

## AGRICULTURE

### **Acts of 1807, Ch. 169**

An act to establish a Board of Agriculture in specified counties, passed 1-20-1808

- Sec. 1: Purpose - promotion of agriculture and domestic manufacturing.
- Sec. 2: Boards established in AL, AA, BA, CA, CE, KE, MO, SM, SO, TA, WA, and WO. The initial members are named in the law. Official Name - Managers of the Board of Agriculture.
- Sec. 3: Boards shall devise lottery schemes for raising money. Prize money must be awarded within 12 months after the lottery.
- Sec. 4: Board members shall develop ordinances and appoint a president, secretary, and treasurer.
- Sec. 6: Vacancies to be filled by remaining members.

## APPEALS

### **Acts of 1713, Ch. 14**

An act re writs of error and appeals, passed 11-14-1713

- Sec. 4: The party appealing or suing out a writ of error shall procure a transcript of the proceedings from the lower court and file the error in the proceedings or reasons for making the appeal or suing out the writ of error.

### **Acts of March 1780, Ch. 23**

An act re Court of Appeals, passed 5-6-1780

- Sec. 1: Clerk of the Court of Appeals has not been appointed.
- Sec. 2: Judges of the Court of Appeals shall appoint a clerk for a term of good behavior.

### **Acts of 1790, Ch. 42**

An act re new trials, passed 12-22-1790

- Sec. 1: Upon reversal of a judgment in a case appealed by the plaintiff, the Court of Appeals shall return a transcript of the record to the clerk of the General Court with a writ of procendo directing a new trial. The opinion of the Court of Appeals shall be conclusive in law as to question decided by the judges.
- Sec. 2: Upon reversal of a judgment in a case appealed by the defendant, the Court of Appeals may return a transcript of the record to the clerk of the General Court with a writ of procendo directing a new trial. The opinion of the Court of Appeals shall be conclusive in law as to question decided by the judges.

### **Acts of 1800, Ch. 69**

An act re jurisdiction of Court of Appeals, passed 12-19-1800

- Sec. 2: Court of Appeals shall have the authority to enforce judgments by execution the same as any court of law.
- Sec. 3: Any execution issued from the Court of Appeals shall be returnable to the General Court of the Western Shore or Eastern Shore.

### **Acts of 1804, Ch. 55**

An act re General Court and Court of Appeals, passed 1-12-1805, confirmed by Acts of 1805, Ch. 16

- Sec. 5: Court of Appeals shall be composed of the chief judges of the judicial circuits and shall have the jurisdiction now exercised by the Court of Appeals and that exercised by the General Court. It shall sit on the Western Shore and Eastern Shore. Judges shall appoint a clerk for each shore for a term of good behavior. All laws shall be recorded in the Court of Appeals of the

Western Shore.

## **Acts of 1805, Ch. 65**

An act re Court of Appeals, passed 1-25-1806

- Sec. 3: Oaths of judges shall be recorded in the court of which they are members.
- Sec. 6: Governor and Council shall designate the Chief Judge of the Court of Appeals.
- Sec. 8: Cases on appeal or writ of error pending in the General Court shall be heard by the Court of Appeals of the appropriate shore.
- Sec. 18: Records of the General Court of the Western Shore, deed abstracts, land records, and laws shall be deposited with the clerk of the Court of Appeals of the Western Shore. Records of the General Court of the Eastern Shore, deed abstracts, and land records shall be deposited with the clerk of the Court of Appeals of the Eastern Shore.
- Sec. 20: County court clerks shall send deed abstracts to the appropriate clerk of the Court of Appeals of the Western Shore or Eastern Shore.

## **Acts of 1806, Ch. 99**

An act supplemental to Acts of 1805, Ch. 65, re records, passed 1-4-1807

- Sec. 1: Upon reversal of a judgment in a case appealed by the plaintiff, the Court of Appeals shall return a transcript of the record to the appropriate county court clerk with a writ of procendo directing a new trial. Upon reversal of a judgment in a case appealed by the defendant, the Court of Appeals may return a transcript of the record to the appropriate county court clerk with a writ of procendo directing a new trial. Opinion of the Court of Appeals shall be conclusive in law as to question decided by the judges.

## **Acts of 1817, Ch. 148**

An act re appeals in BC, passed 2-9-1818

- Sec. 6: Appeals from decisions of justices of the peace upon warrants for recovery of fines, penalties, and forfeitures under BC ordinances shall be to the BC Court. If the amount exceeds the sum over which justices of the peace have jurisdiction, the suit shall be filed in the BC Court, instead of the BA Court as done heretofore. Appeals from the BC Court may be taken to the Court of Appeals.

## **Acts of 1821, Ch. 125**

An act supplemental to Acts of 1805, Ch. 65, re equity, passed 1-17-1822

- Sec. 1: Appeals from the Chancery Court when all parties reside on the Eastern Shore shall be made to the Court of Appeals of the Eastern Shore.

## **Acts of 1832, Ch. 302**

An act re equity, passed 3-22-1833

- Sec. 6: If upon consideration of any appeal from the Chancery Court or county court, it appears that further proceedings are necessary, Court of Appeals, instead of passing a final decree as it does now, shall remand the case to the Chancery Court or county court for appropriate actions. Court of Appeals shall file its opinion in all appealed equity cases.

### **Acts of 1832, Res. 23**

Resolution re records, passed 2-2-1833

- Clerk of the Court of Appeals shall transcribe Libers BW 6, BW 7, BW 9, and BW 10.

### **Acts of 1836, Ch. 224**

An act re Court of Appeals, passed 3-17-1837, confirmed by Acts of 1837, Ch. 160

- Sec. 1: Governor, with consent of the Senate, shall appoint the clerks of the Court of Appeals of the Western Shore and Eastern Shore for a 7 year term. Incumbents when this act is confirmed shall remain in office until January 1, 1845.

### **Acts of 1852, Ch. 5**

An act re records, passed 2-3-1852

- Sec. 1: Late clerk of the Court of Appeals of the Eastern Shore shall remove its records and papers to the the clerk of Court of Appeals in Annapolis.

### **Acts of 1852, Ch. 55**

An act re records, passed 3-17-1852

- Sec. 1: Cases argued and determined in the Court of Appeals shall be reported to the State Reporter.
- Sec. 2: State Reporter shall be appointed by the Court of Appeals for a 4 year term.

### **Acts of 1852, Ch. 77**

An act re appeals in BC, passed 4-3-1852

- Sec. 1: An appeal may be taken to the Court of Appeals from decisions of matters of law made by the BC Criminal Court in exercise of its jurisdiction under Acts of 1838, Ch. 226 or BC ordinances.

### **Acts of 1853, Ch. 451**

An act re appeals in BC, passed 5-31-1853

- Sec. 1: BC Superior Court shall have concurrent jurisdiction with the BC Criminal Court in appeals from decisions of commissioners re damages or benefits from opening, altering, or closing streets.
- Sec. 2: BC Superior Court decisions may be appealed to the Court of Appeals.

### **Acts of 1865, Ch. 120**

An act to repeal and reenact Sec. 3, Art. 80, Public General Laws, re records, passed 3-18-1865

- Sec. 3: The State Reporter shall report those cases argued and determined in the Court of Appeals, that are designated by the court as proper for publication. The report in each case shall be limited to a statement of the material facts, principal points, authorities relied on by the counsels, and opinion of the court.

### **Acts of 1867, Ch. 410**

An act to repeal and reenact Sec. 3, Art. 80, Public General Laws, re records, passed 3-21-1867

- Sec. 3: The State Reporter shall report those cases argued and determined in the Court of Appeals, that are designated by the court as proper for publication. The report in each case shall be limited to a statement of the material facts, principal points, authorities relied on by the counsels, the courts opinion, and an abstract of the points decided. Each volume shall also contain a list of cases decided and designated by the court not to be reported, and an index.

### **Acts of 1870, Ch. 322**

An act to add a section to Art. 4, Public Local Laws, re appeals in BC, approved 4-4-1870

- Sec. 1: BC Mayor and City Council or other authorized persons are empowered to change the grades of streets or pave or repave them. Aggrieved parties may appeal to the BC Court or other court of competent jurisdiction. A jury trial may be demanded. The court decisions may be appealed to the Court of Appeals.

### **Acts of 1892, Ch. 186**

An act to add a section to Art. 4, Public Local Laws, re appeals in BC, approved 3-23-1892

- Sec. 173A: In cases where appeals are allowed to the BC Court from decisions of commissioners who determine benefits and damages in condemnation proceedings for the use of the mayor and city council, it shall be lawful for the mayor and city council to enter appeals. If there is more than one appeal in reference to the same piece of property, they may be heard together before one jury.

### **Acts of 1953, Ch. 457**

An act to repeal and reenact Sec. 3, Art. 80, Annotated Code, re records, approved and effective 4-11-1953

- Sec. 3: The State Reporter under supervision of the Court of Appeals shall prepare for publication reports of cases designated by the court to be reported. Court shall determine the content of materials to be published.

### **Acts of 1972, Ch. 105**

An act to repeal and reenact Sec. 3, Art. 80, Annotated Code, re records, approved 4-26-1972, effective 7-1-1972

- Sec. 3: The State Reporter under supervision of the Court of Appeals and the Court of Special Appeals shall prepare for publication reports of cases designated by the courts to be reported. The courts shall determine the content of materials to be published.

### **Acts of 1966, Ch. 10**

An act to amend the Constitution, re appeal courts, approved 3-23-1966, ratified 11-1966

- Sec. 1: Judicial power shall be vested in a Court of Appeals, such intermediate courts of appeal as shall be provided by law by the General Assembly, Circuit Courts, Orphans Courts, Courts for BC, and Justices of the Peace.
- Sec. 14A: General Assembly may create intermediate courts of appeal and prescribe their jurisdiction.
- Sec. 18A: Chief Judge of the Court of Appeals shall be the administrative head of the state judicial system.

### **Acts of 1966, Ch. 11**

An act to add sections to Art. 26, Annotated Code, re Court of Special Appeals, approved 3-23-1966, effective 11-1966 after ratification of Acts of 1966, Ch. 10

- Sec. 130: Court of Special Appeals, an intermediate appellate court, is created, to be composed of five judges, one from each special appellate judicial circuit: 1st - HA, CE, KE, QA, CA, DO, WI, SO, WO, TA; 2nd - BA, CR, HO; 3rd - MO, FR, WA, AL, GA; 4th - PG, AA, CV, CH, SM; and 5th - BC. Judges shall be elected by voters of their respective circuits. Governor shall designate the chief judge. Jurisdiction shall include direct appeals from the county circuit courts and BC Criminal Court in criminal cases where the sentence is other than death, subject to further appeal to the Court of Appeals.
- Sec. 131: General Assembly may provide for additional judges.

### **Acts of 1966, Ch. 12**

An act to amend several articles of the Annotated Code and add new sections, re appeal courts, approved 3-23-1966, effective 11-1966 after ratification of Acts of 1966, Ch. 10

- Sec. 12, Art. 5: Defendant in a criminal action may appeal to the Court of Special Appeals from

any conviction where the sentence is other than death and is imposed by a county circuit court or BC Criminal Court. An appeal from the county circuit courts in a case appealed from any Peoples Court or Trial Magistrate shall not be permitted. Where the sentence is death, defendants may appeal to the Court of Appeals. When this section becomes effective, the Court of Appeals may transfer all or some of its pending appeals and applications for leave to appeal directed by this section, Sec. 645I of Art. 27, and Sec. 11 of Art. 31B to the Court of Special Appeals

- Sec. 12A, Art. 5: Defendant in a criminal action may appeal to the Court of Special Appeals from a conviction or sentence imposed by the BC Criminal Court in a case appealed from the BC Municipal Court only when the latter court lacked the jurisdiction or the Criminal Court imposed a greater sentence.
- Sec. 14, Art. 5: State may appeal to the Court of Special Appeals from a final order or judgment granting a motion to dismiss or quashing or dismissing any indictment, presentation, or inquisition in a criminal action.
- Sec. 14A, Art. 5: In any criminal case, post conviction, or defective delinquent proceeding the decision of the Court of Special Appeals may be appealed by certiorari or otherwise to the Court of Appeals.
- Sec. 46A, Art. 17: Clerk of the Court of Special Appeals shall be appointed by and hold office at the pleasure of the court.
- Sec. 645I, Art. 27: Parties may apply to the Court of Special Appeals for leave to appeal from a court order in a post conviction proceeding and to the Court of Appeals for the same when the sentence is death.
- Sec. 11, Art. 31B: Parties may apply to the Court of Special Appeals for leave to appeal from an order in a defective delinquent proceeding.

### **Acts of 1969, Ch. 562**

An act to repeal and reenact Sec. 130, Art. 26, Annotated Code, re Court of Special Appeals, approved 5-4-1969, effective 11-1970 after ratification of 1969 act amending Art. IV of the Constitution

- Sec. 130: Court of Special Appeals, an intermediate appellate court, shall be composed of five judges, one from each special appellate judicial circuit: 1st - HA, CE, KE, QA, CA, DO, WI, SO, WO, TA; 2nd - BA, CR, HO; 3rd - MO, FR, WA, AL, GA; 4th - PG, AA, CV, CH, SM; and 5th - BC. Judges shall be appointed by the governor subject to confirmation of the Senate as prescribed by Art. IV of the Constitution. Governor shall designate the chief judge. Jurisdiction shall include direct appeals from the county circuit courts and BC Criminal Court in criminal cases where the sentence is other than death, subject to further appeal to the Court of Appeals. except judges of Court of Special Appeals to be appointed by the Governor, subject to confirmation by the Senate as prescribed by Art. IV of the Constitution.

### **Acts of 1970, Ch. 99**

An act to repeal and reenact Sec. 130, Art. 26, Annotated Code, and to add a section to Art. 5, Annotated Code, re appeal courts, approved 4-15-1970, effective 7-1-1970

- Sec. 130: Judges of the Court of Special Appeals shall be appointed or elected per Art. IV of the

Constitution. Governor shall designate the chief judge. The court shall be composed of nine judges:

- two at large
- one from each of the following appellate judicial circuits: 1st - CE, KE, QA, CA, DO, WI, SO, WO, TA; 2nd - BA, HA; 3rd - MO, FR, WA, AL, GA; 4th - PG, CV, CH, SM; and 5th - AA, CR, HO
- two from the 6th appellate judicial circuit - BC
- Sec. 5A: Court of Appeals shall have exclusive appellate jurisdiction over appeals not subject to the exclusive initial appellate jurisdiction of the Court of Special Appeals. Latter shall include appeals from civil, equity, and criminal actions of the county circuit courts and the BC courts, where the law grants a right of appeal:
  - juvenile causes
  - defective delinquent proceedings
  - criminal cases where the sentence is other than death
  - post conviction proceedings
  - forfeiture of bail or other recognizance
  - habeas corpus proceedings
  - contempt of court proceedings
  - adoptions
  - custody proceedings
  - proceedings involving alimony, annulment of marriage, custody, divorce, guardianship, maintenance, non-public support, or visitation
  - cases involving child care or placement
  - paternity proceedings
  - proceedings involving the Board of Censors
  - proceedings involving the mental condition of a person and admission or retention in a mental hospital
  - workmen compensation cases
  - cases involving claims for property damage, personal injury, or wrongful death re motor vehicles
- Court of Appeals may transfer all or some of these types of cases now pending to the Court of Special Appeals.

### **Acts of 1972, Ch. 361**

An act to repeal and reenact Sec. 130, Art. 26 and Sec. 5A, Art. 5 and add a new section to Art. 5, Annotated Code, re appeal courts, approved 5-26-1972, effective 7-1-1972

- Sec. 130, Art. 26: Number of Court of Special Appeals judges is increased from nine to ten, three of them at large.
- Sec. 5A, Art. 5: Same as Acts of 1970, Ch. 99, Sec. 5A, except that two more categories are added to the Court of Special Appeals jurisdiction - damage claims and actions to enjoin sale, distribution, showing, or display of property alleged to be obscene.
- Sec. 21A, Art. 5: Court of Appeals may by writ of certiorari review any case in the Court of



Special Appeals before or after the rendition of a decision.

## **Acts of 1st Special Session 1973, Ch. 2**

An act to revise the courts articles in the Annotated Code into one article - Courts and Judicial Proceedings, re appeal courts, approved 8-22-1973

- Sec. 12-301: Except as provided in Sec. 12-302, a party may appeal from a final judgment entered in a civil or criminal case by a circuit court in the exercise of original, special, limited, or statutory jurisdiction, unless the right of appeal is expressly denied by law.
- Sec. 12-302(a): Unless a right to appeal is expressly granted by law, Sec. 12-301 does not permit an appeal from a final judgment of a court entered in the exercise of appellate jurisdiction in reviewing the decision of the District Court, an administrative agency, or a local legislative body.
- Sec. 12-307(a): Court of Appeals has jurisdiction to review a case or proceeding pending in or decided by the Court of Special Appeals and exclusive appellate jurisdiction re a question of law certified to it under the Uniform Certification of Questions of Law Act.
- Sec. 12-307(b): Until January 1, 1975 the Court of Appeals also has exclusive appellate jurisdiction to review any matter not within the exclusive initial jurisdiction of the Court of Special Appeals.
- Sec. 12-308(a): Until January 1, 1975 the Court of Special Appeals shall have jurisdiction as outlined in Acts of 1970, Ch. 99 and Acts of 1972, Ch. 361, and
  - any action in which an appealable judgment or decree has been entered by a court of equity
  - any proceeding for declaratory judgment
  - any case over which an orphans court has original jurisdiction
  - any zoning case or any matter arising under Art. 66B
- Sec. 12-308(b): After December 31, 1974, except as provided in Sec. 12-307, the Court of Special Appeals shall have exclusive initial jurisdiction over any reviewable judgment, decree, order, or other action of a circuit court or orphans court.
- Sec. 12-601: Court of Appeals may answer questions of Maryland law certified to it by the U.S. Supreme Court, a U.S. Court of Appeals, a U.S. District Court, or appellate courts of other states.

## **Acts of 1974, Ch. 706**

An act to repeal and reenact Sec. 1-402, Court and Judicial Proceedings Article, re Court of Special Appeals, approved 5-31-1974, effective 6-1-1974

- Sec. 1-402: Number of Court of Special Appeals judges is increased from ten to twelve, five of them at large.

## **Acts of 1977, Ch. 252**

An act to repeal and reenact Sec. 1-402, Court and Judicial Proceedings Article, re Court of Special Appeals, approved 4-29-1977, effective 6-1-1977

- Sec. 1-402: Number of Court of Special Appeals judges increased from twelve to thirteen, six of

them at large.

## APPRENTICES

### Acts of 1786, Ch. 43

An act re apprentices, passed 1-20-1787

- Sec. 2: County court justices may bind out orphans, males under 21 and females under 16, not having or entitled to real property or personal property sufficient for support and education. Other categories eligible for apprenticeships include children of paupers, beggars, and prisoners, illegitimate children, and children of persons from out of state who have no means of support. The mother, if living and appearing before the justice, shall be consulted as to master or mistress. Children of beggars shall be put on the county levy until bound out.
- Sec. 3: A father may bind out his children until of age or a lesser age.
- Sec. 4: Justices of the peace shall hear disputes re contracts between masters and apprentices.
- Sec. 7: Apprentices are not assignable on death of the master. Instead they shall be re-indentured or let free.

### Acts of 1793, Ch. 45

An act re apprentices, passed 12-1793

- Sec. 2: Justices of the orphans courts may bind out orphans, males under 21 and females under 16, whose estates are insufficient for maintenance, support, or education. Contract shall include provisions for teaching an art or craft especially for males, clothing maintenance, and, if possible, education. Other categories eligible for apprenticeships include children suffering through extreme indigence or poverty of parents, illegitimate children, and children of nonresidents who are not provided for. Parent(s), if living in the county, shall be consulted in the choice of master. If a relative or someone else enters into a bond for the maintenance and education of a child in any of the above categories, the court shall not bind out that individual.
- Sec. 3: Between court meetings any one or more justices may place destitute children in the care of some proper person who will be paid out of the county levy.
- Sec. 4: A father may bind out his children until of age or a lesser age. Master must file the indenture with the register of wills within 30 days for recording.
- Sec. 5: Trustees of the poor may bind out orphans or poor children under their care in the poor house. Trustees must file the indenture with the register of wills within 30 days for recording.
- Sec. 6: Any manufacturer or mechanic may take a male child as an apprentice until age 21 provided the parents, or if none, the orphans court approves the contract within 2 months. Contract shall be filed with the register of wils for recording.
- Sec. 7: Justices of the county courts or their criminal courts shall hear and determine disputes between masters and apprentices. The master may be fined, apprentices may be discharged and reapprenticed, or additional service may be assigned for a runaway.
- Sec. 10: If a master pays a fine or penalty imposed on an apprentice convicted of an offense, the court shall impose an additional time of service.
- Sec. 11: No master may remove an apprentice out of the state.
- Sec. 14: Apprentices are not assignable on the death of the master, but may be bound out to a

new master or let go, except that the widow of the master, with approval of the orphans court or the father if living, may assign the contract of a male apprentice to a person of the same trade. If the widow of the master does not wish to retain a female apprentice, the orphans court shall bind her to someone else.

- Sec. 17: A master or apprentice may request a trial by jury.
- Sec. 18: Acts of 1786, Ch. 43 repealed.

### **Acts of 1793, Ch. 57**

An act re apprentices in BC and BA, passed 12-28-1793

- Sec. 1: BA Court of Oyer and Terminer and Goal Delivery is established.
- Sec. 17: That court and BA Court shall have concurrent jurisdiction to hear and determine complaints between masters and servants or apprentices.
- Sec. 20: If a convicted person has minor children and insufficient property to maintain them, the justices of the BA Court of Oyer and Terminer and Goal Delivery may bind out the children, females until age 16 and males until age 21.

### **Acts of 1794, Ch. 47**

An act supplemental to Acts of 1793, Ch. 45, re apprentices, passed 12-25-1794

- Sec. 1: When the orphans court is not in session, any two justices of the peace may bind out a child, per provisions of Acts of 1793, Ch. 45 and provided the contract is filed with the register of wills for recording.

### **Acts of 1807, Ch. 33**

An act supplemental to Acts of 1798, Ch. 33 [which established Hillsborough School in CA], re apprentices in CA, passed 1-15-1808

- Sec. 2: Trustees of Hillsborough School in CA shall have the authority to apprentice orphans being supported and educated by the school, per provisions of Acts of 1793, Ch. 45.
- Sec. 3: Indentures shall be filed with the CA Register of Wills for recording.

### **Acts of 1808, Ch. 54**

An act supplemental to Acts of 1793, Ch. 45, re apprenctices, passed 12-23-1808

- Sec. 2: Justices of the orphans courts, and in their recess trustees of the poor or any two justices of the peace, shall have the power to issue a citation to the sheriff or constable to bring before them children of paupers, vagrants, and indolent free negroes and bind them out per provisions of Acts of 1793, Ch. 45 and provided the contract is filed with the register of wills for recording.

### **Acts of 1814, Ch. 104**

An act re apprentices, passed 1-30-1815

- Inspectors [by Acts of 1817, Ch. 72 called Directors] of the Penitentiary shall have the power to apprentice free male convicts whose time of labor expires before age 21, free female convicts whose time of labor expires before age 16, and children of female convicts born during their time of service. The indentures shall be recorded by the BA Register of Wills.

### **Acts of 1817, Ch. 102**

An act re apprentices in CA, passed 2-4-1818

- Sec. 14: CA Trustees of the Poor may bind out poor orphans in the almshouse. The indenture shall be filed with the register of wills for recording.

### **Acts of 1820, Ch. 99**

An re female minors in BC and BA, passed 1-31-1821

- Trustees of Poor for BC and BA or BA Orphans Court shall have the authority to bind out poor female children in the almshouse until age 18 or marriage.

### **Acts of 1826, Ch. 155**

An act supplemental to Acts of 1793, Ch. 45, re apprentices, passed 2-19-1827

Justices of the peace, unaware of whether the orphans court is in session, have been binding out children.

- Sec. 1: All such contracts are hereby confirmed.
- Sec. 2: Hereafter any two justices of the peace may bind out a child at any time, per provisions of Acts of 1793, Ch. 45 and its supplements and provided the contract is filed with the register of wills for recording.
- Sec. 3: Either indentures or recognizances can be used as evidence of a contract of apprenticeship, which actually reflects past and current practices.

### **Acts of 1826, Ch. 161**

An act supplemental to Acts of 1793, Ch. 45, re indigent children in BC and BA, passed 3-2-1827

Sec. 3 of Acts of 1793, Ch. 45 is relatively inoperative in BC because of the lack of a place where indigent children may be kept until bound out and the difficulty of the orphans court in finding masters. Trustees of the poor have more applications for apprentices than children they can supply.

- Sec. 1: Justices of the peace in BC and BA, trustees of the poor of BC and BA, ward managers of the poor in BC, and district managers of the poor in BA shall have the power to take up any child who is destitute, found begging, or whose parents are beggars and send them at the expense of BC or BA to the poor house in BA, there to be supported until they can be bound out by the trustees.

### **Acts of 1839, Ch. 35**

An act re apprenticeship of free negro and mulatto children, approved 3-20-1840

- Sec. 1: Orphans courts shall summon children of free negroes and mulattos and, if deemed good for their welfare, may bind them out to white persons.
- Sec. 2: Orphans courts may allow assignment of the apprentice which shall be noted in the court minutes.
- Sec. 6: The parents and, if none, the children themselves shall be consulted in selecting a master.

### **Acts of 1842, Ch. 25**

An act supplemental to Acts of 1793, Ch. 45, re apprentices, passed 1-23-1843

- Sec. 1: Orphans courts are empowered to hear and determine disputes between masters and apprentices, grant releases to apprentices, rebind apprentices, and other acts re apprentices and masters now exercised by the county courts.
- Sec. 2: Decisions may be appealed to the county courts.

