioners of Kent County are hereby authorized and directed to pay to the Town Commissioners of Still Pond, the sum of Three hundred Dollars (\$300⁰⁰) 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 Still Pond.

Approved, MAR 30 1908

Austin T. Crook
Governor

J. Ervin Ray Jr.
Speaker of the House of Delegates
Isaac W. Holt
President of the Senate.