

## CHAP. 161.

## CHAPTER 160.

Passed March 8, 1843. *An act to prevent Swine running at large in the Village of Chesterville in Kent county.*

Taken up and sold. *Be it enacted by the General Assembly of Maryland,* That from and after the first day of May next, any swine found running at large in the Village of Chesterville, in Kent county, shall be liable to be taken up and sold by any person or persons in said village or neighborhood; *provided however* five day's notice of such sale shall be given, and at any time before sale it shall be lawful for the owner or owners of swine to redeem the same by paying to the person or persons who may have taken up the same, the sum of fifty cents per head.

Proviso.

## CHAPTER 161.

Passed March 1, 1843. *A supplement to the act entitled, an act to alter and amend the charter of the city of Annapolis.*

Election held 1st Monday of April. **SECTION 1.** *Be it enacted by the General Assembly of Maryland,* That on the first Monday of April next, and on the first Monday of April next in every year thereafter, the citizens of Annapolis qualified to vote for its offices, shall elect a Mayor, Recorder, and five Aldermen, who shall be the Corporation of said city, and possess all the power and perform all the duties of the present corporation.

Three judges to be appointed by corporation. Commissioners to appoint others. **SEC. 2.** *And be it enacted,* That hereafter all elections for members of the corporation, shall be holden by three persons to be appointed Judges of election by the corporation, and that for all State, county, and other than corporation elections, the commissioners of Anne Arundel county, be and they are hereby empowered and required to appoint the Judges of election, in the same manner and at the same time, that they are now authorised by law, to appoint the Judges of election for the other election districts of the county.

Repealed.

**SEC. 3.** *And be it enacted,* That so much of the act, to which this is a supplement as provides for the election of mayor, recorder, five aldermen, and seven common councilmen, and makes the mayor, recorder, and aldermen judges of election, and so much thereof as may be inconsistent with the provisions of this act, be and the same is hereby repealed.

**SEC. 4.** *And be it enacted,* That a majority of the persons elected judges of election, shall be competent to hold an election. CHAP. 163.

## CHAPTER 162.

*A supplement to an act for draining a prong of the Andover Branch, commonly called Deford's Branch, passed at December session, eighteen hundred and thirty eight, chapter one hundred and ninety-seven.* Passed March 2, 1843.

**SECTION 1.** *Be it enacted by the General Assembly of Maryland,* That the Directors appointed by the act to which this is a supplement, be and they are hereby authorised and empowered to proceed to cut a ditch in the manner directed by the original act, commencing at the head of said branch and ending at the public road leading from Sudlersville to Smyrna; *provided,* that a majority of the persons interested shall consent to the cutting and draining said branch; *and provided also,* that it shall not be lawful for the said directors to sell the land of any person who may be a minor during the minority of such person, and that the said directors or a majority of them, be authorised and empowered on the death, resignation, or removal, out of the state of any of them to fill the vacancy occasioned by such death, resignation, or removal, in the same manner as if the said directors had been annually elected according to the provisions of the said original act, and that they be directed and required to make, and keep minutes of their proceedings, and their acts, contracts and proceedings heretofore made in conformity with the act, to which this is a supplement, be and the same are hereby declared to be binding on themselves and on every other person or persons whatsoever, interested therein. Directors to cut road, &c.  
Provisoes.

## CHAPTER 163.

*An act entitled, An act to modify the third section of an act entitled, A furtner supplement to an act, passed at December session, eighteen hundred and forty-one, chapter three hundred and twenty-three.* Passed March 3, 1843.

**SECTION 1.** *Be it enacted by the General Assembly of Maryland,* That the third section of the act of eighteen Post Masters and Deputies not to be sum-

CHAP. 164. hundred and forty-one, chapter two-hundred and seventy-two, be and the same is hereby so modified that it shall not be obligatory on the grand juries of the several counties of this state, to summon the postmasters and their deputies, before them unless they in their judgment shall deem it necessary, and then only to summons such postmasters and deputies as they may deem proper.

Justice to issue warrant to constable, &c.

SEC. 2. *And be it enacted,* That if any person shall have good reason to believe that any free negro or mulatto, is concerned or engaged in concealing, or circulating abolition papers, or furnishing free papers to slaves, or papers purporting to be such, and make oath to that effect before a justice of the peace, the said justice shall issue a warrant directed to some constable, authorising said constable to summon not less than three respectable citizens, and with their aid and assistance to examine and search the houses and premises, of such free negro or mulatto, for abolition or free papers, using as little violence to the feelings of such free negro or mulatto, as is compatible with a faithful and diligent search.

## CHAPTER 164.

Passed March 2, 1843. *An act for the benefit of the heirs of Benjamin Witter, late of Washington County.*

Preamble.

WHEREAS, it has been represented to this General Assembly of Maryland, that it will be to the advantage of the heirs of Benjamin Witter, late of Washington county; deceased, to exchange a portion of the lands belonging to the said heirs, for a portion equal in value, belonging to a certain Elias Davis—therefore,

Upon filing petition, Orphans Court to act.

*Be it enacted by the General Assembly of Maryland,* That the orphans court of Washington county upon the filing of a petition in said court by Elias Davis, and by Sophia Witter administrators of Benjamin Witter, of Washington county, praying for an exchange of said real estate, between the parties, and upon being satisfied by proof that it will be to the interest of the heirs of Benjamin Witter, to obtain such exchange, the quantity not to exceed three acres, with the said Elias Davis for the said quantity of land, to be contiguous to the said estate of the heirs of Benjamin Witter, and upon the ratification by the orphans court of Washington county, of said exchange of the real estate belonging to the heirs of Benjamin Witter, and Elias Davis, the same shall be as valid and binding between the parties as if the said heirs were of lawful age.

## CHAPTER 165.

CHAP. 166.

*An act to prevent the going at large of Swine in Leonard Town in St. Mary's County.* Passed March 2, 1843.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That from and after the first day of April next, no swine belonging to the inhabitants of said town, shall be suffered to go at large in Leonard town in St. Mary's county, and if any person shall find any swine going at large in Leonard town aforesaid, it shall and may be lawful for such person to kill or cause to be killed such swine.

Forbid from 1st of April.

SEC. 2. *And be it enacted,* That if any person shall be sued or warranted for killing any swine going at large in Leonard town aforesaid, such person may plead the general issue, and give this act and special matter in evidence.

May plead general issue.

## CHAPTER 166.

*An act to revive an act, passed at December session, eighteen hundred and twenty, chapter seventy-one, for draining a Branch in Chester river, called and known by the name of the Unicorn Branch.* Passed March 2, 1843.

WHEREAS, the said act as heretofore passed, authorised and empowered the proprietors of the said branch, to appoint Directors superintend and direct the drainings of the said Branch, and the persons then proprietors thereof, neglected to proceed as aforesaid under the said law.

Preamble.

SECTION 1. *Be it therefore enacted by the General Assembly of Maryland,* That the present proprietors of the said Branch, may elect Directors according to the provisions of the original act, to which this is a supplement, and the said Directors so elected, shall proceed according to the provisions of the original act to open a drain or ditch up said Branch, commencing on the land of Emory Tempels, and ending on the lands of Edward Coppage, at a place called Beaver Pond; *provided,* a majority of the persons interested, shall consent to the opening of said ditch; *and provided also,* that it shall not be lawful for the Directors hereby authorised to be appointed, to sell the land of any person who may be a minor during the minority of such person.

Proprietors may elect Directors.

Provisoes