### **Acts of 1849, Ch. 341**

An act supplemental to Acts of 1793, Ch. 45, re female apprentices, passed 3-7-1850

- Sec. 1: Female children may be bound out until age 18.

### **Acts of 1856, Ch. 330**

An act re apprentices in SO, passed 3-10-1856

- Hereafter a single justice of the peace in SO may bind out apprentices.

### **Acts of 1927, Ch. 186**

An act to repeal Art. 6, Public General Laws, re apprentices, approved 3-25-1927, effective 6-1-1927

- Sec. 1: Art. 6, Public General Laws, re apprentices, is repealed.

## ASSESSMENT AND TAXATION

### Acts of Feb. 1777, Ch. 15

An act re assessments and tax collection, passed 4-1777

- Sheriff shall act as collector of the tax, receiving from the county court clerk certificates of assessment and proceedings of the commissioners of the tax and delivering accounts of collection to the clerk of the House of Delegates.
- Names of paupers with assessable property worth under £30 current money shall be included in the certificates of assessment.

### Acts of Feb. 1777, Ch. 21

An act re assessment of real property and personal property, passed 4-20-1777

- Commissioners of the tax are appointed in this act for each county, five for each jurisdiction. Vacancies of one or two positions shall be filled by the remaining commissioners, three or more by the Governor and Council until a majority of three is reached and then the commissioners to fill the remaining two.
- Duties of the commissioners of the tax
  - appoint a clerk
  - appoint an assessor for each hundred by June 1
  - record names of assessors
  - receive certificates of valuations and alphabetical lists of lands and taxables from the assessors
  - receive list of tracts, acreage, and landowners from the late receivers of quit rents and deliver to assessors
  - hear and determine appeals during the August court term
  - receive lists of taxables annually from the county court clerk and deliver to assessors
  - deliver copies of certificates of assessment to the sheriff annually by August 20 for tax collection
  - deliver certificates of assessment, their proceedings, and accounts of collectors to the county court clerk
- Duties of assessors
  - assess real property and personal property in each hundred
  - return certificates of assessment to commissioners of the tax by the August court term
  - return alphabetical lists of lands, residents of the hundreds, and owners of property to the commissioners of the tax
  - receive from the commissioners of the tax lists of lands and landowners and lists of taxables from previous years
- The late receivers of quit rents for each county shall prepare from the last debt book and deliver to the commissioners of the tax by May 25 lists of names and acreages of all tracts and of names of landowners for each hundred.
- Duties of county court clerks

- prepare and deliver to the commissioners of the tax annually in May copies of the last lists of taxables by hundred
- receive from the commissioners of the tax and maintain for six months certificates of assessments, proceedings of the commissioners, and accounts of collectors
- after the 6 months, deliver the records to the sheriff
- Duties of the tax collector
  - collect the taxes as specified in the certificates of assessment
  - may collect the taxes on personal property by distress and sale of the property
  - transfer collections to the Treasurer of the Western Shore or Treasurer of the Eastern Shore by December 20
  - give bond, to be sent to the clerk of the General Court for recording, with the original sent to the register of the Chancery Court
  - return an account of the collection to the commissioners of the tax by the November court term

### **Acts of Feb. 1777, Ch. 22**

An act re interest payments, passed 4-20-1777

- Interest payments on mortgages, bonds, etc. shall be assessed and taxed.

### **Acts of Oct. 1777, Ch. 14**

An act re county expenses, passed 12-17-1777

- County justices shall adjust county expenses and apportion them according to the assessment of property in the county.
- County court clerk shall prepare a copy of the rates and deliver it to the sheriff for collection.
- Commissioners of the tax for AA and HA are appointed in this act because the previous ones did not meet on May 20 due to absenteeism.

### **Acts of Mar. 1778, Ch. 7**

An act re commissioners of the tax, passed 4-16-1778

- Commissioners of the tax are appointed in this act for each county.

### **Acts of Nov. 1779, Ch. 35**

An act re assessments and tax collection, passed 12-30-1779

- Commissioners of the Tax are appointed in this act for each county.
- Men who have no family but substantial income shall be included in the assessment.
- [Rest of provisions the same as Acts of Feb. 1777, Ch. 21 and Acts of Oct., Ch. 14.]

### **Acts of May 1780, Ch. 13**



An act re tax collection, passed 6-29-1780

Many sheriffs are refusing to collect taxes.

- Commissioners of the Tax shall the divide the county into collection districts, not to exceed the number of hundreds, and appoint a collector of the tax for each district.
- The collectors of the tax shall post bond and perform the duties as outlined for the sheriff in prior acts.

### **Acts of Oct. 1780, Ch. 25**

An act re commissioners of the tax, passed 1-15-1781

- Commissioners of the Tax are appointed in this act for each county.

### **Acts of Nov. 1781, Ch. 4**

An act to raise supplies for 1782, passed 1-22-1782

- Sec. 3: Commissioners of the tax shall return to the General Assembly lists of collections suspended because of deprivations from the enemy.
- Sec. 6: Commissioners of the tax are appointed in the act for each county, five for each jurisdiction.
- Sec. 10: Vacancies of one or two positions shall be filled by the remaining commissioners, three or more by the Governor and Council until a majority of three is reached and then the commissioners to fill the remaining two.
- Sec. 11: At the first meeting in February the commissioners of the tax shall appoint a clerk and for each hundred an assessor. Assessors names shall be recorded in a separate book. Commissioners of the tax shall direct the assessors in their valuations and receive from them in March the certificates of valuation and alphabetical lists of names.
- Secs. 14-15: Each assessor shall determine and value all property in the hundred and return to the commissioners of the tax in March a certificate of particulars, valuation of each category, total valuation for each individual, and total valuation for the hundred. Particulars to include real property and improvements based on 1774 values, slaves by sex and age and based on specified values, silver bar and bar iron by weight and based on specified values, horses and black cattle based on assessors judgment of value in 1774, and other personal property based on assessors judgment of value in 1774.
- Sec. 25: If tax collectors cannot find personal property to sell for paying delinquent taxes, the commissioners of the tax, after thirty days public notice, shall sell real property or timber thereon at public auction.
- Sec. 26: Assessors shall value tobacco whether in house of owner or at a warehouse.
- Sec. 27: In March the commissioners of the tax shall hear and determine appeals and, as necessary, issue certificates of abatement or increase.
- Sec. 30: At its first meeting the commissioners of the tax shall appoint a tax collector who shall give bond, to be recorded by the county court clerk and the clerk of the General Court, with the

original going to the register of the Chancery Court.

- Sec. 31: Assessors shall value stock in trade of merchants having property in the state.
- Sec. 32: Commissioners of the tax may divide the county in collection districts, each to contain not less than one and not more than three hundreds. Tax collector may appoint a deputy collector for each district.
- Sec. 37: By April 1 the commissioners of the tax shall prepare and deliver to the tax collector an alphabetical list of assessed persons in each hundred showing amounts of valuations as returned and corrected.
- Sec. 38: Taxes shall be collected in two installments, payable in money or in crops and livestock given to the commissary or his deputy.
- Sec. 51: Tax collector, after 5 days notice, may sell personal property to pay delinquent taxes.
- Sec. 53: Commissioners of the tax shall adjust collectors accounts and deliver copies to the clerk of the House of Delegates and Treasurer of the Western Shore or Treasurer of the Eastern Shore.
- Sec. 56: Clerk of the commissioners of the tax shall transcribe certificates of assessment, proceedings of the commissioners, and settled accounts and sent them to the clerk of the House of Delegates. Originals shall be sent to the county court clerk for safekeeping.
- Sec. 57: Clerk of the commissioners of the tax shall prepare a summary list for each hundred showing the number of acres, number of slaves of each category, weight of plate, number of horses, number of black cattle, other personal property, and value of each group. Summary shall be sent to the clerk of the House of Delegate for recording.
- Sec. 60: Free, able bodied males with no families and between the ages of 21 and 50 and not otherwise assessed shall be assessed 15 shillings and give security for payment.
- Sec. 61: Persons with property worth less than £10 current money shall be exempt from taxation.

## **Acts of Nov. 1782, Ch. 6**

An act to raise supplies for 1783, passed 1-15-1783

[provisions same as Acts of Nov. 1781, Ch. 4, except as noted below]

- Sec. 10: Commissioners of the tax shall divide their county into not less than three and not more than ten districts, each to contain two large or three small hundreds, and appoint an assessor for each district.
- Sec. 12: Assessors shall receive copies of the 1782 returns for land, inquire about land newly patented, and for each landowner list land alphabetically showing total acreage and amounts arable, wooded, and meadow.
- Sec. 16: Each householder shall inform the assessor as to number of white inhabitants by age and sex.
- Sec. 26: Tobacco inspectors shall sent to the commissioners of the tax accounts of tobacco in the warehouses.
- Sec. 28: Commissioners of the tax may correct certificates of valuation without appeal or complaint.
- Sec. 38: Unless the commissioners of the tax appoint someone else, the tax collector shall act as receiver of provisions, take care of them, keep accounts of provisions received and their disposition as directed by the Governor and Council, and file these accounts with the Governor

and Council every 6 months.

### **Acts of Nov. 1782, Ch. 34**

An act supplemental to Acts of Nov. 1782, Ch. 6, re revenue for supplies, passed 1-15-1783

- Sec. 2: Mills, stills, forges, and furnaces shall be included in the assessments.
- Sec. 4: Tax collector shall prepare a monthly alphabetical list of persons who have paid taxes and send copies to the county court clerk and Intendant of the Revenue.

### **Acts of Nov. 1783, Ch. 17**

An act to raise supplies for 1784, passed 12-26-1783

[provisions same as Acts of Nov. 1781, Ch. 4 and as changed by Acts of Nov. 1782, Ch. 34, except for Sec. 38 of the the latter and as noted below]

- Sec. 9: County court clerks shall send assessors returns and lists for 1783 and related papers to the commissioners of the tax who shall use the records to rate property on the same scale and principle and increase the amounts due when changes have taken place with property.
- Sec. 11: County court clerks shall prepare and deliver to the commissioners of the tax lists of alienations for real property for 1783.
- Sec. 20: Tobacco inspectors shall collect 1 shilling and 6 pence per hogshead in the warehouses and make payments to the tax collector.
- Sec. 23: Commissioners of the tax shall appoint the sheriff as tax collector who shall give bond, to be recorded by the county court clerk and the clerk of the General Court, with the original going to the register of the Chancery Court. If the sheriff refuses or neglects to fulfill the duties, the commissioners of the tax shall appoint a tax collector.

### **Acts of Nov. 1784, Ch. 56**

An act to raise supplies for 1784, passed 1-22-1785

[provisions same as Acts of Nov. 1781, Ch. 4 and as changed by Acts of Nov. 1782, Ch. 34 and Acts of Nov. 1783, Ch. 17 and as noted below]

- Sec. 4: Commissioners of the tax are appointed in this act for each county, five for each jurisdiction.

### **Acts of 1785, Ch. 41**

An act re assessment of personal property, passed 3-6-1786

- Commissioners of the tax are appointed in this act for each county, five for each jurisdiction, to serve until February 1, 1791.
- Vacancies of one or two positions shall be filled by the remaining commissioners of the tax, three or more by the governor until a majority of three is reached and then the commissioners to fill the remaining two.

- Commissioners of the tax at their first meeting in April shall divide the county into not less than three and not more than 10 districts and appoint an assessor for each district. Names of assessors shall be recorded in a separate book.
- In June assessors shall return valuations, certificates of particulars, and alphabetical lists to the commissioners of the tax.
- Commissioners of the tax shall correct certificates of valuation as necessary and hear and determine complaints in June and July.
- Clerk of the commissioners of the tax shall record assessment lists and alphabetical lists. Summary lists shall be sent to the clerk of the House of Delegates and county court clerk.
- Act to remain in effect until February 1, 1791.

### **Acts of 1785, Ch. 53**

An act re assessment of real property, passed 3-8-1786

- Sec. 1: Valuation of real property is unequal among the counties.
- Sec. 2: This act establishes the average value per acre for each county.
- Sec. 3: Hereafter the annual assessment shall be imposed on real property at the values given in Sec. 2 and upon personal property as directed by law. Baltimore Town and its precincts in BA shall be considered a separate entity for the valuation of property. The boundaries of Baltimore Town and its precincts are laid out in this section.
- Sec. 5: County court clerks shall deliver to the commissioners of the tax previous assessment certificates, returns, and lists and lists of alienations since 1783. Commissioners of the tax shall appoint one or more persons to ascertain the quantity of land and buildings thereon. Commissioners of the tax shall calculate the whole quantity of land in the county, estimate actual value of each tract, deduct the value of town properties, and apportion the remaining amount.
- Sec. 11: Commissioners of the tax at three meeting places in the county shall show valuations to concerned persons.
- Sec. 12: Governor and Council shall appoint three persons in each county to hear and determine appeals from the valuations determined by the commissioners of the tax. The agency shall be called the court of appeals and members called judges.
- Sec. 13: Decisions of these courts of appeals shall be recorded.
- Sec. 14: By September 15 the commissioners of the tax shall prepare summary accounts of the properties ascertained and valued, with the original going to the clerk of the House of Delegates for recording and a copy to the county court clerk for recording.

### **Acts of 1785, Ch. 83**

An act to raise supplies for 1786, passed 3-12-1786

- Sec. 2: Commissioners of the tax shall appoint a tax collector who shall give bond, to be recorded by the county court clerk and the clerk of the General Court, with the original going to the register of the Chancery Court.
- Sec. 3: Commissioners of the tax may divide the county into districts, each having one to three hundreds, and allow the tax collector to appoint a deputy for each district.

- Sec. 4: By August the commissioners of the tax shall prepare and deliver to the tax collector an alphabetical list of persons in each district, showing the amount of the valuation and amount due for each person.
- Sec. 5: Collections shall be completed by October 1.
- Sec. 8: After five days notice, the tax collector may sell personal property to pay delinquent taxes.
- Sec. 9: Tax collector shall file accounts with the commissioners of the tax.
- Sec. 11: In November the commissioners of the tax shall adjust the tax collectors accounts and send copies to the clerk of the House of Delegates and Treasurer of the Western Shore or Treasurer of the Eastern Shore.
- Sec. 13: County court clerks shall maintain the certificates, proceedings, and accounts of the commissioners of the tax.
- Sec. 14: Commissioners of the tax shall record the final account of the tax collector and the summary account. A copy of the final account shall be sent to the clerk of the General Court for recording.
- Sec. 16: Childless, able bodied free males, ages 21 to 50 and not assessed over £50, shall be assessed £50 for county charges and taxed 15 shillings.
- Sec. 17: Paupers, having property of £10 or less, shall be exempt from taxation.
- Sec. 25: Assessors shall take an account of inhabitants of the districts by sex, color, and age and return it to the commissioners of the tax who shall send a summary list to the clerk of the House of Delegates.

## **Acts of 1790, Ch. 62**

An act re commissioners of the tax in AL, passed 12-22-1790

- Sec. 1: Three persons are appointed as AL Commissioners of the Tax in this act.
- Sec. 2: WA Commissioners of the Tax shall send to the AL commissioners an account of all real property and personal property in AL and the latest assessment thereon.

## **Acts of Nov. 1792, Ch. 66**

An act re tax collection in AL, passed 12-22-1790

- Sec. 1: The usual method of collecting county taxes is not adequate for AL because of large tracts of uncultivated land.
- Sec. 2: The tax collector and deputy collectors shall after September 1, 1793 collect the taxes that were imposed prior to October 26, 1780 by distress and sale of personal property found on the land, after giving five days notice. If no effects are found, the county taxes will be charged with 6% interest.
- Sec. 3: If the delinquent taxpayer does not live in AL, the collector shall try to determine residence and send a tax bill to the collector of that jurisdiction, who shall collect the taxes and send the moneys to the AL collector annually by August 1.

## **Acts of Nov. 1792, Ch. 71**

An act re assessments, passed 12-22-1792

[provisions same as Acts of 1785, Chs. 41, 53, and 83, except as noted below]

- Commissioners of the tax are appointed in this act for each county and BC, five for each jurisdiction.
- Commissioners of the tax may ask the county court clerk for lists of alienations for 1786-1792 and lists of transfers of personal property.
- Register of the Land Office shall send a list of patents for 1786-1792 and a list of lands on which composition money has been paid but no patent issued for 1772-1792 to the commissioners of the tax. Hereafter the register shall send a list of patents annually in March.
- Commissioners of the tax shall prepare summary accounts of the number of slaves in each description and weight of plate, showing values of each category and for each district. The summaries shall be sent to the clerk of the House of Delegates and county court clerk.
- Sec. 12-15: Special provisions for lands in WA and AL [not abstracted].

### **Acts of 1794, Ch. 14**

An act tax collection in HA, passed 12-26-1794

- Sec. 1: HA is divided into four collection districts: District 1 composed Deer Creek Upper, Deer Creek Middle, Deer Creek Lower, and Broad Creek Hundreds; District 2 composed of Harford Upper, Harford Lower, Spesutiae Lower, and Susquehanna Hundreds; District 3 composed of Spesutiae Upper, Bush River Upper, and Bush River Hundreds; and District 4 composed of Gunpowder Upper, Gunpowder Lower, and Eden Hundreds.
- Sec. 2: Annually in May the levy court shall appoint a tax collector for each district.
- Sec. 3: Each collector shall give a bond, to be recorded by the county court clerk.

### **Acts of 1796, Ch. 8**

An act tax collection in AL, passed 12-30-1796

- Sec. 1: Current laws are inadequate for the collection of county taxes in AL.
- Sec. 2: Hereafter when lands in AL become chargeable with county taxes and no personal property can be found, the collector shall return to the commissioners of the tax a list of such tracts and lots, amount due on each, and names of the landowners.
- Sec. 4: Commissioners of the tax shall advertise this information in newspapers throughout the state, giving notice that unless taxes are paid within 100 days all or part of the lands shall be sold.
- Sec. 5: If taxes remain unpaid, the commissioners of the tax shall order the collector, after giving thirty days notice, to sell sufficient land to discharge the taxes and legal charges at public sale.
- Sec. 6: Lands exempted from this tax sale procedure - military lots remaining in the names of the officers and soldiers and rights of persons under impediment of infancy, coverture, insanity, imprisonment, or overseas until twelve months after removal of such disabilities.
- Sec. 7: Sec. 3 of Acts of 1792, Ch. 66 repealed.

## Acts of 1797, Ch. 59

An act re tax collection in CE, passed 1-20-1798

- Sec. 1: CE Levy Court shall lay off the county into districts, not over five, and appoint a collector of county taxes for each. They may do this annually, if deemed necessary.
- Sec. 2: Each collector shall give bond before the levy court, to be recorded by the county court clerk.

## Acts of 1797, Ch. 89

An act re valuation of real property and personal property, passed 1-20-1798

- Sec. 3: Commissioners of the tax are appointed in this act for each county and BC, five for each jurisdiction.
- Sec. 5: Vacancies of one or two positions shall be filled by the remaining commissioners of the tax, three or more by the governor until a majority of three is reached and then the commissioners to fill the remaining two.
- Sec. 6: Commissioners of the tax shall hold their first meeting on January 20, 1798 to appoint a clerk, divide the county into districts numbering two to ten, appoint an assessor for each district, and record the names of the assessors.
- Sec. 8: Commissioners of the tax shall value real property per provisions of Acts of 1785, Ch. 53 and this act when values need to be changed. County court clerks shall deliver to the commissioners of the tax list of alienations of real property and recorded transfers of personal property.
- Sec. 14: Assessors may require accounts of slaves from owners.
- Sec. 15: Assessors may require accounts of real property and other personal property from owners.
- Sec. 16: In May assessors shall return to the commissioners of the tax particular accounts of real property and personal property, showing valuations of personal property and of real property assigned by the commissioners. Slaves and plate are the only personal property to be specified separately. Assessors shall also return alphabetical lists of assessed persons.
- Sec. 18: Persons with property worth less than £30 shall be exempt from taxation.
- Sec. 21: Commissioners of the tax shall hear and determine appeals and deliver certificates of abatement or increase to the tax collector.
- Sec. 22: Sec. 12-13 of Acts of 1785, Ch. 53, re special courts of appeals, is repealed.
- Sec. 24: Commissioners of the tax may examine and correct certificates of valuation with or without a complaint.
- Sec. 26: Clerk of the commissioners of the tax shall record accounts of real property and personal property and valuations of the assessors as returned and corrected and alphabetical lists of assessed persons.
- Sec. 27: Clerk of the commissioners of the tax shall prepare summary lists of categories of personal property by district in July. Copies shall be sent to the clerk of the House of Delegates for recording and to the county court clerk.
- Sec. 32: Tax collector shall perform duties of assessor when unassessed personal property is

found.

- Sec. 36: Register of the Land Office shall prepare and sent to the commissioners of the tax a list of patents and of certificates ready for patent since March 1797.
- Sec. 37: Hereafter the register shall prepare such lists annually.
- Sec. 38: Clerks of the General Court of the Western Shore and General Court of the Eastern Shore shall prepare and send to the commissioners of the tax lists of alienations from deeds enrolled in full since 1792.
- Sec. 39: Hereafter the clerks shall prepare such lists annually.
- Sec. 44: Acts of 1792, Ch. 71, re assessments, is repealed.

## **Acts of 1797, Ch. 90**

An act re tax collection, passed 1-20-1798

- Sec. 1: When lands are charged for the payment of county taxes and personal property cannot be found, the tax collectors shall return to the commissioners of the tax a list of such tracts or lots, showing the amounts due and names of the persons liable.
- Sec. 3: Commissioners of the tax shall give notice that unless payment is made within thirty days, the lands will be sold.
- Sec. 4: If no payments are made, the commissioners shall direct the tax collectors to make the sales. Only the amount of the land necessary to pay the taxes shall be sold. Commissioners shall determine if a lot cannot be divided and direct the collector to sell it whole, an authorization that must be recorded in the proceedings of the commissioners.
- Sec. 5: Collectors shall return their sale proceedings to the commissioners.

## **Acts of 1799, Ch. 74**

An act supplemental to Acts of 1796, Ch. 8 re tax collection in AL, passed 1-3-1800

- Sec. 3: When several tracts or lots are owned by the same delinquent taxpayer, the AL Commissioners of the Tax shall order the collector to sell only enough land to pay the taxes, commissions, and legal charges.
- Sec. 4: If a tract or lot cannot be divided without material injury to the owner, the commissioners of the tax shall authorize the collector to sell the entire parcel. This authorization shall be noted in the proceedings of the commissioners.
- Sec. 5: Within two weeks after selling land, the collector shall return proceedings to the clerk of the commissioners of the tax and, when sale proceeds exceed the amount of the taxes and charges, shall deposit the surplus with the county court clerk. This surplus shall be paid to the delinquent taxpayer upon demand, or may be drawn by commissioners of the tax to satisfy later arrearages of taxes due from the same person.
- Sec. 6: The delinquent taxpayer may redeem the land by paying the purchaser the purchase money with 10% interest within one year of the sale. The purchaser shall then reconvey the land.
- Sec. 7: Collector shall return to the commissioners of the tax a list of lands on which no bids were received, showing the amounts of the taxes due and names of the taxpayers. Commissioners of the tax shall deliver this list to the next collector and direct that official, after thirty days public



notice, to sell the properties.

## **Acts of 1803, Ch. 92**

An act re valuation of real property and personal property, passed 1-7-1804

- Secs. 2-3: Commissioners of the tax are appointed in this act for each county and BC, five for each jurisdiction.
- Sec. 6: Vacancies of one or two positions shall be filled by remaining commissioners of the tax, three or more by the county levy court until a majority of three is reached and then the commissioners to fill the remaining two. Commissioners of the tax shall serve until superseded by a future law.
- Sec. 7: Commissioners of the tax shall hold their first meeting in February to appoint a clerk, divide the county into districts numbering two to ten, appoint an assessor for each district, and record the names of the assessors.
- Sec. 9: Commissioners of the tax shall value real property per provisions of Acts of 1785, Ch. 53 and this act when values need to be changed. County court clerks shall deliver to the commissioners list of alienations of real property and recorded transfers of personal property.
- Sec. 14: Assessors may require accounts of slaves from owners.
- Sec. 15: Assessors may require accounts of real property and other personal property from owners.
- Sec. 16: In May the assessors shall return to the commissioners of the tax particular accounts of real property and personal property, showing valuations of personal property and of real property assigned by the commissioners. Slaves and plate are the only personal property to be specified separately. Assessors shall also return alphabetical lists of assessed persons.
- Sec. 17: Persons with property worth less than £10 shall be exempt from taxation.
- Sec. 21: Commissioners of the tax shall hear and determine appeals in June and deliver certificates of abatement or increase to the tax collector.
- Sec. 25: Commissioners of the tax may examine and correct certificates of valuation with or without a complaint.
- Sec. 27: Clerk of the commissioners of the tax shall record accounts of real property and personal property and valuations of the assessors as returned and corrected and alphabetical lists of assessed persons.
- Sec. 28: Clerk of the commissioners of the tax shall prepare summary lists of categories of personal property by district in July. Copies shall be sent to the clerk of the House of Delegates for recording and to the county court clerk.
- Sec. 32: Tax collector shall perform duties of assessor when unassessed personal property is found.
- Sec. 36: Register of the Land Office shall annually prepare and sent to the commissioners of the tax a list of patents and of certificates ready for patent.
- Sec. 37: Clerks of the General Court of the Western Shore and General Court of the Eastern Shore shall annually prepare and send to the commissioners of the tax lists of alienations from deeds enrolled in full.
- Sec. 47: When the tax collector dies, the justices of the levy court shall first try to appoint from

the securities of the bond. If they refuse, anyone can be appointed.

- Sec. 51: Acts of 1792, Ch. 71 and Acts of 1797, Ch. 89, re assessments, are repealed.

### **Acts of 1804, Ch. 30**

An act supplemental to Acts of 1803, Ch. 92, re lists of assessed persons, passed 1-15-1805

- Sec. 2: Clerk of the commissioners of the tax shall send the county court clerk duplicates of the alphabetical lists of assessed persons returned by the assessors.

### **Acts of 1806, Ch. 18**

An act supplemental to Acts of 1794, Ch. 14, re tax collection in HA, passed 12-31-1806, effective 4-1-1807

- Sec. 2: Election districts in HA shall be deemed the districts for the collection of county taxes. The levy court shall appoint one collector for each district.

### **Acts of 1806, Ch. 62**

An act further supplemental to Acts of 1796, Ch. 8 re tax collection in AL, passed 1-4-1807

- Sec. 2: AL Commissioners of the Tax shall advertise in newspapers throughout the state in the spring and summer, giving notice to delinquent taxpayers residing outside the county that unless taxes are paid to the AL collector or the agent within 60 days the lands will be sold. The notices shall run for five weeks.
- Sec. 3: AL collector shall lodge with an agent in BC, named by the commissioners of the tax, a list of the tracts and lots, quantity of acres, and names of owners. The agent shall be authorized to receive the taxes and give receipts for them in the name of the AL collector.

### **Acts of 1812, Ch. 191**

An act re valuation of real property and personal property, passed 12-25-1812

- Secs. 2: Each county and BC shall have five commissioners of the tax.
- Sec. 4: Vacancies shall be filled by the remaining commissioners of the tax. Commissioners shall serve until superseded by a future law.
- Sec. 5: Commissioners of the tax shall hold their first meeting in February to appoint a clerk, appoint one or more assessors for each election district, and record the names of the assessors.
- Sec. 8: Commissioners of the tax shall value real property according to the provisions in Acts of 1785, Ch. 53 and this act when values need to be changed. County court clerks shall deliver to the commissioners of the tax lists of alienations of real property and recorded transfers of personal property.
- Sec. 12: Assessors may require accounts of slaves from owners.
- Sec. 13: Assessors may require accounts of real property and other personal property from owners, caretakers, or managers.

- Sec. 14: In May assessors shall return to the commissioners of the tax particular accounts of real property and personal property, showing valuations of personal property and of real property assigned by the commissioners. Slaves and plate are the only personal property to be specified separately. Assessors shall also return alphabetical lists of assessed persons.
- Sec. 16: Persons with property worth less than \$40 shall be exempt from taxation.
- Sec. 19: Commissioners of the tax shall hear and determine appeals in June and correct valuations by abatement or increase.
- Sec. 23: Commissioners of the tax may examine and correct certificates of valuation with or without a complaint.
- Sec. 25: Clerk of the commissioners of the tax shall record accounts of real property and personal property and valuations of the assessors as returned and corrected and alphabetical lists of assessed persons.
- Sec. 26: Clerk of the commissioners of the tax shall prepare summary lists of categories of personal property by district in July. Copies shall be sent to the clerk of the House of Delegates for recording and to the county court clerk.
- Sec. 29: Tax collector shall perform duties of assessor when unassessed personal property is found.
- Sec. 32: Register of the Land Office shall annually prepare and send to the commissioners of the tax a list of patents and of certificates ready for patent.
- Sec. 34: Clerks of the General Court of the Western Shore and General Court of the Eastern Shore shall annually prepare and send to the commissioners of the tax lists of alienations from deeds enrolled in full.
- Sec. 37: Valuation rates for land in AL and WA are specified in this act.
- Sec. 40: When the tax collector dies, the justices of the levy court shall first try to appoint from the securities of the bond. If they refuse, anyone can be appointed.
- Sec. 45: Clerk of the commissioners of the tax shall annually send the county court clerk and tax collector duplicates of the alphabetical lists of assessed persons returned by the assessors.
- Sec. 46: Commissioners of the tax are appointed for each jurisdiction in this act.

### **Acts of 1813, Ch. 34**

An act changing meeting time of FR Commissioners of the Tax, passed 1-3-1814

- FR Commissioner of the Tax shall meet annually in February instead of April as specified by Acts of 1812, Ch. 191.

### **Acts of 1816, Ch. 22**

An act re reassessment of property in AA, SO, and TA, passed 12-17-1816

- Sec. 1: Commissioners of the tax in AA, SO, and TA shall revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: The process shall be completed by July 20, 1817.
- Sec. 3: Five commissioners of the tax for TA are appointed in this act.

## **Acts of 1817, Ch. 41**

An act re reassessment of property in CE and PG, passed 1-15-1818

- Sec. 1: Commissioners of the tax for CE and PG shall revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: Persons with property worth less than \$100 shall be exempt from taxation.
- Sec. 3: Five commissioners of the tax for each county are appointed in this act.

## **Acts of 1817, Ch. 142**

An act re assessment and tax collection in BC and BA, passed 2-7-1818

- Sec. 1: Except as provided herein, all real property and personal property in BC and BA shall be reassessed per provisions of Acts of 1812, Ch. 191 by commissioners of the tax for BC and BA and assessors appointed by them.
- Sec. 2: For the county tax the BA Levy Court shall annually appoint a collector for each election district and as many as necessary for BC. They shall give bond approved by the levy court, that shall be recorded by the BA Court clerk.

## **Acts of 1817, Ch. 148**

An act re tax collection in BC, passed 2-9-1818

- Sec. 5: When any person called upon to pay a tax due to or imposed by the BC government denies the right of the city to impose or collect it, the tax collector shall not enforce payment by distress and sale of personal property provided the individual goes before a justice of peace, with one good security, and confesses judgment to the mayor and city council in double the sum demanded. If the justice of the peace decides against the mayor and city council, the case shall stand for trial in the BA Court and the taxpayer shall execute a warrant of attorney authorizing that person to appeal in court for the taxpayer. The court clerk shall docket the mayor and city council as plaintiff. The justice of peace shall send to the clerk a certificate of the confessed judgment and warrant of attorney. The BA Court decision may be appealed to the Court of Appeals.

## **Acts of 1818, Ch. 152**

An act re reassessment of property in WO, passed 2-10-1819

- Sec. 1: WO Commissioners of the Tax shall reassess and revalue real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: Five commissioners of the tax are appointed in this act.

## **Acts of 1818, Ch. 185**

An act supplemental to Acts of 1796, Ch. 8 re tax collection in AL, passed 2-16-1819

Original act was found insufficient to secure title to purchasers of land at tax sales.

- Sec. 1: When tax sales are made and cases are pending in the AL Court, the purchaser shall advertise a notice in a newspaper designated by the commissioners of the tax, that describes the land and gives the name of the owner, time of purchase, and amount paid. This shall secure title unless the person having the original title shall within two years pay the purchaser the purchase money at 10% interest and the costs of any improvements made by the purchaser at 6% interest. If they cannot agree on the value of improvements, they shall choose two persons to decide. Purchasers shall file copies of the ads and affidavits from the publishers with the county court clerk for recording.
- Sec. 2: Hereafter, the AL tax collector shall file newspaper ads and affidavits from publishers with the county court clerk for recording.

### **Acts of 1819, Ch. 113**

An act re reassessment of property in WA, passed 2-4-1820

- Sec. 1: WA Commissioners of the Tax shall reassess and revalue real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: Commissioners of Hagerstown and its additions may proceed to a separate revaluation of property in the town per the same act.

### **Acts of 1819, Ch. 131**

An act re reassessment of property in CH and DO, passed 2-7-1820

- Commissioners of the tax in CH and DO shall reassess and revalue real property and personal property per provisions of Acts of 1812, Ch. 191.

### **Acts of 1819, Ch. 177**

An act re reassessment of property in MO, passed 2-14-1820

- Sec. 1: MO Commissioners of the Tax shall reassess and revalue real property and personal property per provisions of Acts of 1812, Ch. 191.

### **Acts of 1819, Ch. 189**

An act re reassessment of property in QA, passed 2-14-1820

- Sec. 1: QA Commissioners of the Tax shall revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: Five commissioners of the tax are appointed in this act.

### **Acts of 1820, Ch. 3**

An act re reassessment of property in SM, passed 12-9-1820

- Sec. 1: SM Commissioners of the Tax shall reassess and revalue real property and personal property per provisions of Acts of 1812, Ch. 191.

### **Acts of 1820, Ch. 48**

An act re sheriffs and tax collectors, passed 1-13-1821

- Sec. 1: Sheriffs and tax collectors needing more time to collect moneys may apply by petition to the county court which shall have the power to limit or allow further time. County court clerk to record proceedings.

### **Acts of 1820, Ch. 49**

An act re assessments in SO, passed 1-15-1821

- Sec. 2: Annually in April the SO Commissioners of the Tax shall meet for up to twenty days for noting transfers and hearing assessment appeals, after giving public notice.

### **Acts of 1820, Ch. 118**

An act re reassessment of property in HA, passed 2-8-1821

- Sec. 1: HA Commissioners of the Tax shall revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: Five commissioners of the tax are appointed in this act.

### **Acts of 1821, Ch. 60**

An act re reassessment of property in CE, passed 1-16-1822

- Sec. 1: CE Commissioners of the Tax shall revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: Five commissioners of the tax are appointed in this act.

### **Acts of 1821, Ch. 83**

An act re reassessment of property in CA, passed 1-24-1822

- Sec. 1: CA Commissioners of the Tax shall meet in March 1822 to appoint assessors to revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: Assessors returns shall be made in May 1822.
- Sec. 3: Five commissioners of the tax are appointed in this act.

### **Acts of 1821, Ch. 146**

An act re reassessment of property in KE, passed 2-9-1822

- Sec. 1: KE Commissioners of the Tax shall revalue and reassess real property and personal

property per provisions of Acts of 1812, Ch. 191.

- Sec. 2: Five commissioners of the tax are appointed in this act.

### **Acts of 1821, Ch. 192**

An act re state revenue, passed 2-21-1822

- Sec. 1: Levy courts, during continuance of this act, shall annually levy on assessable property the amounts specified for each county and BC in this act. The taxes shall be collected by the county tax collectors.
- Sec. 2: Tax collectors shall transmit the moneys to the Treasurer of the Western Shore or Treasurer of the Eastern Shore by the end of December.
- Sec. 4: This act shall continue until April 1, 1825.
- Sec. 5: Tax collectors in BC shall make their payments to the treasurer of the BA Levy Court who shall then pay the Treasurer of the Western Shore.

### **Acts of 1821, Ch. 252**

An re tax collection in BC, passed 2-23-1822

- Sec. 4: Laws re the manner of collecting the county taxes shall be extended to BC and the mayor and city council and their tax collector.

### **Acts of 1822, Ch. 75**

An act re reassessment of property in SO, passed 1-24-1823

- Sec. 1: SO Commissioners of the Tax shall revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: Five persons commissioners of the tax are appointed in this act.

### **Acts of 1822, Ch. 139**

An act re state revenue, passed 2-13-1823

[provisions same as Acts of 1821, Ch. 192, except as noted below]

- Sec. 1: Levy courts, during continuance of this act, shall annually levy on assessable property the amounts specified for each county and BC in this act. The taxes shall be collected by the county tax collectors.
- Sec. 2: Tax collectors shall transmit the moneys to the Treasurer of the Western Shore or Treasurer of the Eastern Shore by the end of December.
- Sec. 4: This act shall continue until April 1, 1824.
- Sec. 5: Tax collectors in BC shall make their payments to the treasurer of the BA Levy Court who shall then pay the Treasurer of the Western Shore.

### **Acts of 1822, Ch. 150**

An act supplemental to Acts of 1817, Ch. 142, re assessment and tax collection in BC and BA, passed 2-15-1823

- Sec. 1: BC Commissioners of the Tax and BA Commissioners of the Tax shall each appoint three assessors who shall assess property together in their respective jurisdictions.
- Sec. 3: No property shall be valued unless two assessors concur.
- Sec. 4: Commissioners of the tax may prescribe measures to ensure a correct annual return of all new improvements and all personal property not previously valued.
- Sec. 5: When taxes cannot be collected on real property, the commissioners of the tax shall at the end of their session each year make a return of such property to the BA Court clerk who shall maintain the record. The unpaid taxes shall be a lien on the property and bear interest until paid.
- Sec. 6: Such properties shall be advertised at least twenty days a year until the arrears are paid or property sold to satisfy the sums due. If the taxes and interest remain unpaid for three years, the commissioners of the tax shall direct the sale of all or part of the real property. Timber on the land may be sold first. Commissioners of the tax shall give sixty days notice of the sales.
- Sec. 7: Commissioners of the tax shall fill vacancies among the assessors.

### **Acts of 1822, Ch. 171**

An act supplemental to Acts of 1796, Ch. 8 re tax collection in AL, passed 2-20-1823

- Sec. 1: When tax sales are made and cases are pending in the AL Court, the purchaser shall advertise a notice in a newspaper designated by commissioners of the tax, that describes the land and gives the name of the owner, time of purchase, and amount paid. This shall secure title unless the person having the original title shall within two years pay the purchaser the purchase money at 10% interest and the costs of any improvements made by the purchaser at 10% interest. If they cannot agree on the value of improvements, they shall choose two persons to decide. Purchasers shall file copies of the ads and affidavits from the publishers with the county court clerk for recording.
- Sec. 2: Hereafter, the AL tax collector shall file newspaper ads and affidavits from publishers with the county court clerk for recording.
- Sec. 3: Acts of 1818, Ch. 185, re tax collection, is repealed.

### **Acts of 1823, Ch. 53**

An act supplemental to Acts of 1817, Ch. 142, re tax collection in BA, passed 1-13-1824

- Sec. 1: BA Levy Court shall appoint seven tax collectors to collect taxes for 1823.
- Sec. 2: Annually hereafter the BA Levy Court shall appoint seven collectors, one for each election district. Each collector shall give bond, to be approved by the levy court.

### **Acts of 1823, Ch. 198**

An act re reassessment of property in QA and WO, passed 2-25-1824



- Sec. 1: Commissioners of the tax in QA and WO shall revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: Five commissioners of the tax in each county are appointed in this act.

### **Acts of 1824, Ch. 35**

An act re reassessment of property in AA, passed 1-18-1825

- Sec. 1: AA Commissioners of the Tax shall revalue and reassess property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: The process shall be completed by June 25, 1825.
- Sec. 3: Seven commissioners of the tax are appointed in this act.

### **Acts of 1824, Ch. 38**

An act re reassessment of property in PG, passed 1-20-1825

- Sec. 1: PG Commissioners of the Tax shall revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: Persons with property worth less than \$100 shall be exempt from taxation.
- Sec. 3: Five commissioners of the tax are appointed in this act.

### **Acts of 1824, Ch. 132**

An act re reassessment of property in FR, passed 2-23-1825

- Sec. 1: FR Commissioners of the Tax shall appoint assessors to revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: Five commissioners of the tax are appointed in this act.

### **Acts of 1824, Ch. 174**

An act re reassessment of property in AL, passed 2-25-1825

- Sec. 1: AL Commissioners of the Tax shall revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: The process shall be completed by June 25, 1825.
- Sec. 3: Five commissioners of the tax are appointed in this act.
- Sec. 4: Sec. 38 of Acts of 1812, Ch. 191 that exempted lots in AL from taxation is repealed.

### **Acts of 1825, Ch. 9**

An act re reassessment of property in TA, passed 1-16-1826

- Sec. 1: TA Commissioners of the Tax shall revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: Five commissioners of the tax appointed in this act.

## **Acts of 1825, Ch. 22**

An act re reassessment of property in DO, passed 1-24-1826

- Sec. 1: DO Commissioners of the Tax shall revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: The reassessment shall be completed by June 10, 1826.
- Sec. 3: Five commissioners of the tax are appointed in this act.

## **Acts of 1826, Ch. 20**

An act re reassessment of property in CE, passed 1-17-1827

- Sec. 1: CE Commissioners of the Tax shall revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: Five commissioners of the tax are appointed in this act.

## **Acts of 1826, Ch. 27**

An act re reassessment of property in WA, passed 1-23-1827

- Sec. 1: Beginning in October the WA Commissioners of the Tax shall reassess and revalue real property and personal property per provisions of Acts of 1812, Ch. 191.

## **Acts of 1826, Ch. 102**

An act supplemental to Acts of 1812, Ch. 191, re property transfers in DO, passed 2-22-1827

DO Commissioners of the Tax have no way of ascertaining transfers of property by virtue of wills.

- Sec. 1: Annually in May the DO Register of Wills shall prepare and deliver to the commissioners of the tax an alphabetical list of alienations, changes, or transfers of real property made under wills, showing name and quantity of the land and names of devisors and devisees.

## **Acts of 1826, Ch. 109**

An act re tax collection in AA, passed 2-23-1827

- Sec. 1: Hereafter the tax collector or deputy collectors in AA may sell at public sale, after giving 30 days notice, a sufficient quantity of timber to satisfy taxes levied on land belonging to nonresidents, when there is no personal property on the lands. Collector shall give a certificate to the purchaser showing the quantity purchased and make a return to the levy court for recording. When there is neither personal property nor timber, the method already provided by law shall be pursued for collection of the taxes.
- Sec. 2: Purchaser shall have twelve months to enter the land and obtain the timber.

## **Acts of 1826, Ch. 158**

An act re commissioners of the tax in WO, passed 2-26-1826

- Sec. 1: After giving public notice, the WO Commissioners of the Tax may meet any time between the first part of January and August.
- Sec. 2: That part of Sec. 43 of Acts of 1812, Ch. 191 inconsistent with this act is repealed.

### **Acts of 1826, Ch. 170**

An act re tax collection in CH, passed 3-6-1827

- Sec. 1: Collectors of the tax in CH are hereby authorized to sell at public sale, after giving thirty days public notice, a sufficient quantity of timber on land owned by nonresidents whose taxes are in arrears. Collectors shall report such sales to the levy court which shall record the proceedings.
- Sec. 2: Purchasers shall have twelve months in which to cut down and carry away the timber.
- Sec. 3: If there is insufficient timber to satisfy the taxes or a sale cannot be made, the collector may sell sufficient acreage to satisfy the amount due, after giving thirty days public notice specifying the amount of taxes due and name, quantity, and location of the land. Collectors shall report such sales to the levy court which shall record the proceedings. Taxpayers may redeem the property within twelve months after the sale by paying the purchaser the purchase price plus interest.

### **Acts of 1826, Ch. 179**

An act re commissioners of the tax in SO, passed 3-9-1827

- Sec. 1: As soon as possible after passage of this act the SO Levy Court shall appoint five persons as commissioners of the tax.
- Sec. 2: Vacancies shall be filled by the remaining commissioners of the tax. Commissioners of the tax shall serve until their powers are superseded by a future law.
- Sec. 3: Commissioners of the tax appointed by Acts of 1822, Ch. 75 shall deliver their records to the new commissioners.

### **Acts of 1826, Ch. 217**

An act to establish BA Board of County Commissioners, passed 3-10-1827

- Sec. 4: All powers and duties of the BA Commissioners of the Tax and BA Levy Court shall be vested in the BA Board of County Commissioners.
- Sec. 5: After BA county commissioners take office in October 1827, the BC Mayor and City Council shall provide for making appointments and assessing and levying taxes for BC that are now performed by the BA Levy Court.

### **Acts of 1827, Ch. 77**

An act re reassessment of property in KE, passed 2-29-1828

- Sec. 1: KE Commissioners of the Tax shall revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: Five commissioners of the tax are appointed in this act.

### **Acts of 1827, Ch. 80**

An act supplemental to Acts of 1817, Ch. 148, re assessment and taxes in BC, passed 2-29-1828

- Sec. 1: BC Commissioners of the Tax are hereby abolished. Their powers and duties shall be vested in the BC Mayor and City Council.
- Sec. 4: Mayor and city council shall levy necessary amounts to defray their proportion of the joint expenses of BA for 1827 and other expenses as have usually been levied on BC by the BA Levy Court.
- Sec. 5: Mayor and city council may levy city taxes at any time they deem advisable.

### **Acts of 1827, Ch. 81**

An act to establish HA Board of County Commissioners, passed 2-23-1828

- Sec. 1: In October 1828 and every three years thereafter five persons shall be elected to the HA Board of County Commissioners.
- Sec. 4: All powers and duties of the HA Levy Court and HA Commissioners of the Tax shall be vested in the HA Board of County Commissioners.

### **Acts of 1827, Ch. 145**

An act to establish CE Board of County Commissioners, passed 3-10-1828

- Sec. 4: The powers and duties of the CE Commissioners of the Tax and CE Levy Court shall be vested in the CE Board of County Commissioners.

### **Acts of 1828, Ch. 14**

An act re levy court of QA, passed 1-30-1829

- Sec. 1: QA Commissioners of the Tax is hereby abolished. Its powers, duties, and records shall be transferred to the QA Levy Court.
- Sec. 2: Levy court shall hear assessment appeals and note property transfers annually in April and May, after giving public notice.

### **Acts of 1828, Ch. 15**

An act re commissioners of the tax in SO, passed 2-2-1829

- Sec. 1: Annually in April the SO Levy Court shall appoint five persons as commissioners of the tax.
- Sec. 2: Vacancies shall be filled by the remaining commissioners of the tax.

## **Acts of 1828, Ch. 21**

An act to establish AA Board of County Commissioners, passed 2-5-1829

- Sec. 1: To take effect when appointments are made.
- Sec. 4: All powers and duties of the AA Levy Court and AA Commissioners of the Tax shall be vested in the AA Board of County Commissioners.
- Sec. 8: Clerk of commissioners of the tax shall deliver all records to the clerk of the county commissioners.

## **Acts of 1828, Ch. 175**

An act re reassessment of property in HA, passed 3-13-1829

- Sec. 1: HA Board of County Commissioners shall reassess and revalue real property and personal property per provisions of Acts of 1812, Ch. 191.

## **Acts of 1828, Ch. 194**

An act re reassessment of property in CH, passed 3-13-1829

- CH Commissioners of the Tax shall reassess and revalue real property and personal property per provisions of Acts of 1812, Ch. 191.

## **Acts of 1829, Ch. 21**

An act to establish WA Board of County Commissioners, passed 1-28-1830

- Sec. 4: All powers and duties of the WA Commissioners of the Tax and WA Levy Court shall be vested in the WA Board of County Commissioners.

## **Acts of 1829, Ch. 25**

An act to establish AL Board of County Commissioners, passed 1-28-1830

- Sec. 4: All powers and duties of the AL Commissioners of the Tax and AL Levy Court shall be vested in by the AL Board of County Commissioners.

## **Acts of 1829, Ch. 88**

An act re commissioners of the tax and levy court in PG, passed 2-15-1830

- Sec. 2: All powers and duties of the PG Commissioners of the Tax are hereby vested in the PG Levy Court.
- Sec. 3: In March the levy court shall appoint a clerk to perform the functions of the former clerk of the commissioners of the tax and the present clerk of the levy court. Clerk shall give bond, to be recorded by the county court clerk.

- Sec. 6: Annually in May the clerk of the levy court shall receive from the county court clerk records of the levy court that will be needed to ascertain county charges. Clerk of the levy court shall receive all records of the commissioners of the tax.

### **Acts of 1829, Ch. 106**

An act re reassessment of property in SO, passed 2-29-1830

- Sec. 1: All real property and personal property in SO shall be reassessed and revalued per provisions of this act.
- Sec. 2: Commissioners of the tax, as soon as possible, shall appoint three assessors. Within ten days the assessors shall appear before the commissioners of the tax for instructions per this act and Acts of 1812, Ch. 191. Commissioners of the tax shall select a day, up to ninety days later, for assessors to make their returns, of which four weeks public notice shall be given.
- Sec. 3: Assessors shall take an oath, administered by a commissioner of the tax and recorded in the commissioners records.
- Sec. 5: No property shall be returned as assessed unless at least two assessors concur on the value.
- Sec. 6: Persons assessed under \$40 shall be exempt from taxation.
- Sec. 9: Appeals from assessors valuations to the commissioners of the tax must be made within thirty days of the return date.
- Sec. 10: Assessors shall prepare separate returns and certificates for each election district. The returns shall be recorded in the same manner.
- Sec. 11: Every person owning or having management of slaves shall deliver to the assessors, when required, an account of all slaves, giving the name, age, and sex of each. Assessors shall view each slave and return the accounts to the commissioners of the tax.
- Sec. 12: Property owners shall deliver to the assessors, when required, an account of all real property and other personal property, giving for each the owners name and election district where located. If a person refuses or neglects to prepare such an account, the assessors shall value the property from best available information and certify the values and the fact of refusal or neglect to the commissioners of the tax who shall double the assessment.
- Sec. 15: Those parts of Acts of 1812, Ch. 191 not inconsistent with this act shall remain in effect.
- Sec. 16: Five commissioners of the tax are appointed in this act. Vacancies shall be filled by remaining commissioners.
- Sec. 17: Acts of 1828, Ch. 15, re appointment of commissioners, repealed.

### **Acts of 1829, Ch. 137**

An act re reassessment of property in HA, passed 2-24-1830

- Sec. 1: HA Board of County Commissioners shall reassess and revalue real property and personal property per provisions of Acts of 1812, Ch. 191.

### **Acts of 1830, Ch. 22**

An act re reassessment of property in SM, passed 1-26-1831

- Sec. 1: SM Commissioners of the Tax is abolished.
- Sec. 2: All powers and duties of the commissioners of the tax shall be vested in the SM Levy Court.
- Sec. 4: Annually in August the clerk of the levy court shall deliver to the tax collectors a duplicate of the alphabetical list of taxpayers showing the amount of assessed property for each and the tax rate.
- Sec. 7: Levy court shall revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.

### **Acts of 1830, Ch. 25**

An act re commissioners of the tax and levy court in CH, passed 1-28-1831

- Sec. 1: At its first meeting after passage of this act and annually thereafter at their first meeting of the year the CH Levy Court shall appoint a clerk who shall perform the duties of the current clerks of the levy court and commissioners of the tax. The clerk shall take an oath. After giving ten days public notice, the clerk shall for twenty days before the first Monday in May 1831 and annually thereafter before the first Monday in April be available for making changes and taking transfers of property and shall report them to the levy court.
- Sec. 2: After giving public notice, the levy court shall hear appeals and receive further changes and make out the annual levy. The clerk shall prepare an alphabetical list of taxpayers, showing amounts of property assessed and levy rate, which shall be delivered to the county court clerk by the first Monday in August.
- Sec. 4: CH Commissioners of the Tax are hereby abolished and its functions and powers vested in the CH Levy Court.
- Sec. 5: Clerk of the commissioners of the tax shall transfer all records to the clerk of the levy court.

### **Acts of 1830, Ch. 38**

An act to establish TA Board of County Commissioners, passed 2-2-1831

- Sec. 4: All powers and duties of the TA Levy Court and TA Commissioners of the Tax shall be vested in the TA Board of County Commissioners.

### **Acts of 1830, Ch. 53**

An act re reassessment of property in MO, passed 2-7-1831

- Sec. 1: MO Commissioners of the Tax shall reassess and revalue real property and personal property per provisions of Acts of 1812, Ch. 191.

### **Acts of 1830, Ch. 128**

An act re assessment in Middletown in FR, passed 2-19-1831

- Sec. 2: FR Levy Court shall appoint an assessor to value and assess property in Middletown and to make a return to the levy court.

### **Acts of 1831, Ch. 36**

An act re reassessment of property in WO, passed 1-25-1832

- Sec. 1: WO Commissioners of the Tax shall as soon as possible appoint an assessor for each election district to revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: Assessors shall qualify per Acts of 1812, Ch. 191 and make returns at a time set by the commissioners of the tax.

### **Acts of 1831, Ch. 82**

An act re reassessment of property in CA, passed 2-10-1832

- Sec. 1: Five persons are appointed in this act as CA Commissioners of the Tax.
- Sec. 2: In March 1832 the commissioners of the tax shall appoint two assessors, one from the upper district and one from the lower district, who together shall reassess real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 3: The reassessment shall be completed between May 15 and June 15, 1832.

### **Acts of 1831, Ch. 99**

An act re tax sales, passed 2-10-1832

- Sec. 1: Owners of real property sold for taxes may redeem the land within twelve months of the sale by paying appropriate local agency the amount of the taxes, interest, and costs, except in AL and BA outside the limits of BC. The local agency shall record the fact of this payment, name of owner or claimant of the property sold, person making the payment, and description of the property. At the request of the landowner, this information shall be filed with the county court clerk for recording in the land records. If this request is not met, affidavits of witnesses about the sale, acknowledged by a justice of the peace, may be recorded in the land records and have the same legal effect as the certificate of payment.
- Sec. 2: If the real property is not redeemed, the collector or his successor shall execute a deed to the purchaser.

### **Acts of 1831, Ch. 118**

An act re reassessment of property in TA, passed 2-17-1832

- Sec. 1: TA Board of County Commissioners shall revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.

### **Acts of 1831, Ch. 213**



An act supplemental to Acts of 1831, Ch. 82, re reassessment in CA, passed 3-6-1832

- Sec. 1: Acts of 1831, Ch. 82 is suspended from operation until April 1833, except for the appointment of CA Commissioners of the Tax and their power to appoint assessors.
- Sec. 2: Assessors shall make their returns in April 1833.
- Sec. 4: Assessors may be appointed from any part of the county.

### **Acts of 1831, Ch. 253**

An act re reassessment of property in DO, passed 3-9-1832

- Sec. 1: DO Commissioners of the Tax shall revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: The reassessment shall be completed by August 1, 1832.
- Sec. 3: Five commissioners of the tax are appointed in this act.

### **Acts of 1831, Ch. 280**

An act re reassessment of property in PG, passed 3-13-1832

- Sec. 1: PG Levy Court shall revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: Persons with property worth less than \$100 shall be exempt from taxation.

### **Acts of 1832, Ch. 130**

An act re reassessment of property in BA, passed 3-5-1833

- Sec. 1: BA Board of County Commissioners shall revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191, except where otherwise directed by this act.
- Sec. 2: County commissioners may divided the county into assessment districts and appoint assessors for them, alter the size and number of the districts, and remove any assessor for just cause.
- Sec. 3: Assessors shall value all real property and personal property within their districts. They shall specify in their returns the property owners and whether or not the property is claimed to be exempt from taxation and the valuations. County commissioners shall examine the lists of exempt properties and, when they doubt the claim, may require the claimant to show cause why the property should not be assessed, and then decide.
- Sec. 4: Property shall be assessed at full value. When county commissioners believe this has not been done, they may appoint someone to revalue it or require the owner to appear before them.
- Sec. 5: County commissioners may appoint an additional clerk and allow their regular clerk additional compensation for services required by this act.

### **Acts of 1832, Ch. 139**

An act re reassessment of property in AA, passed 3-7-1833

- Sec. 1: AA Board of county Commissioners shall revalue and reassess property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: The process shall be completed by September 1, 1833. Every assessor shall take an oath.
- Sec. 3: County commissioners shall appoint four tax collectors - one each for Election Districts 1-2, 3-4, 5-6, and 7. Each shall give bond as now required by law.

### **Acts of 1832, Ch. 173**

An act supplemental to Acts of 1832, Ch. 139, re reassessment of property in AA, passed 3-13-1833

- Sec. 1: Instead of appointing one or more assessors per election district as provided in Acts of 1812, Ch. 191, AA Board of County Commissioners shall appoint three assessors who shall act together to assess property in the county and one assessor for Annapolis.

### **Acts of 1832, Ch. 219**

An act re tax collection, passed 3-1-1833

- Sec. 1: Executors and administrators shall give to the appropriate local agency a list of transfers of taxable personal property and of taxable personal property unsold. Transfers of less than \$50 shall be exempt.

### **Acts of 1832, Ch. 257**

An act re reassessment of property in PG, passed 3-10-1833

- Sec. 1: PG Levy Court shall appoint assessors sufficient to reassess and revalue real property and personal property.
- Sec. 2: Assessors shall take an oath before a member of the levy court or a justice of the peace. A certificate of the oath shall be recorded in the proceedings of the levy court.
- Sec. 3: Negligent assessors shall forfeit \$50, to be recovered and collected in the name of the levy court before a single justice of the peace as a small debt case.
- Sec. 4: Persons with property worth less than \$100 shall be exemption from taxation.
- Sec. 5: Assessors may require from owners, trustees, etc. an account of all real property and personal property.
- Sec. 7: Assessors shall file returns with the levy court in August.

### **Acts of 1832, Ch. 263**

An act re reassessment of property in QA, passed 3-7-1833

- QA Levy Court shall revalue and reassess property per provisions of Acts of 1812, Ch. 191.

### **Acts of 1832, Ch. 278**

An act re reassessment of property in AL, passed 3-19-1833

- Sec. 1: By May 1, 1833 AL Board of County Commissioners shall appoint as many assessors as deemed necessary.
- Sec. 2: Each assessor shall take an oath before a justice of the peace, a memo of which shall be recorded in the proceedings of the county commissioners.
- Sec. 4: Persons with property worth less than \$50 shall be exempt from taxation.
- Sec. 5: Assessors shall prepare separate returns and certificates of land, slaves, and all other personal property, which shall be recorded in books, one per district.
- Sec. 6: Any person owning or charged with any property shall deliver to the assessor, when required, a true account of such property.
- Sec. 7: If a person refuses to provide such an account, the assessor shall value the property from available information and certify it to the county commissioners, including the fact of refusal or neglect by the owner.
- Sec. 9: County commissioners shall fill vacancies among assessors.
- Sec. 11: The reassessment shall be completed by August 1, 1833.

### **Acts of 1833, Ch. 143**

An act re reassessment of property in BC, passed 3-5-1834

- Sec. 1: BC Mayor and City Council may make a new assessment whenever they deem it necessary.

### **Acts of 1833, Ch. 144**

An act re reassessment of property in WA, passed 3-5-1834

- Sec. 1: WA Board of County Commissioners shall appoint in each election district an assessor to reassess and revalue all property in that district.
- Sec. 2: Each assessor shall take an oath before a justice of the peace, a copy of which shall be recorded by the county commissioners.
- Sec. 3: Assessors shall prepare separate returns and certificates of lands and slaves and values of other taxable property, which returns and certificates shall be recorded by the county commissioners.
- Sec. 5: Persons with property worth less than \$50 shall be exempt from taxation.
- Sec. 6: When required, persons owning or having charge of property shall deliver to the assessors a true account of all property.
- Sec. 7: If a person refuses or neglects to render such an account, the assessor shall value the property from available information and return it to the county commissioners along with a notice of the refusal or neglect, and the commissioners shall double the assessment.
- Sec. 13: Hereafter, when deemed necessary, the county commissioners may undertake a reassessment under the provisions of this act.

### **Acts of 1833, Ch. 149**

An act re reassessment of property in CE, passed 3-4-1834

- Sec. 1: By April 1, 1834 CE Board of County Commissioners shall appoint as many assessors as deemed necessary.
- Sec. 2: Each assessor shall take an oath before a justice of the peace, a memo of which shall be recorded in the proceedings of the county commissioners.
- Sec. 4: Persons whose property is worth less than \$50 shall be exemption from taxation.
- Sec. 5: Assessors shall prepare separate returns and certificates of land and slaves and others taxable property, which shall be recorded separately for each election district.
- Sec. 6: When required, anyone owning or having charge of property shall deliver to assessors a true account of such property.
- Sec. 7: If any person refuses or after due notice fails to render such an account, the assessors shall value the property from best available information and certify to the county commissioners the property so valued and the fact of the refusal or neglect, and the county commissioners shall double the assessment.
- Sec. 11: Assessment shall be completed by July 1, 1834.

### **Acts of 1834, Ch. 22**

An act re reassessment of property in FR, passed 1-22-1835

- Sec. 1: FR Commissioners of the Tax shall appoint assessors to revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.

### **Acts of 1834, Ch. 44**

An act re tax sales in AL, passed 2-3-1835

- Sec. 1: When tax sales are made and cases are pending in the AL Court, the purchaser shall place a notice in a newspaper designated by county commissioners, that describes the land and gives the name of the owner, time of purchase, and amount paid. This shall secure title unless the person having the original title shall within two years pay the purchaser the purchase money with 10% interest. Purchasers shall file copies of the ads and affidavits from the publishers with the county court clerk for recording.
- Sec. 2: The AL tax collector shall file newspaper ads and affidavits from publishers with the county court clerk for recording.

### **Acts of 1834, Ch. 78**

An act supplemental to Acts of 1832, Ch. 278, re reassessment in AL, passed 2-12-1835

- Sec. 1: At their next meeting the AL Board of County Commissioners at the suggestion of any person may reconsider and examine valuations and assessments and may make changes.

### **Acts of 1834, Ch. 109**

An act re assessments in CA, passed 3-18-1835

- Sec. 1: Hereafter by July 1, all executors, administrators, sheriffs, coroners, elisors, constables, and clerks of common venders shall annually report to the CA Commissioners of the Tax any taxable property they have sold, showing the names of the original owners and purchasers.

### **Acts of 1834, Ch. 320**

An act re reassessment of real property in SM, passed 3-21-1835

- Sec. 1: In May the SM Levy Court shall appoint in each election district three commissioners who shall value and assess real property.
- Sec. 2: Commissioners shall take an oath before a justice of the peace, a certificate of which shall be filed with the levy court. Clerk of the levy court shall provide the commissioners with a transcript of all real property in their respective districts.
- Sec. 3: Commissioners shall value land according to seven classifications given in this act. Commissioners shall not assess any land at more than one third its cash value.
- Sec. 5: Commissioners shall return the valuations in July. All subsequent levies shall be made according to these valuations as long as this act remains in effect.
- Sec. 7: All improved lots shall be valued at one third their actual value.

### **Acts of 1834, Ch. 329**

An act re reassessment of property in KE, passed 3-21-1835

- Sec. 1: KE Commissioners of the Tax shall revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.
- Sec. 2: Five commissioners of the tax are appointed in this act.

### **Acts of 1834, Ch. 334**

An act re tax collection in AL, passed 3-21-1835, effective 9-1-1835

- Sec. 1: Annually in March the AL tax collector shall return to the county commissioners a list of land owned by nonresidents and other land where there is no personal property, showing the owners names, tract names, number of lots, amount of taxes due, and for how long due.
- Sec. 2: County commissioners shall have this information published in newspapers in Cumberland, BC, and Washington DC for three weeks, notifying the delinquent taxpayers that, unless taxes and costs are paid to the AL collector or his agent in BC by June 1, all or part of the land will be sold at public auction. Collector shall file certificates of publication or the papers themselves with the county court clerk for recording in the land records.
- Sec. 3: Tax collector shall return to the county commissioners in June a list of those who have paid the taxes and costs. The commissioners shall advertise the time and place for the public sale of the rest of the land. After the sale, the collector shall prepare two lists of the lands sold showing for each sale the owners name, purchasers name, land and quantity sold, amount of the sale, and any surplus amount. One list shall be filed with the county commissioners and one with the county court clerk for recording in the land records. The collector shall pay surplus sale

moneys to the county court clerk who upon demand shall pay it to the proper person without interest.

- Sec. 4: Tax collector shall execute deeds to the purchasers. If the original owner within one year pays the purchaser the purchase price and other charges with 10% interest, the purchaser shall reconvey the land.

### **Acts of 1835, Ch. 18**

An act supplemental to Acts of 1833, Ch. 144, re reassessment in WA, passed 1-25-1836

- Sec. 1: WA Board of County Commissioners may appoint one or three assessors for each election district to reassess and revalue property.

### **Acts of 1835, Ch. 34**

An act re assessment appeals in MO, passed 1-29-1836

- MO Commissioners of the Tax shall hear assessment appeals and note property transfers on the first Monday, Tuesday, and Wednesday in April and June and four others days in September. They shall meet for such purposes no more that ten days per year.

### **Acts of 1835, Ch. 181**

An act supplemental to Acts of 1834, Ch. 320, re assessments in SM, passed 3-24-1836

- Sec. 1: If deemed necessary and more economical, the SM Levy Court may suspend operation of Acts of 1834, Ch. 320 and may decrease the number of assessors and direct them to view all real property in person, and not confining their operations to any one election district.
- Sec. 2: If the number of assessors is decreased, the levy court shall select them from among those who were recommended and partially appointed under Acts of 1834, Ch. 320.

### **Acts of 1835, Ch. 256**

An act for erecting CR, passed 3-25-1836, passed 1-19-1837, confirmed by Acts of 1836, Ch. 19

- Sec. 1: The parts of BA and FR defined in this act shall be erected as CR.
- Sec. 2: Taxes levied by the BA Board of County Commissioners and FR Levy Court on the parts that will become CR prior to confirmation of this act shall be collected and used in BA and FR.

### **Acts of 1836, Ch. 6**

An act re reassessment of property in CH, passed 1-9-1837

- CH Levy Court shall reassess and revalue real property and personal property per provisions of Acts of 1812, Ch. 191.

### **Acts of 1836, Ch. 62**

An act re commissioners of the tax for CR, passed 2-23-1837

- Sec. 1: Annually the governor and council shall appoint nine persons, one from each election district, as CR Commissioners of the Tax. They shall elect one of themselves as president. Governor and Council shall fill vacancies.
- Sec. 2: Each commissioner of the tax shall take an oath before a judge or justice of the peace, which shall be recorded by the county court clerk.
- Sec. 4: All powers and duties exercised by the FR Levy Court and FR Commissioners of the Tax shall be vested in the CR Commissioners of the Tax.
- Sec. 5: Annually the commissioners of the tax shall appoint a clerk who shall take an oath.

### **Acts of 1836, Ch. 64**

An act re reassessment of property in CR, passed 2-23-1837

- Sec. 1: CR Commissioners of the Tax shall appoint assessors and conduct an assessment per Acts of 1812, Ch. 191.
- Sec. 2: The assessment shall be completed by August 1, 1837. Every assessor shall take an oath.
- Sec. 3: Commissioners of the tax shall annually appoint a tax collector who shall give bond.

### **Acts of 1836, Ch. 94**

An act re commissioners of the tax in DO, passed 2-25-1837

- DO Commissioners of the Tax shall sit for not over ten days annually in April for noting property transfers and hearing assessment appeals, after giving public notice.

### **Acts of 1836, Ch. 129**

An act re assessors in FR, passed 3-6-1837

- FR Commissioners of the Tax shall appoint one or more assessors to value the parts of the land in FR divided by the county line with CR and make returns to the commissioners.

### **Acts of 1836, Ch. 152**

An act re commissioners of the tax in MO, passed 3-9-1837

- Sec. 1: MO Commissioners of the Tax shall hear assessment appeals and note property transfers annually on the first Monday in April and may meet for twelve days thereafter.

### **Acts of 1836, Ch. 161**

An act re appeals and transfers in PG, passed 3-10-1837

- Sec. 1: Beginning in 1838 the PG Levy Court shall meet for twelve days in April to hear assessment appeals and note property transfers.

- Sec. 2: Appeals shall be heard per provisions of Acts of 1832, Ch. 257. Clerk of the levy court shall change valuations according to abatements or increases.

### **Acts of 1836, Ch. 185**

An act re commissioners of the tax in WO, passed 3-15-1837

- After giving public notice, WO Commissioners of the Tax shall meet in May for ten days to note property transfers and hear assessment appeals.

### **Acts of 1836, Ch. 228**

An act supplemental to Acts of 1823, Ch. 53, re tax collection in BA, passed 3-21-1837

- BA county commissioners shall divide the county into collection districts, not over five. They shall record the number of districts and describe their boundaries in the county commissioner records. Annually thereafter the county commissioners shall appoint one collector for each district, who shall give bond.

### **Acts of 1837, Ch. 87**

An act to establish SO Board of County Commissioners, passed 2-13-1838

- Sec. 1: Annually the governor with consent of the Senate shall appoint seven persons as the SO Board of County Commissioners.
- Sec. 4: The powers and duties of the SO Levy Court and SO Commissioners of the Tax shall be vested in the SO Board of County Commissioners.
- Sec. 8: Clerk of commissioners of the tax shall deliver records to the county commissioners
- Sec. 10: Assessment appeals shall be heard in April, after giving ten days public notice.

### **Acts of 1837, Ch. 264**

An act supplemental to Acts of 1830, Ch. 25, re assessments in CH, passed 3-22-1838

- Hereafter the clerk of the CH Levy Court shall attend every Monday and Tuesday in March and April for making changes and transfers of property.

### **Acts of 1838, Ch. 67**

An act to establish SM Board of County Commissioners, passed and effective 2-21-1839

- Sec. 1: SM Levy Court is hereby abolished.
- Sec. 2: There shall be a SM Board of County Commissioners, consisting of five members, one elected from each election district.
- Sec. 9: All powers, duties, and property of the levy court shall be transferred to and vested in the county commissioners.



**Acts of 1838, Ch. 96**

An act to establish WO Board of County Commissioners, passed and effective 2-27-1839

- Sec. 10: The powers and duties of the WO Levy Court and WO Commissioners of the Tax shall be vested in the WO Board of County Commissioners.
- Sec. 11: After giving public notice, the county commissioners shall annually meet in May to note property transfers and hear assessment appeals.

**Acts of 1838, Ch. 128**

An act to establish MO Board of County Commissioners, passed 1-21-1839

- Sec. 1: Governor with consent of the Senate shall annually appoint five persons as the MO Board of County Commissioners. Governor shall fill vacancies.
- Sec. 8: County commissioners shall take over the powers and duties of the MO Commissioners of the Tax and MO Levy Court.

**Acts of 1838, Ch. 134**

An act commissioners of the tax and levy court in CA, passed 3-4-1839

- Sec. 2: CA Commissioners of the Tax are hereby abolished. Their powers and duties shall be vested in the CA Levy Court.
- Sec. 3: Commissioners of the tax, their clerk, and county tax collector shall deliver their records to the levy court.

**Acts of 1838, Ch. 201**

An act supplemental to Acts of 1826, Ch. 217, re tax collection in BA, passed 3-18-1839

- Sec. 4: BA Board of County Commissioners, after making the annual levy to be collected in each election district and giving twenty days notice, shall invite proposals for the collection of county taxes. Each sealed bid shall include security. The lowest bid for each election district shall be accepted, provided the security is sufficient and approved by the county commissioners.
- Sec. 5: If no or insufficient bids are received for an election district or the individual fails to give bond within thirty days, the county commissioners shall appoint one or more tax collectors.

**Acts of 1838, Ch. 215**

An act re reassessment of property in AL, passed 3-18-1839

- Sec. 1: Three assessors are appointed in this act.
- Sec. 2: Each assessor shall take an oath before a justice of the peace, a memo of which shall be recorded in the proceedings of the county commissioners.
- Sec. 3: Persons whose property is assessed under \$50 shall be exempt from taxation.
- Sec. 4: Assessors shall prepare separate returns and certificates of land, slaves, and all other

personal property, which shall be recorded in books, one per district.

- Sec. 5: Any person owning or charged with any property shall deliver to the assessor, when required, a true account of such property.
- Sec. 6: If a person refuses to provide such an account, the assessor shall value the property on the basis of available information and certify it to the county commissioners, including the fact of refusal or neglect by the owner, and the county commissioners shall double the assessment.
- Sec. 10: Governor shall fill vacancies among assessors.
- Sec. 11: The reassessment shall be completed by the assessors by October 1, 1839.
- Sec. 12: For one year after the assessment is completed, the county commissioners may revise and correct valuations. Twenty days notice shall be given to the party whose property is being reconsidered.
- Sec. 13: Upon discovery of property that is not being taxed or if a person acquires land that is not being taxed, the county commissioners shall assess the property. Commissioners may also remove property that should not be taxed.

### **Acts of 1838, Ch. 235**

An act to establish DO Board of County Commissioners, passed and effective 3-25-1839

- Sec. 8: All duties and powers of the DO Levy Court and DO Commissioners of the Tax shall be vested in the DO Board of County Commissioners.
- Sec. 9: County commissioners shall hear assessment appeals and note property transfers as did the commissioners of the tax.
- Sec. 13: Clerk of commissioners of the tax shall deliver records to the county commissioners.

### **Acts of 1838, Ch. 305**

An act re levy court in KE, passed 3-14-1839

- Sec. 6: Upon election and qualification of the KE Levy Court, the KE Commissioners of the Tax shall be abolished and its powers and duties assigned to the levy court. The clerk of the commissioners of the tax shall deliver all records to the clerk of the levy court.
- Sec. 7: The first elected levy court shall qualify and assume duties in April 1840.

### **Acts of 1839, Ch. 43**

An act re reassessment of property in TA, passed 1-7-1840

- Sec. 1: If deemed necessary, the TA Board of County Commissioners is authorized to revalue and reassess real property and personal property per provisions of Acts of 1812, Ch. 191.

### **Acts of 1839, Ch. 48**

An act supplemental to Acts of 1838, Ch. 215, re assessments in AL, passed 1-16-1840

Assessors did not complete returns by the deadline.

- Sec. 1: Assessors returns in AL shall be completed by the first Monday in April 1840.

## **Acts of 1839, Ch. 50**

An act supplemental to Acts of 1826, Ch. 217, re tax collection in BA, passed 1-21-1840

- Secs. 4-5 of Acts of 1838, Ch. 201, re bids for tax collection, are repealed. BA Board of County Commissioners shall appoint tax collectors after giving ten days notice.

## **Acts of 1839, Ch. 51**

An act re reassessment of property in SO, passed 1-25-1840

- Sec. 1: All real property and personal property in SO shall be reassessed and revalued per the provisions of this act.
- Sec. 2: County commissioners, as soon as possible, shall appoint three assessors. Within ten days the assessors shall appear before the county commissioners for instructions per this act and Acts of 1812, Ch. 191. County commissioners shall select a day, up to sixty days later, for assessors to make their returns, of which public notice shall be given.
- Sec. 3: Assessors shall take an oath, administered by a county commissioner and recorded in the commissioners records.
- Sec. 5: There shall be one assessor from each of the upper, middle, and lower districts. Each assessor shall have responsibility for one district.
- Sec. 8: Appeals from assessors valuations to the county commissioners must be made within thirty days of the return date. A person aggrieved by the assessment herein imposed by the first year shall have the right of appeal for the second year preceding the levy.
- Sec. 9: Assessors shall prepare separate returns and certificates for each election district. The returns shall be recorded in the same manner.
- Sec. 10: Every person owning or having management of slaves shall deliver to the assessors, when required, an account of all slaves, giving the name, age, and sex of each. Assessors shall view each slave and return the account to the county commissioners.
- Sec. 11: Property owners shall deliver to the assessors, when required, an account of all real property and other personal property, giving for each the owners name and election district where located. If a person refuses or neglects to prepare such an account, the assessors shall value the property from available information and certify the values and the fact of refusal or neglect to the county commissioners who shall double the assessment.
- Sec. 14: Those parts of Acts of 1812, Ch. 191 not inconsistent with this act shall remain in effect.

## **Acts of 1839, Ch. 98**

An act re government of HO District, passed 3-6-1840

- Sec. 6: HO District Commissioners shall appoint a tax collector who may be the sheriff.
- Sec. 27: AA sheriff and tax collectors shall have the authority to complete their collections in HO District.

- Sec. 28: Clerk of the AA Board of County Commissioners shall furnish the HO District Commissioners with information re valuation and assessment of property. HO commissioners shall have the authority to revalue and reassess real property and personal property affected by the division line between HO and AA per provisions of Acts of 1832, Ch. 139.

### **Acts of 1840, Ch. 5**

An act supplemental to Acts of 1839, Ch. 98, re tax collection in HO District, passed 12-30-1840

- Sec. 1: Sec. 6 of Acts of 1839, Ch. 98 repealed
- Sec. 2: Hereafter the HO District Sheriff shall be the tax collector.

### **Acts of 1840, Ch. 63**

An act re tax collection in BC, passed 1-12-1841

- Sec. 1: BC Mayor and City Council shall have the power to provide for prompt collection of taxes due the city and shall have the power to sell real property as well as personal property to collect delinquent taxes.

### **Acts of 1840, Ch. 103**

An act re reassessment of property in AL, passed 1-13-1841

- Sec. 1: Assessors shall reassess and revalue property in AL and assess property not heretofore valued.
- Sec. 2: Two assessors appointed in this act who shall select one person in each election district to act with them. Each assessor shall take an oath before a justice of the peace, a memo of which shall be recorded in the proceedings of the county commissioners.
- Sec. 4: Any person owning or charged with any property shall deliver to the assessor when required a true account of such property. If a person refuses to provide such an account, the assessor shall value the property on the basis of available information and certify it to the county commissioners, including the fact of refusal or neglect by the owner. Commissioners shall then double the assessment.
- Sec. 5: Unpatented lands on which composition money has been paid shall be assessed.
- Sec. 6: Assessors shall prepare separate returns and certificates of land, slaves, and all other personal property, which shall be recorded in books, one per district.
- Sec. 7: The assessment shall be completed by the first Monday in December 1841. County commissioners shall hold a special meeting then to ratify and confirm or reject the returns. If the assessors fail to meet this deadline or their returns are rejected, the commissioners may allow further time, up to six months, and then go through the same ratification or rejection process.
- Sec. 8: Persons whose property is assessed under \$50 shall be exempt from taxation.
- Sec. 9: Assessors decisions may be appealed to the county commissioners for one year after final ratification. Public notice shall be given for hearing appeals.
- Sec. 10: Vacancies among the two assessors appointed in Sec. 2 shall be filled by the county

court clerk.

- Sec. 15: Upon the discovery of property that is not being taxed or if a person acquires land that is not being taxed, the county commissioners shall assess the property. County commissioners may also remove property that should not be taxed.
- Sec. 16: At subsequent periods, the AL county commissioners may order a new assessment and valuation and shall have the power to appoint assessors - two at large and one associate for each election district - and to fill vacancies among the assessors. County commissioners shall set a deadline for completion and may allow further time if necessary.

### **Acts of 1840, Ch. 134**

An act re moneys due HO District, passed 2-26-1841

Before the separation of HO District, the AA county commissioners had levied the county tax in March 1840.

- Sec. 1: Six persons are appointed in this act to ascertain the moneys due the HO District Commissioners. When completed, the AA Board of County Commissioners shall pay the sums.
- Sec. 2: If the appointed commissioners cannot agree, they shall appoint a seventh person to decide. Their proceedings and determinations shall be filed with the clerks of the AA county commissioners and HO District Commissioners.

### **Acts of 1840, Ch. 234**

An act tax collection in AL, passed 3-9-1841, effective 9-1-1841

- Sec. 1: Annually in February the AL tax collector shall return to the county commissioners a list of land owned by nonresidents and other land where there is no personal property, showing the owners names, tract names, number of lots, amount of taxes due, and for how long due.
- Sec. 2: County commissioners shall have this information published in newspapers in Cumberland, BC, and Washington DC for four weeks, notifying the delinquent taxpayers that, unless taxes and costs are paid to the AL collector or his agent in BC by June 1, all or part of the land will be sold at public auction.
- Sec. 3: In June the collector shall return to the county commissioners a list of those who have paid the taxes and costs. For those remaining delinquent, the commissioners shall order the collector to give twenty days public notice of the sale, to contain the same information as published per Sec. 2
- Sec. 4: When several tracts and lots belong to the same owner, only enough acreage shall be sold to discharge the amount of taxes and costs due. If a single tract or lot can be divided, only the part sufficient to pay the taxes and costs shall be sold. If a partition is not feasible, the whole parcel shall be sold. County commissioners shall decide and direct these matters.
- Sec. 5: Collector shall apportion advertising costs among the lands according to the taxes due.
- Sec. 6: After the sales, the collector shall prepare two certificates of proceedings as to notices, time and place of sales, names of tracts and lots, acreages, names of purchasers, and amounts of purchase money. One copy shall be filed with the county commissioners and the other with the county court clerk for recording in the land records.

- Sec. 7: Collector shall obtain from newspaper editors certificates of publication and file them with the county court clerk for recording in the land records, prior to the sale.
- Sec. 8: Collector shall pay the surplus sale proceeds on demand to the owners of the affected tracts or lots.
- Sec. 9: If the original owner within two years pays the purchaser the purchase price and other legal charges with 12% interest, the purchaser shall reconvey the land.
- Sec. 10: Original owners under the impediment of coverture, infancy, insanity, imprisonment, or overseas residence at the time of the sale shall have one year after removal of the disability to redeem the land with 6% interest and pay the value of improvements made by the purchaser.
- Sec. 11: Collector shall return a list of lands on which no bids were received to the county commissioners which shall authorize the next collector to make the sales.
- Sec. 14: Acts of 1796, Ch. 8, its supplements, and Acts of 1834, Ch. 334 are repealed.

### **Acts of Mar. 1841, Ch. 23**

Act act re general valuation and assessment of property, passed 4-1-1841

- Sec. 1: Types of property to be assessed
  - all real property and personal property
  - wares, goods, merchandise, and other stock in trade
  - interest in ships
  - debts secured by or due on judgments, decrees, mortgages, bonds, bills of exchange, and promissory notes from insolvent debtors
  - stocks and shares in banks and companies incorporated in other states or territories
  - debts due from insolvent debtors of other states
  - investments in securities or stocks of other states
  - public loans and stocks, except federal
  - shares in banks and companies incorporated in the state
- Sec. 2: Each county shall constitute an assessment district, except for the following
  - AA - Assessment District 1 composed of Election Districts 1-4 and 8 and District 2 composed of Annapolis; Howard District a separate assessment district
  - BC - Assessment District 1 composed of Wards 1-2, District 2 composed of Wards 3-4, District 3 composed of Wards 5-6, District 4 composed of Wards 7-8, District 5 composed of Wards 9-10, District 6 composed of Wards 11-12, and District 7 composed of Wards 13-14
  - BA - Assessment District 1 composed of Election Districts 1-6 and District 2 composed of Election Districts 7-12
  - CR - Assessment District 1 composed of Election Districts 1-3; District 2 composed of Election Districts 4, 6, and 8; and District 3 composed of Election Districts 5, 7, and 9
  - FR - Assessment District 1 composed of Election Districts 1-2; District 2 composed of Election Districts 8, 9, and 11; District 3 composed of Election Districts 4-5 and 10; and District 4 composed of Election Districts 3, 12, and 14 [no mention of Election Districts 6-7 and 13]
  - WA - Assessment District 1 composed of Election Districts 1, 6, and 8; District 2

composed of Election Districts 2 and 4-5; and District 3 composed of Election Districts 3, 7, and 9

- Sec. 3: Assessors are appointed in this act, three for each assessment district.
- Sec. 4: Oaths of assessors shall be filed with the clerk of the local governing body
- Sec. 5: Assessors shall assemble in late April to consider this act and instructions from the Treasurer of the Western Shore which he is hereby directed to prepare.
- Sec. 6: Assessors shall value and assess property as a body. If they disagree, the majority opinion will prevail. If a majority cannot concur, the levy court, county commissioners, or BC Appeal Tax Court shall decide.
- Sec. 7: Vacancies among the assessors shall be filled by the levy court, county commissioners, or BC Appeal Tax Court.
- Sec. 9: Assessors shall determine all property liable to assessment and to assess it at full cash value. Returns shall include the following:
  - names of tracts or other description, showing acreage and value
  - slaves classified by age and sex, showing for each group number of individuals and aggregate value
  - stock in trade by general description, showing value
  - public securities, showing specifics and value of each
  - stocks in banks and companies, showing specifics and value of each
  - private securities, showing aggregate value
  - livestock, showing aggregate value
  - household furniture, showing aggregate value
  - plate, showing aggregate value
  - gold and silver watches, showing aggregate value
  - other personal property, showing aggregate value
- Sec. 10-12: Assessors may require owners to give accounts of property.
- Sec. 15: If the determination of personal property is too complex, the oath of the owner as to value will be sufficient, except for slaves.
- Sec. 17: Presidents of private corporations shall prepare and deliver to the assessors accounts of stock held by nonresidents. Taxes due from nonresidents shall be collected from the corporations unless paid directly by the stockholder.
- Sec. 19: Assessors shall carry out the valuations between May and October, and file returns in the format outlined in Sec. 9 with the levy court, county commissioners, or BC Appeal Tax Court.
- Sec. 20: Separate returns shall be made for each district in which properties of incorporated towns are to be distinguished.
- Sec. 21: Treasurer of the Western Shore shall provide forms for assessment returns.
- Sec. 23: Levy court, county commissioners, or BC Appeal Tax Court shall compile alphabetically lists of property owners showing amounts of assessments by April 1842, and annually thereafter. Copies shall be deposited with the county court clerk.
- Sec. 24: Levy court or county commissioners shall hear and determine appeals and complaints for six to twenty days in November. BC Mayor and Council shall annually appoint three persons to the Appeal Tax Court which shall meet for twenty days in November to hear and determine appeals and complaints.

- Sec. 25: Levy court, county commissioners, or BC Appeal Tax Court may examine and correct returns even without complaint or appeal.
- Sec. 27: The clerk of the levy court, county commissioners, or BC Appeal Tax Court shall record accounts of all property and valuations and alphabetical lists of owners, all arranged by election district or ward.
- Sec. 28: The clerk of the levy court, county commissioners, or BC Appeal Tax Court shall prepare and send to the Treasurer of the Western Shore and Treasurer of the Eastern Shore summary lists for each class of property in each election district or ward.
- Sec. 29: Decisions of the levy court, county commissioners, or BC Appeal Tax Court may be appealed to the Court of Appeals in December.
- Sec. 33: Such appeals shall be limited to the right of the General Assembly to subject or exempt certain property to assessment.
- Sec. 34: A copy of the appeal decision shall be sent to the levy court, county commissioners, or BC Appeal Tax Court so changes can be made in the next assessment.
- Sec. 36: If corrections are made, a new summary list shall be prepared and sent to the Treasurer of the Western Shore and Treasurer of the Eastern Shore.
- Sec. 37: Annually the register of the Land Office shall send lists of certificates ready for patent to the levy court, county commissioners, or BC Appeal Tax Court. The county court clerks shall send lists of alienations of real property and personal property to the same agencies..
- Sec. 43: Tax collector shall have the powers and duties of the assessors when property liable to assessment if found.
- Sec. 45: Levy court, county commissioners, and BC Mayor and City Council shall appoint a tax collector to collect the state tax, except for the following jurisdictions - AA, Howard District, PG, and TA. For the latter, collectors are named in this act, and if the appointments are rejected, the levy court or county commissioners shall appoint someone else other than the collector of the county tax. Collectors shall give bond, to be recorded by the clerk of the levy court, county commissioners, or BC Tax Appeal Court, and pay collections to the Treasurer of the Western Shore and Treasurer of the Eastern Shore.
- Sec. 48: Failure of the collector to pay the state treasury may result in monetary punishments or suits filed by the Attorney General in the county court.
- Sec. 52: Annually hereafter the levy court, county commissioners, and BC Appeal Tax Court shall impose a state tax on assessed property, based on provisions of applicable laws.
- Sec. 54: The clerk of the levy court, county commissioners, or BC Appeal Tax Court shall annually sent to the Treasurer of the Western Shore and Treasurer of the Eastern Shore a certificate that the state tax was imposed, names of the tax collectors, and copies of their bonds.
- Sec. 58: If the levy court, county commissioners, or BC Appeal Tax Court fails to impose the state tax, the required sum with interest shall be imposed the next year.
- Sec. 60: Hereafter county, district, and city taxes shall be assessed on property values established under this act.
- Sec. 61: Persons with property worth less than \$200 shall be exemption from taxation.
- Sec. 62: Counties and BC shall pay the expenses incurred in the execution of this act.
- Sec. 63: Fines and forfeitures imposed by this act shall be recoverable by indictment in the county court, with one half the amount paid to the informer and one half to the Treasurer of the



Western Shore.

- Sec. 64: Through the Treasurer of the Western Shore and Treasurer of the Eastern Shore, the levy court, county commissioners, or BC Tax Appeal Court may commute some or all of the state taxes into stock in the C & O Canal Co. whenever the company can pay 6% on the stock.

### **Acts of Dec. 1841, Ch. 20**

An act to repeal Acts of 1839, Ch. 50, re tax collection in BA, passed 1-20-1842

- Acts of 1839, Ch. 50, re appointment of tax collectors in BA, is repealed.

### **Acts of Dec. 1841, Ch. 78**

An act re tax collection in SM and WO, passed 2-7-1842

- Sec. 1: County commissioners of SM and WO are hereby authorized to appoint a collector of county taxes for each election district, provided it affords greater public convenience.
- Sec. 2: Collectors shall give bond.

### **Acts of Dec. 1841, Ch. 101**

An act re tax collection in PG, passed 2-5-1842

- Sec. 1: PG is divided into two districts for the collection of county taxes:
  - District 1 shall be the part of the county east and north of the stage road from DC to Upper Marlboro and then by the public road to Mt. Pleasant ferry
  - District 2 shall be the rest of the county, including Upper Marlboro
- Sec. 2: Levy court shall annually appoint a collector of county taxes for each district, who shall give bond.

### **Acts of Dec. 1841, Ch. 116**

An act supplemental to Acts of Mar. 1841, Ch. 23, re assessments, passed 2-6-1842

- Sec. 1: Where valuations and assessments not completed, the following times are extended. Assessors shall complete assessments by June 1 and make returns by June 15. Levy court, county commissioners, or BC Appeal Tax Court shall hear appeals in July.
- Secs. 2-3: Times for collections shall be changed in accordance with above adjustments.
- Sec. 4: If vacancies among collectors are not being filled expeditiously, the sheriff shall act as collector after giving bond.
- Sec. 7: Persons with property worth less than \$50 shall be exemption from taxation, a reduction from the previous \$200.

### **Acts of Dec. 1841, Ch. 207**

An act re tax collection in BA, passed 3-5-1842

- Sec. 1: BA county commissioners may appoint as many collectors as necessary with collections being made by election district and not more than one collector per election district. The collectors shall be apportioned according to the difficulty and expense of effecting collections.
- Sec. 2: Collectors shall make monthly deposits with the county treasurer. Collections shall be completed within twelve months of receiving the alphabetical list. County commissioners may refrain from enforcing penalties on collectors for good cause.
- Sec. 3: Collectors may enforce payment of delinquent taxes by a distress of the personal property of the taxpayer. The sale shall take place after ten days notice and any surplus shall be paid to the owner.
- Sec. 4: At the end of the twelve month collection period, the collectors shall report to the county commissioners the tracts or parcels chargeable with delinquent taxes, that lack personal property adequate for distress. The county commissioners shall sell all or part of the land to pay the taxes and costs after giving sixty days notice. Surpluses, if any, shall be paid to the landowners. If there is sufficient wood on the the land, the collector shall sell this after giving ten days notice.
- Sec. 5: After payment of purchase money for land sold for taxes, the county treasurer shall execute a deed.

### **Acts of Dec. 1841, Ch. 210**

An act re tax collection in TA, passed 3-5-1842

- Sec. 1: If deemed necessary, the TA Board of County Commissioners may annually in August appoint a tax collector to collect taxes levied under Acts of Mar. 1841, Ch. 23.

### **Acts of Dec. 1841, Ch. 281**

An act re tax collection, passed 3-8-1842

- Sec. 1: Presidents or other officers of banks and private corporations in the state shall semi-annually withhold from dividends the tax levied on the stock and pay it to the tax collectors with a statement showing the proportions being paid for stockholders.
- Sec. 2: Collectors shall deliver these statements to the levy court, county commissioners, or BC Tax Appeal Court so the appropriate tax accounts can be credited.

### **Acts of 1843, Ch. 208**

An act supplemental to Acts of Mar. 1841, Ch. 23, re tax collection, passed 3-1-1844

- Sec. 1: Where tax collectors have not been appointed or have failed to qualify or discharge duties, the Governor on May 1 shall appoint collectors who shall give bond, with copies sent to the State Treasurer and Governor.
- Sec. 2: If any collectors are not appointed or qualified by June 1, the State Treasurer shall appoint agents, giving preference to the sheriff, in each county, who shall give bond, to be recorded by the county court clerk.
- Sec. 5: The power of an agent shall cease wherever the levy court, county commissioners, BC

Tax Appeal Court, or Governor appoints a collector.

- Sec. 6: Taxes in arrears are declared to be liens on the real property of the taxpayer.
- Sec. 7-9: [Unclear procedure involving the Attorney General and sheriffs for selling real property for delinquent taxes.]
- Sec. 12: If the levy court, county commissioners, or BC Tax Appeal Court fail to impose the state tax, the governor shall appoint a tax board of three persons to perform the task and place the levy in the hands of the collectors or agents.
- Sec. 15: Laws requiring the levy courts, county commissioners, or BC Tax Appeal Court to unite the collection of county and state taxes are repealed.

### **Acts of 1843, Ch. 259**

An act re tax collection in SM, passed 3-5-1844

Collectors of state taxes in SM were appointed in August and September 1843 instead of in April as required by Acts of 1842, Ch. 269 [not abstracted]. Doubts have arisen as to the validity of these appointments and the power of the collectors to enforce collection.

- Sec. 1: Appointments so make in SM are hereby made valid and confirmed.
- Sec. 2: Before this act takes effect, sureties of the collectors bonds shall file with the county commissioners their assent to provisions of this act.

### **Acts of 1843, Ch. 318**

An act re tax collection in HO District, passed 3-9-1844

- Acts of 1840, Ch. 5 designating the HO District Sheriff as the tax collector repealed.

### **Acts of 1843, Ch. 364**

An act supplemental to Acts of Mar. 1841, Ch. 23, re assessments, passed 3-9-1844

Some local authorities have reduced assessed values of property contrary to the provisions of Acts of Mar. 1841, Ch. 23.

- Sec. 1: Deductions and abatements made outside of the 20 day limitation established in Sec. 24 of Acts of Mar. 1841, Ch. 23 are hereby declared illegal.
- Sec. 2: Exceptions include changes in ownership and lost properties.

### **Acts of 1844, Ch. 236**

An act supplemental to Acts of Mar. 1841, Ch. 23, re tax collection, passed 3-5-1845

- Sec. 1: Where collectors have not been appointed or have failed to qualify or discharge duties, the Governor on May 1 shall appoint collectors who shall give bond, with copies sent to the State Treasurer and Governor.
- Sec. 3: Governor shall keep making appointments until collectors are qualified. Governor shall exercise this appointment power annually wherever the levy court, county commissioners, or BC

Tax Appeal Court fails to procure a qualified collector by May 1.

- Sec. 4: When distress or execution is necessary to collect taxes, the collector shall give the taxpayer thirty days notice.
- Sec. 5: When taxes are not paid, the collector shall have the power to sell real property or personal property at public auction, retain from the proceeds money to pay the taxes, interest, and costs, and return any excess to the taxpayer.
- Sec. 6: The taxpayer may redeem the real property within twelve months of the sale by paying the buyer the purchase money with interest.
- Sec. 7: With the sale of personal property the collector shall deliver possession to the purchaser. If this cannot be done, the purchaser shall have the right to recover possession by replevin or recover its value and damages by trover.
- Sec. 8: If real property is withheld by the taxpayer and not redeemed, the purchaser may recover possession by ejectment.
- Sec. 9: Within thirty days after the annual levy of state taxes, the clerk of the levy court, county commissioners, or BC Tax Appeal Court shall send to the State Treasurer an assessment return showing the amount of property and amount of the taxes levied and placed in the hands of the collector.

### **Acts of 1844, Ch. 270**

An act re commissioners of the tax and levy court in FR, passed 3-7-1845, effective 4-1-1845

- Sec. 1: Powers and duties of the FR Commissioners of the Tax are hereby vested in the FR Levy Court.
- Sec. 2: County court clerk shall be ex-officio clerk of the levy court.
- Sec. 3: During recess of the levy court, the clerk shall note and receive transfers and alienations and additions and reductions of assessable property, which shall be reported to the levy court at their annual meeting. The levy court may allow or refuse such transfers and deductions. Aggrieved persons may appeal decisions to the county court.
- Sec. 4: Copies of the county court opinions shall be filed with the levy court.

### **Acts of 1845, Ch. 5**

An act supplemental to Acts of 1794, Ch. 53, re tax collection, passed 1-10-1846

Sec. 2 of that act and Sec. 45 of the Acts of Mar. 1841, Ch. 23 required bonds of tax collectors to be recorded by the clerk of the levy court. Some levy courts do not have full records of their proceedings and none have seals for authentication of their proceedings.

- Sec. 1: Bonds of state tax collectors shall be recorded by the county court clerks.
- Sec. 2: Those already so recorded are declared to be valid.

### **Acts of 1845, Ch. 67**

An re property transfers in PG, passed 2-10-1846

- Sec. 1: The time for making transfers of property in PG is hereby changed from November to April.

### **Acts of 1845, Ch. 203**

An act supplemental to Acts of Mar. 1841, Ch. 23, re tax collection, passed 3-2-1846

- Sec. 1: If the levy court, county commissioners, or BC Tax Appeal Court fails to impose state taxes by the first Monday in August, the clerk of that body shall notify the governor who shall appoint a tax board as provided in Acts of 1843, Ch. 208, sec. 12.
- Sec. 2: When the local body does impose the tax, the clerk shall notify the governor of this fact. If this is not done, the governor will assume the tax was not levied and act accordingly.
- Sec. 6: Tax collectors shall have the power to receive all arrearages from preceding years and pay them to the State Treasurer, unless previous collectors have not yet completed their collections.
- Sec. 7: County court clerks shall annually send to the levy court, county commissioners, or BC Tax Appeal Court lists of mortgages for the previous year so that the sums thus secured can be included in the assessment.

### **Acts of 1845, Ch. 296**

An act re tax collection in PG, passed 3-9-1846

- Sec. 1: Power of the collector of state taxes to sell real property per provisions in Acts of 1844, Ch. 236 is extended to the collector of county taxes in PG.

### **Acts of 1845, Ch. 328**

An act re tax collection in CA, passed 3-9-1846

- Sec. 1: CA Levy Court shall have the authority to give the collection of state and county taxes to one collector, but only if someone is willing to do it for a commission not over 5%.
- Sec. 2: If this procedure does not work, the levy court shall use the current collection system.

### **Acts of 1845, Ch. 336**

An act re assessment in BC, passed 3-9-1846

- Sec. 1: BC Mayor and City Council shall conduct a new assessment of all property in BC.
- Sec. 2: Mayor and city council shall prescribe the method of ascertaining values and of adjusting and settling differences.
- Sec. 3: The new valuations shall be chargeable with state taxes.

### **Acts of 1846, Ch. 349**

An act re tax collection in BA, passed 3-10-1847

- Sec. 1: BA Board of County Commissioners in making out the annual levy shall allow 6% to

defray the costs of collection.

- Sec. 2: Beginning with the 1847 levy taxpayers shall pay state and county taxes to the county treasurer.
- Sec. 3: Taxpayers shall have a year from January 1 in which to pay the taxes and receive varying degrees of deductions in the percentage allowed for collection expenses. Taxes not paid by December 31 shall be given by the county commissioners to the sheriff for collection within nine months.
- Sec. 4: County treasurer shall prepare tax bills by January 15 and issue receipts as the bills are paid. The treasurer shall forward state taxes quarterly. For collecting state taxes the treasurer shall give bond as required by the direct tax law.
- Sec. 6: Sheriff shall also give bond for the collection of taxes, to be recorded by the county court clerk. The sheriff shall deposit state taxes with the county treasurer quarterly and county taxes monthly.
- Sec. 8: When individuals pay taxes, the county treasurer shall inquire about new improvements and new acquisitions of assessable property so that they may be added to their assessments.
- Sec. 9: Sheriff shall make the same inquiries and return them to the county commissioners.

### **Acts of 1847, Ch. 266**

An act supplemental to Acts of Mar. 1841, Ch. 23, re assessments and tax collection, passed and effective 3-10-1848

- Sec. 1: A sliding scale of deductions for persons and corporations paying taxes early is provided in this act.
- Sec. 5: By June 1 the levy court, county commissioners, or BC Tax Appeal Court shall assess at full cash value the capital stock of companies chartered by the state at their place of business. After twenty days notice the president or other officer of each company shall appear before the levy court, county commissioners, or BC Tax Appeal Court with evidence of such value. From that amount will be deducted the assessed value of real property and personal property belonging to the company, thus determining the amount on which to levy state and local taxes.
- Sec. 6: Corporations shall pay these taxes on capital stock directly to the State Treasurer.
- Sec. 7: Corporations with no capital stock will have taxes levied only on their assessed real property and personal property, and pay state taxes to the State Treasurer and local taxes to the tax collector.
- Sec. 8: Corporations receiving deposits and issuing interest bearing certificates of deposit shall annually in July report the aggregate amount of these deposits to the State Treasurer and pay state taxes out of the depositors interest. The corporations shall provide the levy court, county commissioners, or BC Tax Appeal Court with lists of depositors showing amounts their deposits or agree to pay the county taxes without resort to individual depositors.
- Sec. 9: Corporations issuing bonds, certificates, and other evidences of debt bearing interest shall annually in July report the aggregate amount of these interest payments to the State Treasurer and pay state taxes out of the holders interest. The corporations shall provide the levy court, county commissioners, or BC Tax Appeal Court with lists of holders showing the amounts of their interest payments.

- Sec. 10: Annually by March 1 corporations shall file with the levy court, county commissioners, or BC Tax Appeal Court a list of stockholders residing in the county or BC, showing the amount of their stock, unless the corporation has agreed to pay the county taxes on its capital stock without reference to stockholders.
- Sec. 11: Stocks and securities of charitable institutions worth less than \$10,000 shall be exempt from taxation.
- Sec. 12: Annually by March 1 the county court clerks shall file with the levy court, county commissioners, or BC Tax Appeal Court a list of judgments and decrees showing amounts and persons holding them.
- Sec. 13: Annually by March 1 the registers of wills shall file with the levy court, county commissioners, or BC Tax Appeal Court summary accounts of property in the hands of executors, administrators, or guardians who shall be liable to pay the state and county taxes.
- Sec. 18: Since BA is one year behind other jurisdictions in the levying of taxes, the provisions of this act will not apply there.

### **Acts of 1847, Ch. 277**

An act supplemental to Acts of 1846, Ch. 349, re tax collection in BA, passed 3-6-1848

- Sec. 2: BA Treasurer shall have until March 1 to prepare tax bills and shall make payments to the State Treasurer monthly.
- Sec. 3: BA Sheriff shall have six months to collect delinquent taxes and shall pay state taxes to the State Treasurer monthly.

### **Acts of 1849, Ch. 134**

An act re tax collection in BA, passed 2-23-1850

- Sec. 1: BA county commissioners shall not permit any transfers, deductions, or abatements in the assessment records between September 1 and December 1 and shall not include in charges to be levied claims not brought forth prior to January 10. However, county expenses may levied for by estimate.
- Sec. 2: State and county taxes shall be levied in January.
- Sec. 3: The time for laying the county tax for 1849 and state tax for 1850 is extended to March 1, 1850.

### **Acts of 1849, Ch. 407**

An act re tax collection in SM, passed 3-7-1850

- Sec. 1: Levies of state and county taxes made by the SM Board of County Commissioners for 1843-1848 are hereby made legal and obligatory upon the taxpayers.
- Sec. 2: For the taxes remaining uncollected, the county commissioners shall demand and approved new bonds from the tax collectors who shall beforehand return to the county commissioners a list of such taxes.

- Sec. 3: Former payments made to collectors are hereby made valid and effectual to bar future claims by the state or county. Receipts given by the collectors shall be conclusive proof of payment.

### **Acts of 1849, Ch. 427**

An act re tax collection in Howard District, passed 3-4-1850

- Sec. 1: At the next general election and every three years thereafter voters in Howard District shall elect a treasurer who shall also act as clerk to the commissioners.
- Sec. 2: Treasurer shall take an oath and give bond to be approved by the commissioners.
- Sec. 4: Vacancies shall be filled by the commissioners.
- Sec. 7: After the levy is made for 1850 taxpayers may pay their taxes to the treasurer. Public notices shall recite provisions of Sec. 8 and invite payments to the treasurer.
- Sec. 8: Deductions shall be given for prompt payment of taxes per a sliding scale of outlined in this act. Taxes not paid by March 31 shall be given by the commissioners to the sheriff for collection.
- Sec. 9: Treasurer shall prepare tax bills by April 15. Treasurer shall deposit state taxes with the State Treasurer quarterly and county taxes with the commissioners. Treasurer shall give bond for the collection of state taxes as provided by law.
- Sec. 11: For the collection of state taxes the sheriff shall give an additional bond to be recorded by the district court clerk. Sheriff shall collect taxes in arrears, make quarterly payments to the State Treasurer, and monthly payments to the district commissioners.
- Sec. 12: Sheriff shall be allowed until January 1 of the next year to complete the collections.
- Sec. 13: When taxpayers make payments to the treasurer, that official shall inquire about improvements made and assessable property accumulated since the last assessment.
- Sec. 14: Sheriff shall perform the same task while collecting taxes.
- Sec. 16: Current clerk to the district commissioners is declared to be the treasurer until the next general election.

### **Acts of 1852, Ch. 75**

An act re tax collection, passed 4-21-1852

- Sec. 1: Any sheriff or tax collector of county and state taxes who has failed to collect fees or taxes within the time prescribed by the law may petition the county circuit courts or BC Superior Court for further time to complete the collections.
- Sec. 2: Hereafter county and municipal taxes shall be collected within three years after being levied. After that time, taxpayers shall not be liable for the for taxes.

### **Acts of 1852, Ch. 110**

An act re tax collection in HO District, passed 3-24-1852

- Sec. 1: At the next general election and every three years thereafter voters in HO shall elect a



treasurer who shall also act as clerk to the county commissioners.

- Sec. 2: Treasurer shall take an oath and give bond to be approved by the county commissioners.
- Sec. 4: Vacancies shall be filled by the county commissioners.
- Sec. 7: After the levy is made for 1852 taxpayers may pay their taxes to the treasurer. Public notices shall recite provisions of Sec. 8 and invite payments to the treasurer.
- Sec. 8: Deductions shall be given for prompt payment of taxes per a sliding scale of outlined in this act. Taxes not paid by March 31 shall be given by the county commissioners to the sheriff for collection.
- Sec. 9: Treasurer shall prepare tax bills by April 25. Treasurer shall deposit state taxes with the state treasury quarterly and county taxes with the county commissioners. Treasurer shall give bond for the collection of state taxes as provided by law.
- Sec. 11: For the collection of state taxes the sheriff shall give an additional bond to be recorded by the circuit court clerk. Sheriff shall collect taxes in arrears, make quarterly payments to the state treasury, and monthly payments to the county commissioners.
- Sec. 12: Sheriff shall be allowed until January 1 of the next year to complete the collections.
- Sec. 13: When taxpayers make payments to the treasurer, that official shall inquire about improvements made and assessable property accumulated since the last assessment.
- Sec. 14: Sheriff shall perform the same task while collecting taxes.

### **Acts of 1852, Ch. 289**

An act re assessments in DO, passed 5-27-1852

- Sec. 1: DO Board of County Commissioners are hereby authorized to use the assessment lists of 1851, now in the hands of tax collectors, as evidence of assessable property and their values and ownership for purposes of taxation in as full a manner as they would have used the assessment made under the Acts of March 1841, Ch. 23.
- Sec. 2: County commissioners shall copy the assessment lists and such abatements and alterations as they can recall making before the burning of their office and records.

### **Acts of 1852, Ch. 337**

An act re general valuation and assessment of property, passed 5-29-1852

- Sec. 1: To facilitate assessments some jurisdictions are divided into assessment districts:
  - AL - Assessment District 1 composed of Election Districts 1-2, 10-11, and 14; District 2 composed of Election Districts 3-5 and 12; and District 3 composed of Election Districts 6-9 and 13
  - AA - Assessment District 1 composed of Election Districts 1-4 and 8 and District 2 composed of Annapolis
  - BC - Assessment District 1 composed of Wards 1-2, District 2 composed of Wards 3-4, District 3 composed of Wards 5-6, District 4 composed of Wards 7-8, District 5 composed of Wards 9-10, District 6 composed of Wards 11-12, District 7 composed of Wards 13-14, District 8 composed of Wards 15-16, District 9 composed of Wards 17-18, and District 10 composed of Wards 19-20

- BA - Assessment District 1 composed of Election Districts 1-4; District 2 composed of Election Districts 5-7 and 10; and District 3 composed of Election Districts 8-9 and 11-12
- CR - Assessment District 1 composed of Election Districts 1-3; District 2 composed of Election Districts 4, 6, and 8; and District 3 composed of Election Districts 5, 7, and 9
- DO - Assessment District 1 composed of Election Districts 1-3, District 2 composed of Election Districts 7-9, and District 3 composed of Election Districts 4-6 and 10
- FR - Assessment District 1 composed of Election District 2; District 2 composed of Election Districts 8, 9, and 11; District 3 composed of Election Districts 4-5 and 10; District 4 composed of Election Districts 3, 6, and 12; and District 5 composed of Election Districts 1, 7 and 14
- PG - Assessment District 1 composed of Election Districts 1-2 and 6-7 and District 2 composed of Election Districts 3-5 and 8
- WA - Assessment District 1 composed of Election District 1, 6, and 8; District 2 composed of Election Districts 2-3; District 3 composed of Election Districts 4-5; and District 4 composed of Election Districts 7 and 9-10
- WO - Assessment District 1 composed of Election Districts 1-3 and 9-10 and District 2 composed of Election Districts 4-8
- Sec. 2: In this act three assessors appointed for each assessment district. Each county not listed in Sec. 1 is treated as one assessment district.
- Sec. 5: Vacancies among the assessors shall be filled by the county commissioners and BC Appeal Tax Court.
- Sec. 7: All assessors shall be present for the valuation and assessment of property. If a majority cannot concur, the county commissioners and BC Appeal Tax Court will make the decision.
- Sec. 9: Assessors shall prepare assessment returns to include the following:
  - names of tracts or other description of land owned by each individual, showing acreages and values
  - slaves classified by age and sex, showing for each group number of individuals and aggregate value and showing for each slave the name, age, and value
  - stock in trade by general description, showing values
  - public securities liable to valuation, showing values
  - stocks in banks and companies liable to valuation, showing values
  - private securities, showing values
  - livestock, showing values
  - household furniture, showing values
  - plate, showing values
  - gold and silver watches, showing values
  - other personal property, showing values
- Sec. 10: Assessors may require land owners to furnish information regarding acreage and location.
- Sec. 11: Owners and managers of slaves shall deliver accounts of them to the assessors.
- Sec. 14: When an abatement is requested because of removal of residence from one jurisdiction to another, the county commissioners and BC Appeal Tax Court shall grant it provided the person presents a certificate from the county commissioners and BC Appeal Tax Court of the other

jurisdiction, stating that residence has been changed and the individual has been assessed there.

- Sec. 16: Persons may make an oath regarding the aggregate value of personal property, other than slaves, in which case the assessors are not required to specify the various categories except for slaves.
- Sec. 18: Officers of corporations shall deliver to the assessors accounts of stock held by nonresidents. Taxes assessed on such stock shall be collected from the corporations.
- Sec. 20: Assessors shall begin their duties on July 12 and complete them by December 1.
- Sec. 21: When valuations are completed, assessors shall return to the county commissioners and BC Appeal Tax Court certificates of the particulars of the properties and their values in the form prescribed in Sec. 9. The assessors shall also file alphabetical lists of assessed persons and complete details of their proceedings including lists, statements, and accounts received from individuals regarding their properties.
- Sec. 22: A return shall be made for each election district. Property in incorporated towns shall be distinguished from the rest of the district.
- Sec. 23: Comptroller of the Treasury shall provide forms for assessors returns.
- Sec. 24: In December the clerks of the county commissioners and BC Appeal Tax Court shall make available assessors returns for anyone wishing to view them.
- Sec. 25: Annually by March 1 the county commissioners and BC Appeal Tax Court shall prepare an alphabetical list of assessed property owners showing for each the amount of the assessment.
- Sec. 26: Annually in January the county commissioners and BC Appeal Tax Court shall hear and determine complaints and appeals and may abate or decrease assessments or exclude or add properties.
- Sec. 27: The county commissioners and BC Appeal Tax Court shall have the authority to examine assessors returns and related papers and correct them even without a complaint or appeal.
- Sec. 29: The county commissioners and BC Appeal Tax Court shall record an account of all property assessed and the valuations thereof as settled and adjusted and an alphabetical list of owners, arranged by election district.
- Sec. 30: By March 1, 1853, the county commissioners and BC Appeal Tax Court shall prepare a summary of all properties and values and the whole amount in each election district and sent it to the Comptroller of the Treasury.
- Sec. 31: Appeal hearings shall be recorded by the clerks of the county commissioners and BC Appeal Tax Court. Decisions may be appealed to the Court of Appeals.
- Sec. 33: Annually by October 1 the county commissioners and BC Appeal Tax Court shall sent Comptroller of the Treasury a list of property excluded from assessment. Comptroller may appeal such exclusions.
- Sec. 35: Appeals from decisions of the county commissioners and BC Appeal Tax Court shall be based on the right of the legislature to subject certain property to taxation or on conformity with this act.
- Sec. 41: BC Appeal Tax Court shall be composed of two assessors appointed annually by the mayor and city council and of two persons named in this act.
- Sec. 42: Fines and forfeitures imposed by this act are recoverable in county circuit courts and BC Criminal Court.

## **Acts of 1853, Ch. 49**

An act re appeals and levy in BA, passed 2-19-1853

- Sec. 1: BA Board of County Commissioners may continue to hear assessment appeals under Acts of 1852, Ch. 337 until February 25, 1853.
- Sec. 2: They shall have until April 10, 1853 to complete the levy for 1852.

## **Acts of 1853, Ch. 98**

An act re execution of Acts of 1852, Ch. 337, passed and effective 3-26-1853

Because of errors and omissions in assessors returns for Assessment District 9 in BC, the mayor and city council divided the district in half and appointed assessors for each ward. In addition, some county assessors have not completed their returns.

- Sec. 1: Assessors appointed under Acts of 1852, Ch. 337 who have not made assessment returns shall have until April 1, 1853 to complete their duties.
- Sec. 3: In those jurisdictions the county commissioners and BC Appeal Tax Court shall hear and determine appeals and complaints in April.
- Sec. 4: Time for sending summary accounts and lists to the Comptroller of the Treasury is extended to May 10, 1853.
- Sec. 5: Persons named in this act will continue in office as members of the BC Appeal Tax Court until May 10, 1853, for executing Acts of 1852, Ch. 337.

## **Acts of 1853, Ch. 184**

An act re tax collection in DO, passed 5-11-1853

- Sec. 1: Hereafter tax collectors in DO may enforce collection of taxes by distress or execution.
- Sec. 2: Tax collectors shall leave with each delinquent taxpayer or on the premises a statement showing the aggregate amount of property of every description and amount of taxes due with a notice that unless payment is made within thirty days the taxes will be collected by distress or execution.
- Sec. 3: If the taxes are not paid, the collector shall sell the real property or personal property at public sale, after giving twenty days public notice. The collector shall retain enough of the proceeds to cover the taxes, interest, and costs and return any excess to the taxpayer.
- Sec. 4: Owners of real property may redeem the land within twelve months after the sale by paying the purchaser the purchase price with 10% interest.
- Sec. 5: When personal property is sold, the collector shall deliver possession to the purchaser. If the property is not present, the purchaser may recover it by replevin proceedings or recover the value and damages in an action of trover.
- Sec. 6: If necessary, the purchaser of real property may recover it by ejectment proceedings.

## **Acts of 1853, Ch. 239**

An act re tax collection, passed 5-21-1853

- Sec. 1: County commissioners shall appoint tax collectors.

### **Acts of 1853, Ch. 278**

An act re assessments in MO, passed and effective 5-25-1853

- Sec. 1: The time allotted to assessors appointed by Acts of 1852, Ch. 337 to complete the assessment shall be extended to the first Monday in June 1853 in MO and the time for the county commissioners to hear appeals and examine returns is extended to July 30, 1853.
- Sec. 2: County commissioners may postpone the annual levy of taxes until August 25, 1853, provided the list of taxes is given to the tax collectors by September 1.

### **Acts of 1853, Resolution 2**

A resolution re assessment of 1852, passed 1-21-1853

Comptroller of the Treasury shall prepare forms for the summary accounts required by Acts of 1852, Ch. 337, sec. 30.

### **Acts of 1854, Ch. 139**

An act re tax collection in BA, passed 3-9-1854

- Sec. 1: By April 1, 1854 the BA Board of County Commissioners shall levy the state tax for 1854 and county taxes for 1853 and 1854. Hereafter they shall levy state and county taxes by March 1.
- Sec. 3: In order to ascertain the financial condition of BA, the county commissioners shall close the treasurers books by January 1, 1855 and prepare a statement showing balances, after deducting liabilities payable from all sources. This statement shall be entered in the commissioners proceedings.
- Sec. 6: County treasurer shall begin to receive state and county taxes as soon as the levy is completed. Discounts shall be allowed taxpayers paying by the January 1. Then a list of delinquent taxpayers shall be prepared and given to the sheriff who shall collect the taxes by distress or otherwise and complete the process by July 15.
- Sec. 7: Sheriff shall charge interest on taxes in arrears.
- Sec. 11: Sheriff shall transmit collections monthly to the state treasury and county treasurer.
- Sec. 12: When necessary to enforce collection, the sheriff shall leave with the taxpayer a tax bill with a notice that unless paid within five days the property will be sold. If payment is not made, the sheriff shall sell the personal property or real property at public sale after giving ten days notice. If proceeds exceed the amount of the taxes and costs, the sheriff shall pay the surplus to the property owner.
- Sec. 13: Taxpayers may redeem real property within twelve months after the sale date by paying the purchaser the purchase money plus interest.
- Sec. 15: Annually at its November term the grand jury shall examine the books of the county treasurer and make a detailed statement of receipts and disbursements.
- Sec. 16: Annually by July 1 the county commissioners shall publish a list of insolvencies and abatements allowed by them, showing then names of individuals, amounts, and name of the

sheriff or receiver.

- Sec. 18: Before receiving any taxes the county treasurer shall give a bond.

### **Acts of 1854, Ch. 248**

An act re state direct tax, passed and effective 5-21-1853

- Sec. 1: State direct tax rate reduced.
- Sec. 2: County commissioners and BC Mayor and City Council shall be governed by the assessment and valuation made under Acts of 1852, Ch. 337.
- Sec. 3: The same rate shall be used to tax public debts, stock loans, capital stock, and evidences of debt of corporations.

### **Acts of 1858, Ch. 56**

An act supplemental to Acts of 1854, Ch. 139, re tax collection in BA, passed 2-17-1858

- Sec. 1: BA Sheriff shall execute a bond for performance of duties imposed by Acts of 1854, Ch. 139, to be recorded by the circuit court clerk.

### **Acts of 1858, Ch. 389**

An act re tax collection in BA, passed 3-10-1858

- Sec. 1: BA shall be divided into five collection districts - District 1 composed of Election Districts 1-2 and 13, District 2 composed of Election Districts 3-4, District 3 composed of Election Districts 5-8, District 4 composed of Election Districts 9-10, and District 5 composed of Election Districts 11-12.
- Sec. 2: In April 1858 and thereafter annually in March the county commissioners shall appoint five tax collectors who shall give two bonds, one for state taxes and one for county taxes.
- Sec. 4: Collectors shall transmit collections monthly to the state treasury and county treasurer and shall have twelve months to complete the collections. Then they shall prepare and deliver to the county treasurer a return of all taxes collected and an alphabetical list of delinquent taxpayers and sums due by them.
- Sec. 5: When necessary to enforce collection, the tax collector shall leave with the taxpayer a tax bill with a notice that unless paid within five days the property will be sold. If payment is not made, the collector shall sell the personal property or real property at public sale after giving ten days notice. If proceeds exceed the amount of the taxes and costs, the collector shall pay the surplus to the property owner.
- Sec. 6: Taxpayers may redeem real property within two years after the sale date by paying the purchaser the purchase money plus interest.
- Sec. 8: Collectors shall ascertain new assessable property from taxpayers and make returns to the county commissioners.

### **Acts of 1862, Ch. 133**

An act to amend Sec. 62 of Art. 81, Public General Laws, re tax collection, passed and effective 3-3-1862

- Sec.62: When real property is sold by a tax collector for delinquent taxes, the owner may redeem the land within two years by paying to the purchaser the amount of the sale price with interest.

### **Acts of 1862, Ch. 159**

An act to repeal Secs. 55-56 of Art. 3, Public Local Laws, re tax collection in BA, passed 2-20-1862

- Sec. 1: BA shall be divided into eleven collection districts - District 1 composed of Election Districts 1 and 13, District 2 composed of Election District 2, District 3 composed of Election District 3, District 4 composed of Election District 4, District 5 composed of Election Districts 5-6, District 6 composed of Election District 7, District 7 composed of Election District 8, District 8 composed of Election District 9, District 9 composed of Election District 10, District 10 composed of Election District 11, and District 11 composed of Election District 12.
- Sec. 2: Annually in March the county commissioners shall appoint eleven tax collectors who shall give two bonds, one for state taxes and one for county taxes.

### **Acts of 1864, Ch. 326**

An act to add sections to Art. 16, Public Local Laws, re tax collection in PG, passed and effective 3-10-1864

- Sec. 47: Annually on or before the first Tuesday in July the PG Board of County Commissioners shall appoint a collector of county taxes.
- Sec. 48: Annually on or before July 1 the clerk of the county commissioners shall inform the governor whether there is a qualified collector of state taxes.
- Sec. 49: If no collector of state taxes is qualified by August 1, the governor shall appoint one who shall give bond.

### **Acts of 1864, Ch. 391**

An act to repeal and reenact Sec. 97 of Art. 81, Public General Laws, re tax collection, passed 3-10-1864

- Sec. 97: President or other officer of the banks and other incorporated institutions shall annually on March 1 furnish the county commissioners and BC Appeal Tax Court, where any stockholders reside, a list of stockholders showing the amount of stock held by each. The institution may opt to pay the taxes without resort to the individual stockholders, and in this case shall not be required to furnish the list of stockholders. President or other officer of the banks and other incorporated institutions shall annually on March 1 furnish the county commissioners and BC Appeal Tax Court an account of stock held by nonresidents, and shall be liable for paying the taxes due.

### **Constitution of 1864, Art. III**

- Sec. 32: The General Assembly shall not pass local or special laws for the assessment and collection of taxes for state and county purposes or for extending the time for collection.

### **Acts of 1865, Ch. 102**

An act to repeal and reenact Sec. 3 of Art. 3, Public Local Laws, re tax collection in BA, passed 3-7-1865

- Sec. 3: Annually in May the county commissioners shall appoint eleven tax collectors who shall give two bonds, one for state taxes and one for county taxes.

### **Constitution of 1867, Art. III**

- Sec. 33: The General Assembly shall not pass local or special laws for extending the time for collection of taxes.

### **Acts of 1865, Ch. 113**

An act to amend Sec. 6 of Art. 81, Public General Laws, re assessments, passed and effective 3-20-1865

- Sec. 6: County commissioners are directed to strike from the assessment books all slave properties and to levy no taxes on them. This provision does not release taxes on slaves levied prior to 11-1-1864.

### **Acts of 1865, Ch. 155**

An act to amend sections of Art. 81, Public General Laws, re tax collection passed 3-24-1865

- Sec. 33: County commissioners and BC Mayor and City Council shall annually in April appoint tax collectors, one or more in each county and one for each legislative district in BC.
- Sec. 34: Each collector shall give two bonds, one for county taxes and one for state taxes.
- Sec. 35: County bonds shall be recorded by the circuit court clerk or clerk of BC Superior Court. State bonds shall be filed with the Comptroller of the Treasury.
- Sec. 39: If a collector of state taxes does not qualify by May 1, the governor shall appoint someone.

### **Acts of 1866, Ch. 157**

An act re general valuation and assessment of property, passed and effective 2-5-1866

- Sec. 2: Jurisdictions are divided into assessment districts. For counties not listed the entire county is an assessment district.
  - AL - Assessment District 1 composed of Election Districts 1-2, 10-11, and 14-15; District 2 composed of Election Districts 3-5, 12, and 16; and District 3 composed of Election Districts 6-9 and 13
  - AA - Assessment District 1 composed of Annapolis, District 2 composed of Election



Districts 3-5, and District 3 composed of Election Districts 1-2 and 6

- BC - Assessment District 1 composed of Wards 1-4, District 2 composed of Wards 5-8, District 3 composed of Wards 9-12, District 4 composed of Wards 13-16, and District 5 composed of Wards 17-20
- BA - Assessment District 1 composed of Election Districts 1-2 and 13; District 2 composed of Election Districts 4, 8, and 10; District 3 composed of Election Districts 5-7; District 4 composed of Election Districts 3 and 9; and District 5 composed of Election Districts 11-12
- CR - Assessment District 1 composed of Election Districts 1-3 and 10; District 2 composed of Election Districts 2, 9, and 11; District 3 composed of Election Districts 4-5 and 8; and District 4 composed of Election Districts 6-7
- CH - Assessment District 1 composed of Election Districts 1 and 3 and District 2 composed of Election Districts 2 and 4
- DO - Assessment District 1 composed of Election Districts 1-3, District 2 composed of Election Districts 7-9, and District 3 composed of Election Districts 4-6 and 10
- FR - Assessment District 1 composed of Election Districts 1-2; District 2 composed of Election Districts 3, 12, and 14; District 3 composed of Election Districts 4-5 and 15; District 4 composed of Election Districts 6, 10, and 16; District 5 composed of Election Districts 7, 9, and 13; and District 6 composed of Election Districts 7-8 and 17
- HA - Assessment District 1 composed of Election Districts 2 and 5-6 and District 2 composed of Election Districts 1, 3-4
- HO - Assessment District 1 composed of Election Districts 1-2 and District 2 composed of Election Districts 3-5
- MO - Assessment District 1 composed of Election Districts 1-3 and District 2 composed of Election Districts 4-5
- PG - Assessment District 1 composed of Election Districts 1-2 and 6-7 and District 2 composed of Election Districts 3-5 and 8-9
- SM - Assessment District 1 composed of Election Districts 1-3 and District 2 composed of Election Districts 4-6
- SO - Assessment District 1 composed of Election Districts 1-3, 9, and 13; District 2 composed of Election Districts 4-5, 7-8, 10-11, and 15; and District 3 composed of Election Districts 6, 12, and 14
- WA - Assessment District 1 composed of Election District 1-2 and 12; District 2 composed of Election Districts 3, 10, and 15; District 3 composed of Election Districts 4-5 and 13; District 4 composed of Election Districts 6, 8, and 11; and District 5 composed of Election Districts 7, 9, and 14
- WO - Assessment District 1 composed of Election Districts 1-2 and 7; District 2 composed of Election Districts 3 and 9-10; and District 3 composed of Election Districts 4-5, 6, and 8
- Sec. 3: Governor shall appoint three assessors for each assessment district. He shall appoint a board of control and review, composed of three persons, for each assessment district in BC. Each board shall have the power to appoint a clerk.
- Sec. 5: If an assessor fails to qualify, the county commissioners or BC city council shall appoint

someone else. Other vacancies among the assessors shall be filled by the county commissioners and BC mayor.

- Sec. 6: Assessors shall meet on the first Monday in April to consider this act and instructions received from the Comptroller of the Treasury.
- Sec. 7: All assessors or a majority shall be present for the valuation and assessment of property. If a majority cannot concur, the matter shall be referred to the county commissioners and BC boards of control and review to make the decision.
- Sec. 9: Property shall be assessed at full cash value. Assessors shall prepare assessment returns to include the following:
  - names of tracts or other descriptions of land owned by each individual, showing acreages and values
  - stock in trade by general description, showing values
  - public securities liable to valuation, showing values
  - stocks in banks and companies liable to valuation, showing values
  - private securities and bonds, showing values as quoted at the Baltimore Stock Board on July 15
  - livestock, showing values
  - household furniture, showing values
  - gold and silver plate, showing values
  - gold and silver watches, showing values
  - other personal property, showing values
- Sec. 10: Assessors shall require land owners to furnish information regarding acreage and location.
- Sec. 11: If anyone refuses or neglects to furnish such information, the assessors shall assign their own values and certify this fact on the returns.
- Sec. 12: When abatements are requested because of removal of residence from one jurisdiction to another, the county commissioners and BC Appeal Tax Court shall grant it provided the person presents a certificate from the county commissioners or BC Appeal Tax Court of the other jurisdiction, stating that residence has been changed and the person has been assessed there.
- Sec. 15: Officers of corporations shall deliver to the assessors accounts of stock held by nonresidents. Taxes assessed on such stock shall be collected from the corporations.
- Sec. 17: Assessors shall begin their duties on the first Monday in May and complete them by the first Monday in October.
- Sec. 18: When valuations are completed, assessors shall return to the county commissioners and BC boards of control and review certificates of the particulars of the properties and their values in the form prescribed in Sec. 9. The assessors shall also file alphabetical lists of assessed persons and complete details of their proceedings including lists, statements, and accounts received from individuals regarding their properties.
- Sec. 19: A return shall be made for each election district. Property in incorporated towns shall be distinguished from the rest of the district.
- Sec. 20: state comptroller shall provide forms for assessors returns.
- Sec. 21: From the second Monday in October until the time for hearing appeals the clerks of the county commissioners and BC boards of control and review shall make available assessors

returns for anyone wishing to view them.

- Sec. 22: Annually by March 1 the county commissioners and BC Appeal Tax Court shall prepare an alphabetical list of assessed property owners showing the amounts of their assessments.
- Sec. 23: Annually in December the county commissioners and BC boards of control and review shall hear and determine complaints and appeals. The sessions may last from six to thirty days. The county commissioners and BC boards of control and review may abate or decrease assessments or exclude or add properties. The powers imposed by this section may be exercised at any time after giving thirty days notice.
- Sec. 24: The county commissioners and BC Appeal Tax Court or boards of control and review shall have the authority to examine assessors returns and related papers and correct them even without a complaint or appeal.
- Sec. 25: The clerks of the county commissioners and BC Appeal Tax Court and BC Collector shall record an account of all property assessed and the valuations thereof as settled and adjusted and an alphabetical list of owners, arranged by election district or ward.
- Sec. 26: By the second Monday in February 1867 the clerks of the county commissioners and BC boards of control and review shall prepare a summary of all properties and values and the whole amount in each election district and sent it to the state comptroller.
- Sec. 27: Appeal hearings shall be recorded by the clerks of the county commissioners and BC Appeal Tax Court.
- Sec. 28: Decisions from these appeals may be appealed to the circuit courts and BC Superior Court. No appeal shall be allowed where the only question concerns the correctness of the amount of the assessment.
- Sec. 32: Fines and forfeitures imposed by this act are recoverable in county circuit courts and BC Criminal Court.

## **Acts of 1867, Ch. 186**

An act to add sections to Art. 81, Public General Laws, re tax sales, passed and effective 3-22-1867

- Sec. 1: Tax collectors shall report sales of real property for delinquent taxes to the circuit court where the land is located. The court shall examine the proceedings and allow time for consideration of protests against the sale. The court may then ratify the sale or set it aside for a new sale.
- Sec. 2: When the real property to be sold for delinquent taxes belongs to minors, married women, or persons non compos mentis, the tax collectors may rent the land for the amount of the taxes and costs at public auction.
- Sec. 4: The purchase price for real property sold for taxes shall be due by a year and a day after the sale.

## **Acts of 1867, Ch. 341**

An act supplemental to Acts of 1866, Ch. 157, re assessments, passed and effective 3-21-1867

- Sec. 1: Assessors who have not completed their assessments are authorized to proceed with the valuations.

- Sec. 2: Properties exempt from assessment and taxation - federal government property, state government property, local government property, property of literary or charitable organizations, church property, cemeteries, provisions for family consumption, wear apparel, plantation and farming utensils, crops, tools of mechanics and manufacturers, personal property of individuals worth less than \$100, mortgages for purchase money in the hands of the original mortgagee, securities of incorporated institutions whose stock is subject to taxation, and cash on hand or in banks that is not earning interest.
- Sec. 3: County commissioners and BC boards of control and review are authorized to remove the exempt properties from assessment returns.
- Sec. 4: Assessors covered by Sec. 1 shall complete their returns by July 1, and county commissioners and BC boards of control and review shall prepare the summary lists by October 1.
- Sec. 6: The BC board of control and review for the 3rd assessment district may employ assessors from other districts in order to complete the assessment.
- Sec. 7: The same board may employ an additional clerk.

### **Acts of 1867, Ch. 356**

An act re county and state taxes, passed and effective 3-1867

- Sec. 1: County commissioners shall levy county taxes on the basis of the assessment of 1866 and state taxes on the basis of the assessment of 1852.

### **Acts of 1868, Ch. 126**

An act re appeals, approved and effective 3-17-1868

- Sec. 1: The time for hearing appeals by the county commissioners and BC Appeal Tax Court is extended to July 1, 1868.

### **Acts of 1868, Ch. 328**

An act to repeal and reenact Secs. 55-62 of Art. 3, Public Local Laws, re tax collection in BA, approved 3-30-1868, effective 5-1869

- Sec. 55: BA Board of County Commissioners shall divide the county into not less than thirteen tax collection districts.
- Sec. 56: Annually in May the county commissioners shall appoint one collector of state and county taxes for each district. Collectors shall give two bonds.
- Sec. 58: Collectors shall transmit collections monthly to the state treasury and county treasurer and shall have twelve months to complete the collections. Then they shall prepare and deliver to the county treasurer a return of all taxes collected and an alphabetical list of delinquent taxpayers and sums due by each.
- Sec. 59: When necessary to enforce collection, the tax collector shall leave with the taxpayer a tax bill with a notice that unless paid within twenty days the property will be sold. If payment is

not made, the collector shall sell the personal property or real property at public sale after giving ten days notice. If proceeds exceed the amount of the taxes and costs, the collector shall pay the surplus to the property owner.

- Sec. 60: Taxpayers may redeem real property within two years after the sale by paying the purchaser the purchase money plus interest and the value of any added improvements.
- Sec. 62: Collectors shall ascertain new assessable property from taxpayers and make returns to the county commissioners. In their monthly statements the collectors shall state taxpayers names, amount paid by each, and how much has been collected from taxes on real property and personal property. The clerk of the county commissioners shall open an account with each taxpayer and credit it according to the collectors statements.

### **Acts of 1868, Ch. 329**

An act to add a new article to Public Local Laws, re roads and taxes in CA and TA, approved 3-30-1868

- Sec. 8: For services rendered on roads and bridges by any taxpayer in CA and TA, the road supervisors may issue certificates of indebtedness which shall be received by the tax collectors in payment of county and road taxes.

### **Acts of 1868, Ch. 330**

An act to repeal and reenact sections of and to add sections to Art. 16, Public Local Laws, re tax collection in PG, approved 3-30-1868

- Sec. 44: PG Board of County Commissioners shall divide the county into four collection districts, and annually on the first Tuesday in April appoint a tax collector for each district. Collectors shall give bonds for the collection of state and county taxes, hold office for one year, and may be reappointed.
- Sec. 45: Collectors shall pay amounts collected to the county treasurer on the first Tuesday in April after the taxes are given them for collection and monthly thereafter until the collections are completed. Six months after being given the taxes for collection, the collectors shall make a return to the treasurer showing the amount collected and shall file an alphabetical list of delinquent taxpayers showing amounts due. The county commissioners shall publish the list in a newspaper.
- Sec. 46: County commissioners shall lay the annual levy on or before the last Monday in March. The clerk of the county commissioners shall provide each collector with a list of assessments for collection on or before April 15.
- Sec. 47: Biennially on the second Tuesday in May the county commissioners shall appoint a treasurer who shall hold office for five years.
- Sec. 48: Treasurer shall take an oath and give bond.
- Sec. 50: Treasurer shall pay to the county commissioners the proceeds of all county taxes and keep accounts of receipts and disbursements.
- Sec. 52: At the end of a term of office the treasurer shall deliver all records and moneys to the successor.

## **Acts of 1868, Ch. 366**

An act to repeal and reenact Secs. 33-35, 39, and 75 of Art. 81, Public General Laws, re tax collection, approved and effective 3-1868

- Sec. 33: Annually on the first Tuesday in April the county commissioners shall appoint one or more tax collectors, and the BC Mayor and City Council one tax collector.
- Sec. 34: County collectors shall post separate bonds for the collection of county and state taxes. Provisions of this act do not apply to AL, AA, BA, CH, MO, SO, and WI. The collector of state taxes in BC shall make daily deposits of collections, and the State Treasurer shall examine the collection records weekly.
- Sec. 35: County bonds shall be recorded by the circuit court clerks. State bonds shall be filed with the state comptroller.
- Sec. 39: If no collectors of state taxes are appointed by May 1, the governor may make the appointments from any part of the state.

## **Acts of 1870, Ch. 216**

An act to repeal and reenact Secs. 44-45 and 49 of and to add sections to Art. 16, Public Local Laws, re tax collection in PG, and to repeal Secs. 33-35, 49, and 74 of Art. 81, Public General Laws as far as they relate to PG, approved and effective 4-4-1870

- Sec. 44: PG Treasurer shall be the collector of county taxes and shall report monthly to the county commissioners on amounts collected. Persons owed money by the county may apply to the county commissioners for certificates of indebtedness which may be used by the treasurer as credit against taxes due. Treasurer may sell real property or personal property of delinquent taxpayers. Taxes shall be considered in arrears on October 1 and shall bear interest from six months after the levy.
- Sec. 49: Treasurer shall keep an office open three days a week in Upper Marlboro for receiving county taxes and shall attend in person or by deputy in each election district two days between the date of the annual levy and October 1 for collecting taxes. Annually on the first Tuesday in April the county commissioners shall appoint a collector of state taxes who shall give bond.

## **Acts of 1870, Ch. 217**

An act to repeal Secs. 82 and 84 of Art. 10, Public Local Laws, re tax collection in DO, approved 4-4-1870

- Sec. 1: Secs. 82 and 84 of Art. 10, Public Local Laws, repealed. [Sec. 82 provided for redemption of land sold at tax sales in DO, and Sec. 84 provided for ejectment proceedings.]

## **Acts of 1870, Ch. 325**

An act to amend Sec. 34 of Art. 81, Public General Laws, re tax collection, approved 4-4-1870

- Sec. 34: Tax collectors shall transmit collections to the state treasury and county treasurers, or

county commissioners in counties without treasurers, by the first Tuesday in July, and thereafter by the first Tuesday in every October, January, April, and July until they are complete. County commissioners may removed collectors who fail to meet this schedule. When collections are completed, the collectors shall report on the whole amounts of taxes collected to the county treasurers, or county commissioners in counties without treasurers.

- AL and WA are exempt from this act.

### **Acts of 1870, Ch. 342**

An act to amend Sec. 62 [sic] of Art. 81, Public General Laws, re tax collection, approved and effective 4-4-1870

- Sec. 52 [sic]: The owner of real property sold by a tax collector may redeem the land within two years after the sale by paying the amount paid by the purchaser, taxes, and costs, with interest on all sums.

### **Acts of 1870, Ch. 394**

An act to amend Acts of 1867, Ch. 341, re assessments, approved and effective 4-4-1870

- Sec. 1: Mortgages and bills of sale shall not be assessed or taxed.

### **Acts of 1870, Ch. 396**

An act to repeal Acts of 1868, Ch. 329, re roads and taxes in CA and TA, approved 4-4-1870

- Sec. 1: Acts of 1868, Ch. 329, re roads and taxes in CA and TA, repealed.

### **Acts of 1870, Ch. 449**

An act to add a section to Art. 10, Public Local Laws, re tax collection in DO, approved 4-4-1870, effective 1-1871

- Sec. 1: Annually in January the DO Board of County Commissioners shall appoint a clerk who shall also act as county treasurer. The clerk shall receive moneys levied and collected for the county, keep a separate account with each tax collector, and make quarterly returns of the amounts to the county commissioners.

### **Acts of 1872, Ch. 127**

An act to amend Sec. 97 of Art. 81, Public General Laws, re assesements, approved 4-1-1872

- Sec. 97: Annually on January 1 banks and corporations shall provide the county commissioners and BC Appeal Tax Court with a list of stockholders living in the respective jurisdiction, showing the amount of stock held by each person.

### **Acts of 1872, Ch. 266**

An act to repeal and reenact Sec. 27 of Art. 81, Public General Laws, re state taxes, approved 4-1-1872

- Sec. 27: Annually on the second Monday in April the county commissioners and BC Appeal Tax Court shall impose state taxes. If not done by July 1, the governor shall appoint a tax board of three persons to levy the taxes and place them in the hands of the tax collector.

### **Acts of 1872, Ch. 294**

An act to repeal and reenact Secs. 44-45, 47-50, and 55-56 of Art. 16, Public Local Laws, re tax collection in PG, and repeal Secs. 56-57 of Art. 81, Public General Laws as far as they relate to PG, approved 4-1-1872

- Sec. 44: PG Treasurer shall be the collector of state and county taxes. Treasurer shall report tax sales of real property to the circuit court for ratification. If the land is not redeemed within the time prescribed by law, the treasurer shall execute a deed to the purchaser. Treasurer shall report monthly to the county commissioners on amounts collected. County commissioners may issue certificates of indebtedness showing amount due a person by the county. These may be used toward payment of taxes. After giving required notices and receiving general authorization from the county commissioners, the treasurer may sell real property or personal property of delinquent taxpayers. Treasurer shall collect and account for taxes within twelve months after they are in arrears. Deductions shall be offered until October 1, after which time taxes shall bear interest.
- Sec. 45: Within thirty days after the levy of taxes the clerk of the county commissioners shall deliver to the treasurer a copy of the tax rate.
- Sec. 47: Present county treasurer shall hold office for three more years. In April 1875 and every five years thereafter the county commissioners shall appoint a treasurer.
- Sec. 48: Treasurer shall take an oath and give bond.
- Sec. 49: Treasurer shall attend in each election district two days between the date of the annual levy and October 1 for collecting taxes. When taxes are in arrears and after twenty days public notice, the treasurer shall sell the property.
- Sec. 50: Treasurer shall pay county taxes to the county commissioners and state taxes to the state treasury. Treasurer shall keep an account of receipts and disbursements.

### **Acts of 1872, Ch. 314**

An act to repeal and reenact Sec. 6 of Art. 13, Public Local Laws, re tax collection in HO, approved 4-1-1872

- Sec. 6: HO shall be divided into three collection districts: District 1 composed of Election Districts 1-2, District 2 composed of Election Districts 3-4, and District 3 composed of Election Districts 5-6.

### **Acts of 1872, Ch. 384**

An act to repeal and reenact Sec. 47, 49-50, and 63 and to repeal some sections of Art. 81, Public General Laws, re tax collection, approved 4-1-1872



- Sec. 47: All state and other taxes shall be liens on the real estate of the parties owing the taxes.
- Sec. 49: The tax collector shall provide each delinquent taxpayer with a tax bill showing the amount of the assessment and amount of taxes due with a notice that if the taxes are not paid in thirty days the land will be sold.
- Sec. 50: If the taxes are not then paid, the collector after twenty days notice shall sell the property at public auction and retain from the proceeds the taxes due with interest and costs of conducting the sale. Any surplus shall be paid the property owner.
- Sec. 63: The collector shall report tax sales to the county circuit court or BC Circuit Court which shall examine the proceedings and provide time for interested parties to show cause why the sale should not be ratified. The court may then ratify the sale or order a new one.
- Sec. 54-57 and 59 are repealed.

### **Acts of 1874, Ch. 44**

An act to repeal and reenact Sec. 97 of Art. 81, Public General Laws, re assessments, approved 2-26-1874

- Sec. 97: Annually by March 1 banks and corporations shall provide the county commissioners and BC Appeal Tax Court with a list of stockholders living in the respective jurisdiction, showing the amount of stock held by each person. Or, the institutions may agree to pay the taxes on stocks without resort to individual stockholders. The institutions shall pay the taxes due on stocks held by nonresidents.

### **Acts of 1874, Ch. 483**

An act to repeal and reenact Art. 81, Public General Laws, re assessments, approved 4-11-1874

- Sec. 1: All property shall be subject to assessment and taxation including interests in ships registered in the state, debts secured by or investments in private securities except mortgages, and shares in corporations.
- Sec. 3: List of exempt properties [not abstracted]
- Sec. 4: Persons with assessed property worth less than \$100 shall be exempt from taxation.
- Sec. 5: Assessors appointed by the BC Mayor and City Council and tax collectors shall ascertain all property liable to taxation but omitted in the assessment, all new buildings and improvements, and property created or acquired since the last assessment and then value the properties and make returns to the county commissioners or BC Appeal Tax Court which bodies may correct or revise the valuations.
- Sec. 7: Circuit court clerks shall annually between January 1 and March 1 sent to the county commissioners or BC Appeal Tax Court a list of alienations, equity sales, and judgments and decrees affecting title to land.
- Sec. 8: Registers of wills shall annually between January 1 and March 1 sent to the county commissioners or BC Appeal Tax Court a summary account of property in the hands of executors, administrators, or guardians.
- Sec. 10: Commissioner of the Land Office shall annually between January 1 and March 1 sent to

the county commissioners or BC Appeal Tax Court a list of certificates ready for patent, giving the tract, acreage, person entitled, and, for a resurvey, original tracts and amount of vacancy added.

- Sec. 12: County commissioners and BC Appeal Tax Court at their annual meeting for noting property transfers and hearing appeals shall alter the assessment of anyone who has disposed of or acquired property since the last assessment or whose property may have been omitted or increased substantially in value.
- Sec. 13: BC Mayor and City Council shall annually appoint three persons to the appeal tax court who shall hear hear appeals, make transfers, and correct assessments. BC Mayor and City Council may appoint any number assessors to ascertain omitted property, assess it, and make returns to the appeal tax court.
- Sec. 14: BC Mayor and City Council shall fill vacancies in the Appeal Tax Court.
- Sec. 20: When anyone applies for an allowance or deduction for removal of property to another jurisdiction, the county commissioners or BC Appeal Tax Court shall find out to where and notify the property authorities.
- Sec. 21: County commissioners and BC Appeal Tax Court shall annually levy state taxes at the rate set by the state. state comptroller shall do the same on shares of capital stock.
- Sec. 22: County commissioners and BC Appeal Tax Court shall record the assessments and valuations and prepare an alphabetical list of owners by election district in the counties and by ward in BC.
- Sec. 23: Clerks of the county commissioners and BC Appeal Tax Court shall annually within thirty days after the levy of state taxes send to the state comptroller a return of assessments, showing amounts given tax collectors.
- Sec. 25: County commissioners and BC Appeal Tax Court shall annually by the third Tuesday in April impose state taxes. If not done by July 1, the governor shall appoint a tax board of three persons who shall levy the taxes and give them to the collector.
- Sec. 29: Clerks of the county commissioners and BC Appeal Tax Court shall annually send to the state comptroller a certificate stating the state tax was imposed, date done, amount of assessable property liable, and names of the tax collectors and copies of their bonds.
- Sec. 30: For the collection of state taxes, the county commissioners shall annually by the third Tuesday in April appoint collectors and BC Appeal Tax Court one collector.
- Sec. 31: Tax collectors shall give bonds, separately for local taxes and state taxes.
- Sec. 32: These bonds shall be recorded by the circuit court clerks and clerk of the BC Superior Court. State bonds, approved by the governor, shall be filed with the state comptroller.
- Sec. 33: BC tax collector shall make daily deposits to the credit of the state treasury, and send monthly statements to the state treasury.
- Sec. 35: Every collector shall take an oath before the circuit court clerk or clerk of BC Superior Court who shall send a certificate to the county commissioners or BC Register.
- Sec. 37: Annually by May 1 the clerks of the county commissioners and BC Register shall inform the governor whether or not collectors have been appointed.
- Sec. 38: If collectors are not qualified by May 15, the governor shall make the appointments and each one shall give bond to be approved by the governor.
- Sec. 40: A separate collector may be appointed to collect state taxes in any county or BC.

- Sec. 41: Clerks of the county commissioners and BC Appeal Tax Court shall keep an account of the assessment or rate of taxes assessed upon taxable property and how such assessment is disposed of and within ten days deliver a copy to the collectors.
- Sec. 42: Within thirty days thereafter the collectors shall begin the collections and pay the local taxes to the county commissioners or BC Mayor and City Council within six months. Moneys levied for educational purposes by the county commissioners shall be levied separately, and a list thereof furnished to the school commissioners. Collectors shall collect these taxes on the days required by law for the return of state school taxes.
- Sec. 44: Collectors shall pay 2/3 of the state taxes to the state treasury by January 1, and the rest by April 1.
- Sec. 45: Deductions in taxes are allowed when paid by the first of September, October, or November.
- Sec. 46: All state, county, and municipal taxes shall be liens on the real property of the taxpayer.
- Sec. 48: When taxes must be collected by distress or execution, the collector shall send the taxpayer a statement showing the aggregate amount of the assessment, amount of taxes due, and a notice that unless taxes are paid within thirty days real property or personal property will be sold.
- Sec. 49: If taxes remain unpaid, the collector shall sell the property at public auction and retain from the proceeds the amount of the taxes with interest and costs of the sale. Any surplus will be paid the property owner.
- Sec. 50: Real property of a delinquent taxpayer may be sold for taxes whether or not personal property is available.
- Sec. 51: When land is sold for taxes, the collector shall report the sale to the county circuit court or BC Circuit Court for ratification proceedings. Time shall be allowed for interested persons to contest the sale. The court may ratify the sale or set it aside and order a new one.
- Sec. 53: A person whose property is advertised for a tax sale may file a claim with the county commissioners or BC mayor or BC president of the council that all or part of the property is not due for taxes. The sale will be suspended for ten days to allow time for support of the claim. The official(s) may disallow the claim or order all or part of the property released from the sale.
- Sec. 55: When real property is sold for taxes, the delinquent taxpayer may redeem the property within twelve months by paying into the court the amount of the purchase money and interest of 15%, to be paid the purchaser.
- Sec. 57: If a collector dies, moves, or refuses to execute a deed, the court may appoint a special agent to perform the task.
- Sec. 66: Taxes shall be considered in arrears on January 1 after the date of their levy and shall bear interest of 6% thereafter.
- Sec. 67: County commissioners and BC Mayor and City Council shall pay commissions to the collectors, not to exceed 5% of the amount given the collectors for collection, except in CV where it cannot exceed 6% and in BC 2%. The governor shall fix the commission rate, not to exceed 10%, for collectors appointed by him.
- Sec. 69: When a collector fails to pay collected taxes to the state treasury in the specified time, the state comptroller may order a suit upon the bond.
- Sec. 74: The comptroller may make allowances to the collectors for insolvencies or removals

upon receipt of certificates from the county commissioners or BC Appeal Tax Court.

- Sec. 76: When property has been seized and taken in execution at suit of the state, the state attorney may bid for and purchase it if necessary to protect the states interest, provided the bid does not exceed the amount due.
- Sec. 77: The state attorney may then sell or lease the property in order to recover the money due the state.
- Sec. 78: If a collector of local taxes refuses or neglects to pay over the amount collected or ought to have been collected, the person entitled to receive the money may apply to the county circuit court or a BC court of law. The court may order a judgment against the collector.
- Sec. 80: If a collector of local taxes refuses or neglects to pay over the amount collected or ought to have been collected, the bond may be put in suit.
- Sec. 81: A collector shall be allowed one year after termination of his term to collect balances due.
- Sec. 82: County and municipal taxes shall be collected within four years after being levied.
- Sec. 83: Annually on January 1 corporations shall pay the state treasury the state tax due on shares of capital stock for the previous year.
- Sec. 84: When a corporation has no capital stock, its property and assets shall be assessed and state taxes paid to the state treasury by January 1, and local taxes to the county or BC at the same time.
- Sec. 85: Corporations receiving deposits and paying interest shall furnish to the state comptroller annually by July 1 the aggregate amount of the deposits and pay the state tax to the state treasury by the January 1. Such corporations shall furnish the county commissioners or BC Appeal Tax Court where the company is located with a list of depositors and amounts for each at the meeting to lay the local levy. The corporations may agree with the local body to pay the taxes without resort to the individual depositors.
- Sec. 86: Corporations issuing bonds and certificates or evidence of debt and paying interest shall furnish to the state comptroller annually by July 1 the aggregate amounts held by state residents and pay the state tax to the state treasury by the January 1. Such corporations shall furnish the county commissioners or BC Appeal Tax Court with a list of resident holders. Nonresident holders are not liable for taxes.
- Sec. 87: Annually by March 1 corporations shall furnish to the county commissioners or BC Appeal Tax Court a list of resident stockholders, showing the number of shares held by each. The corporations may agree with the local body to pay the taxes without resort to the individual stockholders. The corporations shall also furnish an account of stock held by nonresidents and pay the taxes due.
- Sec. 89: Whenever an agreement is proposed in accordance with the above sections and the amount is considered excessive, the corporation may apply to the county circuit court or BC Superior Court for relief. The court decisions may be appealed to the Court of Appeals.
- Sec. 90: Annually in April the BC Register shall prepare and deliver to the BC Appeal Tax Court a list of holders of BC stock loans, showing amounts held by each.
- Sec. 91: BC Appeal Tax Court shall examine the list and correct it by striking off those exempt from taxation and shall by June 1 send copies of the corrected list to the BC Register and state comptroller.

- Sec. 92: Annually by July 1 the BC Register shall pay the taxes out of the interest to the state treasury.
- Sec. 97: State public debt, BC stock loans, capital stock and bonds, and certificates and other evidences of debt, bearing interest, shall be excluded from assessments in the counties and BC so far as they relate to state taxes.
- Sec. 145: Annually by May 15 the state comptroller shall assess shares of capital stock of corporations chartered by or doing business in the state, except railroad and canal companies.
- Sec. 146: Annually by April 15 banks shall report to the state comptroller a statement of the number of shares of capital stock so that provisions of Sec. 145 can be applied.

### **Acts of 1874, Ch. 503**

An act to repeal and reenact Secs. 47 and 51-52 of Art. 16, Public Local Laws, re tax collection in PG, approved 4-11-1874

- Sec. 47: In November 1875 and every four years thereafter the PG Treasurer shall be elected.
- Sec. 52: Treasurer shall be allowed twelve months after the end of the term of office to complete the collection of taxes. Treasurer may take advantage of Sec. 46 of Art. 29, Public General Laws to extend the time.

### **Acts of 1874, Ch. 514**

An act re general valuation and assessment of property, approved 4-11-1874

[Not abstracted because the Court of Appeals declared the legislation unconstitutional.]

### **Acts of 1876, Ch. 105**

An act to repeal and reenact Sec. 44 of Art. 16, Public Local Laws, re PG tax collection, approved 3-16-1876

- Sec. 44: PG Treasurer shall be the collector of state and county taxes. Treasurer shall report tax sales of real property to the circuit court for ratification. If the land is not redeemed within the time prescribed by law, the treasurer shall execute a deed to the purchaser. Treasurer shall report monthly to the county commissioners on amounts collected. County commissioners may issue certificates of indebtedness showing amount due a person by the county. These may be used toward the payment of taxes. Deductions shall be offered until October 1, after which time taxes shall bear interest. After giving required notices and receiving general authorization from the county commissioners, the treasurer may sell real property or personal property of delinquent taxpayers.

### **Acts of 1876, Ch. 159**

An act re railroad property, approved 3-27-1876

- Sec. 1: Real property and personal property of steam railroad companies shall be assessed for county and municipal taxes.

## Acts of 1876, Ch. 179

An act to repeal sections of Art. 3, Public Local Laws, re tax collection in BA, approved 3-27-1876

- Sec. 1: Secs. 55-64 and 78-90 of Art. 3, Public Local Laws are repealed.
- Sec. 2: At each general election in BA voters shall elect a county treasurer who shall receive moneys due the county and pay all claims against it.
- Sec. 3: Treasurer shall take an oath before a judge of the circuit court.
- Sec. 4: Treasurer shall execute a bond.
- Sec. 5: County commissioners shall fill vacancies.
- Sec. 6: Treasurer shall keep a record of accounts of all taxes collected with the names of the property owners, rates and amounts due, along with all other taxable property and rates and amounts, and shall show all credits for money received, transfers, insolvencies, discounts, or abatements. Treasurer shall enter alphabetically in a ledger the entire account of each taxpayer.
- Sec. 7: After the annual tax levy is made, the treasurer shall prepare a tax bill for each taxpayer, and send bills to those who request them.
- Sec. 9: Discounts shall be given if a tax bill is paid by December 1. Interest shall be charged on bills not paid by January 1.
- Sec. 10: Treasurer shall be available two days between September 1 and December 31 for receiving taxes and one day per month in BC for the same purpose.
- Sec. 11: In February the treasurer shall prepare and publish a list of delinquent taxpayers showing names, locations of properties, years for which taxes are due, and amounts.
- Sec. 12: For those taxes not paid by April 1 the treasurer shall send tax bills, including interest, and a notice that unless paid within ten days collection will be enforced. For the bills not so paid the treasurer shall place the taxes in the hands of the sheriff who shall sell personal property and real property at public sale, after giving public notice. Sheriff shall pay excess proceeds to the owners and pay amounts due for taxes and interest to the treasurer. Sales of real property shall be reported to and ratified by the circuit court.
- Sec. 13: Taxpayers may redeem real property within two years after the sale by paying the purchase price with interest to the purchaser.
- Sec. 21: Current tax collectors shall complete their collections by January 1877. Taxes remaining uncollected after then shall be handled by the treasurer.
- Sec. 23: In case the treasurer elected in November 1875 fails to qualify, the county commissioners shall appoint a receiver of county taxes who shall hold office until three weeks after the next general election and shall pay amounts collected to the treasurer.

## Acts of 1876, Ch. 260

An act re general valuation and assessment of property, approved 4-7-1876

- Sec. 3: Jurisdictions are divided into assessment districts. For counties not listed the entire county is an assessment district.
  - AL - Assessment District 1 composed of Election Districts 1-4, District 2 composed of Election Districts 5-8 and 14, and District 3 composed of Election Districts 9-13

- AA - Assessment District 1 composed of Annapolis and District 2 composed of rest of county
- BC - each of the 20 wards a separate Assessment District
- BA - Assessment District 1 composed of Election Districts 1 and 13, District 2 composed of Election Districts 2 and 4, District 3 composed of Election District 3, District 4 composed of Election Districts 5 and 6, District 5 composed of Election Districts 7 and 10, District 6 composed of Election District 8, District 7 composed of Election District 9, District 8 composed of Election District 11, and District 9 composed of Election District 12
- CR - Assessment District 1 composed of Election Districts 1-2, 10, and 12; District 2 composed of Election Districts 3, 7, and 11; District 3 composed of Election Districts 4, 6, and 8; and District 4 composed of Election Districts 5 and 9
- CE - Assessment District 1 composed of Election Districts 1-3 and 5 and District 2 composed of Election Districts 4 and 6-9
- CH - Assessment District 1 composed of Collection Districts 1 and 3 and District 2 composed of Collection Districts 2 and 4
- DO - Assessment District 1 composed of Election Districts 1-3 and 11-12, District 2 composed of Election Districts 7-9 and 13, and District 3 composed of Election Districts 4-6 and 10
- FR - Assessment District 1 composed of Election District 2; District 2 composed of Election Districts 3, 6, 10, and 16; District 3 composed of Election Districts 1, 12, and 14; District 4 composed of Election Districts 7-9 and 18; District 5 composed of Election Districts 11, 13, and 17; and District 6 composed of Election Districts 4-5 and 15
- GA - Assessment District 1 composed of Election Districts 1, 4, and 7-8 and District 2 composed of Election Districts 2-3, 5-6, and 9
- HA - Assessment District 1 composed of Election Districts 2 and 5-6 and District 2 composed of Election Districts 1, 3-4
- MO - Assessment District 1 composed of Election Districts 1-3 and District 2 composed of Election Districts 4-5
- PG - Assessment District 1 composed of Election Districts 1-2, 7, and 10; District 2 composed of Election Districts 3-4, 6, and 12; and District 3 composed of Election Districts 5, 8-9, and 11
- SM - Assessment District 1 composed of Election Districts 1-3 and District 2 composed of Election Districts 4-7
- SO - Assessment District 1 composed of Election Districts 1-2, 4-5, and 9 and District 2 composed of Election Districts 3 and 6-8
- WA - Assessment District 1 composed of Election District 1, 6, 8, 11, and 19; District 2 composed of Election Districts 2-3, 10, 12, and 17; District 3 composed of Election Districts 4-5, 13, and 15; and District 4 composed of Election Districts 7, 8, 14, 16, and 18
- Sec. 4: If any election districts are not included in an assessment district, the governor shall decide where to place them.
- Sec. 5: The governor with consent of the Senate shall appoint three assessors in each assessment district to assess property and make valuations.

- Sec. 6: The governor with consent of the Senate shall appoint three members to each board of control and review. There shall be one board for each county and five for BC - No. 1 composed of Wards 1-4, No. 2 composed of Wards 5-8, No. 3 composed of Wards 9-12, No. 4 composed of Wards 13-14 and 19-20, and No. 5 composed of Wards 15-18.
- Sec. 7: Each county board of control and review may appoint a clerk, each BC board 2 clerks.
- Sec. 8: Governor may remove any assessor or member of a board of control and review and make a new appointment.
- Sec. 9: Every assessor, member of a board of control and review, and clerk shall take an oath to be filed with the county commissioners or BC Appeal Tax Court.
- Sec. 10: Governor shall fill vacancies among assessors and boards of control and review. Latter shall fill vacancies among clerks.
- Sec. 11: state comptroller shall prepare forms for the assessors and boards of control and review and make rules and regulations.
- Sec. 12: Assessors shall meet for the first time on the first Tuesday in May 1876.
- Sec. 13: Boards of control and review shall meet for the the first time on the first Tuesday in September 1876.
- Sec. 16: By July 1, 1876, corporations shall provide the county commissioners and BC Appeal Tax Court a list of stockholders who reside in the respective jurisdictions, showing the number of shares held by each, and a list of nonresident stockholders. The county commissioners and BC Appeal Tax Court shall deliver these returns to the boards of control and review.
- Sec. 17: Assessors shall determine all property in their assessment districts and assess them at full cash value. In the counties they shall specify tract names, acreage, and value per acre; improvements shall be valued separately. In BC and other cities they shall specify the location of each lot or parcel giving front feet and depth, street name, and value; improvements shall be valued separately. Personal property to be assessed includes stocks and shares, bonds, securities and other investments, farm implements, livestock, household furniture, and gold and silver plate
- Sec. 18: When corporations or individuals claim property is exempt from taxation, the assessors shall note these facts in a separate book and the boards of control and review will decide the matters.
- Sec. 19: All assessors or a majority shall be present for the valuation and assessment of property. If a majority cannot concur, the matter shall be referred to the boards of control and review for a decision.
- Sec. 20: Assessors shall require land owners to furnish information regarding acreage and location, after giving public notice.
- Sec. 21: Such accounts shall be verified by the owners before one of the assessors.
- Sec. 22: If anyone refuses or neglects for furnish such information, the assessors, after giving 20 days notice, shall assign their own values and certify this fact on the returns.
- Sec. 24: When valuations are completed, assessors shall make duplicate returns for each election district or ward showing owners names in alphabetical order and listing the properties valued to each as specified in Sec. 17. Assessors shall also prepare duplicates of the book specified in Sec. 18. Assessors shall deliver one copy of each return and exemption book to the county commissioners or BC Appeal Tax Court and the other to the boards of control and review. Assessors shall also furnish the boards of control and review details of their proceedings and all



lists and statements received by them.

- Sec. 25: The assessors returns shall be made by the second Tuesday in September 1876, unless the time is extended by the governor, and then not beyond the second Tuesday in November.
- Sec. 26: Boards of control and review shall give two weeks notice of their first meeting. The boards shall consider returns from assessors, county commissioners, or BC Appeal Tax Court, hear and determine complaints and appeals, abate or increase valuations if necessary, value property omitted by assessors, and consider exemption claims.
- Sec. 27: Boards of control and review shall record an accurate account of all property for each election district and ward showing owners names in alphabetical order and property as specified in Sec. 17 and their values. The board shall also prepare an alphabetical index of property owners in the county or in BC in each board district. The books and indexes shall be filed with the county commissioners and BC Appeal Tax Court by December 31, 1876, unless the time is extended by the governor.
- Sec. 28: Property owners may file appeals with the county circuit courts or BC Court to which the county commissioners or BC Tax Appeal Court shall be defendants.
- Sec. 29: If it appears that property has been omitted in the returns of the boards of control and review, the state comptroller shall direct the county commissioners or BC Appeal Tax Court to assess it after giving notice to the owner. If the local bodies refuse to act, the comptroller shall file suit against them in the county circuit court or BC Court.
- Sec. 30: Any party to proceedings in Sec. 28 and 29 may appeal decisions to the Court of Appeals.
- Sec. 31: state comptroller shall supervise the conduct and proceedings of the assessors, boards of control and review, and their clerks and report neglect and dereliction of duty to the governor.
- Sec. 34: County commissioners and BC Appeal Tax Court shall prepare condensed statements of valuations and deliver them to the state comptroller who shall collate them for a report to the General Assembly.

### **Acts of 1876, Ch. 300**

An act to add sections to Art. 15, Public Local Laws, re tax collection in MO, approved 4-8-1876

- Sec. 1: Deductions on county taxes in MO shall be given until November 1.

### **Acts of 1878, Ch. 36**

An act re land record abstracts in BA, approved 2-14-1878

- Sec. 1: Upon receiving a deed for conveyance or assignment of real or leasehold property the clerk of the BA Circuit Court shall prepare an abstract showing the names of the parties, date, acreage if given, and location. The clerk shall send the abstracts to the county treasurer every week.

### **Acts of 1878, Ch. 73**

An act to repeal and reenact Sec. 57 of Art. 16, Public Local Laws, re tax collection in PG, approved 3-

18-1878

- Sec. 57: PG Treasurer shall have the right within twelve months after the term of office ends to return to the county commissioners a list of uncollected taxes. If it appears the treasurer complied with the laws to enforce payment, the county commissioners shall release the treasurer and his securities from all liability and place the taxes in the hands of the current treasurer for collection.

### **Acts of 1878, Ch. 108**

An act to add an article to Public Local Laws, re tax collection in GA, approved 3-20-1878

- Sec. 71: When there is no personal property on land where the taxes are in arrears in GA, the tax collector may sell a sufficient quantity of timber, instead of the land itself.
- Sec. 72: Before the sale the collector shall give public notice. The collector shall give the purchaser a certificate showing the quantity of timber sold and shall file a copy with the county commissioners for recording.
- Sec. 73: Purchasers shall have twelve months to remove the timber.
- Sec. 75: When real property is sold at a tax sale, the county commissioners may bid and may then lease or sell the land.

### **Acts of 1878, Ch. 160**

An act to repeal Secs. 87 and 90 of Art. 10, Public Local Laws, re tax collection in DO, approved 3-27-1878

- Sec. 4: The governor shall appoint a DO Treasurer who shall hold office from May 1878 to May 1880. Treasurer shall receive and disburse all moneys levied and collected for county purposes, receive state taxes from the tax collectors and pay them to the state treasury, keep a separate account of state and county taxes with each collector, make quarterly returns of amounts received to the county commissioners, and make monthly returns to the state comptroller. Treasurer shall give bond, to be recorded by the circuit court clerk.
- Sec. 5: In January 1880 and biennially thereafter the governor, with consent of the Senate, shall appoint a county treasurer.
- Sec. 6: Annually by early May the treasurer shall appoint a collector of state and county taxes for each election district.
- Sec. 7: Each collector shall give bond, to be recorded by the circuit court clerk.
- Sec. 8: Clerk of the county commissioners shall keep an account of the assessment, or rate of taxes assessed on taxable property, and how it is disposed of. Within twenty days of the levy, the clerk shall deliver a copy to each tax collector.
- Sec. 9: Within six months the collectors shall pay amounts collected to the county treasurer.
- Sec. 10: Each collector shall account for and pay to the county treasurer  $\frac{2}{3}$  of the state and county taxes by April 1, and  $\frac{1}{3}$  by December 1.
- Secs. 11-12: Discounts shall be given for taxes paid by December 1.
- Sec. 13: Collectors shall retain commissions only on amounts actually collected and paid over to

the county treasurer.

- Sec. 18: State, county, and municipal taxes shall be liens on real property and on personal property as long as the taxpayer owns it. All real property shall be liable for taxes assessed against it regardless of change in ownership.
- Sec. 19: When real property is sold by a collector, the taxpayer may redeem the land within twelve months of the sale by paying the purchaser or circuit court the purchase price plus interest and court costs.

### **Acts of 1878, Ch. 178**

An act to add sections to Art. 81, Public General Laws, re State Tax Commissioner and assessments, approved 3-29-1878

- Sec. 149: There shall be within the Treasury Dept. a State Tax Commissioner who shall assess for state purposes shares of capital stock liable to assessment and taxation and perform all duties in reference thereto, formerly done by the state comptroller.
- Sec. 150: County commissioners and BC Appeal Tax Court shall annually correct the assessment of property, correct improper valuations, correct accounts of persons whose property may have been omitted or newly acquired, amend assessments if property has increased or diminished materially in value, and, when directed by the Tax Commissioner with written concurrence of the Attorney General, strike off property not subject to taxation under state or federal laws.
- Sec. 151: When making returns of stockholders to the county commissioners and BC Appeal Tax Court, corporations shall furnish statements of real property held in the respective jurisdiction. The county commissioners and BC Appeal Tax Court shall assess that real property and send duplicate certificates of assessment to the corporations which shall send one copy to the Tax Commissioner. That official shall deduct the assessed value of the real property from the aggregate value of the shares of capital stock and shall certify this amount to the county commissioners and BC Appeal Tax Court. The shares held by state residents shall for local purposes be valued to the owners where they reside. But taxes levied for state or local purposes shall be collected from the corporation and charged to the accounts of the stockholders by the company.

### **Acts of 1878, Ch. 349**

An act to repeal and reenact Sec. 46 of Art. 29, Public General Laws, re tax collection, approved 4-1-1878

- Sec. 46: By petition to the county circuit courts or BC Superior Court any sheriff or collector of state and local taxes, who has failed to collect any taxes or fees within the time prescribed by law, may have the time extended which also may be renewed. Court clerks shall file such petitions and orders.

### **Acts of 1878, Ch. 494**

An act to repeal and reenact Secs. 3-5 and 10-13 of Acts of 1876, Ch. 179, re tax collection in BA,

approved 3-27-1876

- Sec. 3: BA Treasurer shall collect state and county taxes, take an oath before a judge of the circuit court, and execute two bonds.
- Sec. 5: County commissioners shall fill vacancies.
- Sec. 10: Provisions of Sec. 9 of Acts of 1876, Ch. 179 shall not apply to state taxes. Treasurer shall be available at least one day in each election district between August 1 and December 31 for receiving taxes and one day per week in BC for the same purpose.
- Sec. 11: Treasurer shall enter upon the books provided for in Sec. 6 of Acts of 1876, Ch. 179 all transfers of property sent from the circuit court clerk. In March after the annual levy the treasurer shall prepare and send bills for taxes that have not been paid, each with a notice that unless paid by June 1 the property will be sold. Constables shall deliver the bills and notices.
- Sec. 12: If real property can be divided and part of it would be enough to pay taxes and costs, the treasurer may have a surveyor divide the land. Treasurer shall give final notice that unless taxes are paid within thirty days the property will be sold. After twenty days public notice for real property and ten days for personal property, the properties shall be sold. The notices shall contain the time and place of sale, years for which taxes are due, to whom assessed, election district where the property is located, acreage if known, and reference and date of the deed.
- Sec. 13: Real property sales shall be reported to the circuit court which shall ratify them if provisions of this act are met. Treasurer shall retain from the sale proceeds the amounts of taxes, interest, and costs, report this to the circuit court, and pay any excess to the taxpayers. Taxpayers may redeem their real property within two years after the sale by paying the purchase price with interest to the purchaser.

### **Acts of 1880, Ch. 8**

An act to repeal Acts of 1878, Ch. 36, re land record abstracts in BA, approved 2-17-1880

- Sec. 1: Acts of 1878, Ch. 36, requiring abstracts of land records in BA is repealed.

### **Acts of 1880, Ch. 20**

An act to amend Sec. 151 of Art. 81, Public General Laws, re corporative taxes, approved 2-26-1880

- Sec. 151: Joint stock companies are added to the provisions of Acts of 1878, Ch. 178. A precise formula is given for the determination of taxable values of stock shares by the Tax Commissioner. Steam railroads shall be subject to an annual state tax based on a percentage of gross receipts. Real property and personal property of such railroad companies shall be subject to local taxes where the property is located. Where railroad companies are subject to the gross receipts state tax, their stock shares, real property, and personal property shall not be taxed for state purposes. Where the railroad real property and personal property is subject to local taxation, their stock shares shall be taxed for local purposes.

### **Acts of 1880, Ch. 196**

An act to add a subsection to Sec. 14 of Acts of 1878, Ch. 494, re tax collection in BA, approved 4-10-1880

- Sec. 14: BA Treasurer shall make a final settlement of county taxes with the county commissioners within two years from June 1 in the year the taxes were levied. Erroneous tax bills for which credit is claimed by the treasurer shall be presented within eighteen months. Officers or collectors now charged with balances of taxes due on the 1877 and 1878 levies shall make final settlement with the county commissioners and pay moneys to the treasurer within six months of passage of this act.

### **Acts of 1880, Ch. 207**

An act to add sections to Art. 20, Public Local Laws, re tax collection in SO, approved 4-14-1880

- Sec. 1: When lands are sold for the payment of delinquent taxes in SO according to state law, the collector shall report the sales to the circuit court for examination and ratification.
- Sec. 2: A taxpayer may redeem the property by paying into the circuit court, to be paid the purchaser, within twelve months after the sale the purchase money with interest and any subsequent taxes paid by the purchaser.
- Sec. 3: States attorney may purchase property at tax sales for the use of the county. The bid shall not exceed the amount of taxes and costs due.

### **Acts of 1880, Ch. 341**

An act to a section to Art. 3, Public Local Laws, re tax collection in BA, approved 4-10-1880

BA Board of County Commissioners have purchased property at tax sales and their authority to do so is doubted.

- Sec. 1: Past purchases of property at tax sales by the BA Board of County Commissioners are hereby declared valid.
- Sec. 2: Hereafter the BA county commissioners may bid on real property sold for taxes.
- Sec. 3: If the property is not redeemed, the county commissioners shall sell it at public sale.

### **Acts of 1882, Ch. 1**

An act to repeal Secs. 4-6 of Art. 10, Public Local Laws, re tax collection in DO, approved 2-6-1882

- Sec. 4: The DO Treasurer shall receive and disburse all moneys levied and collected for county purposes, receive state taxes from the tax collectors and pay them to the state treasury, keep a separate account of state and county taxes with each collector, make quarterly returns of amounts received to the county commissioners, and make monthly returns to the state comptroller. Treasurer shall give bond, to be recorded by the circuit court clerk.
- Sec. 5: In May 1882 the DO county commissioners shall appoint a county treasurer to serve until May 1884. In November 1883 and every four years thereafter the treasurer shall be elected and take office the next May 1. Vacancies shall be filled by the county commissioners.

- Sec. 6: Annually in May the county commissioners shall appoint a collector of state and county taxes for each election district.

### **Acts of 1882, Ch. 83**

An act to add sections to Art. 23, Public Local Laws, re tax collection in WI, approved 3-21-1882

- Sec. 1: When lands in WI are sold for the payment of taxes according to state law, the collector shall report the sales to the circuit court for ratification, as long as insufficient causes are shown.
- Sec. 2: A delinquent taxpayer may redeem property within twelve months after the sale by paying the purchaser the sale price, interest, and costs.
- Sec. 3: States attorney may bid for property at tax sales to protect the countys interest, provided the bid does not exceed the amount due.
- Sec. 4: Collectors shall proceed to sell property after taxes have been in arrears for one year.

### **Acts of 1882, Ch. 136**

An act to repeal and reenact Acts of 1880, Ch. 196, re tax collection in BA, approved 3-30-1882

- Sec. 14: BA Treasurer shall make a full settlement for county taxes at the end of the term of office, including credit for erroneous tax bills and insolvencies. The successor shall complete the collection.

### **Acts of 1882, Ch. 214**

An act to add sections to Art. 6, Public Local Laws, re tax collection in CA, approved 4-3-1882

- Sec. 1: CA Board of County Commissioners shall appoint a treasurer who shall also perform the duties of the clerk.
- Sec. 2: Treasurer shall be give bond, to be recorded by the circuit court clerk.
- Sec. 3: Treasurer shall take an oath.
- Sec. 4: Treasurer shall receive the taxes collected.

### **Acts of 1882, Ch. 342**

An act to add a section to Art. 81, Public General Laws, re corporative taxes, approved 5-3-1882

- Sec. 151A: Any corporation engaged in manufacturing in BC or a county where its tools and machinery have been exempt from local taxation, in addition to the returns required by Sec. 151, shall furnish the county commissioners and BC Appeal Tax Court with a statement of mechanical tools and machinery owned by the company and used in manufacturing. The county commissioners and BC Appeal Tax Court shall assess that property and send duplicate certificates of assessment to the corporations which shall send one copy to the Tax Commissioner. That official shall deduct the assessed value of the property from the aggregate value of the shares of capital stock.

## **Acts of 1884, Sec. 143**

An act re tax collection in WI, approved 3-27-1884

- Sec. 1: WI is divided into five collection districts: District 1 composed of Election Districts 1 and 10, District 2 composed of Election Districts 2-3, District 3 composed of Election Districts 7-8, District 4 composed of Election Districts 5 and 9, and District 5 composed of Election Districts 4 and 6.
- Sec. 2: Annually in April the county commissioners shall appoint a collector of state and county taxes for each collection district, who shall give two bonds, to be filed with the circuit court clerk.
- Sec. 3: Collectors shall collect and pay over state and county taxes to the proper officers and report all new and missed property liable to taxation to the county commissioners.
- Sec. 5: Clerk of the county commissioners shall be the county treasurer and receive the taxes from the collectors. Clerk shall open an account with each collector, charging each with the amount of the assessment in that particular district and other sums due the county and crediting each with amounts paid in.
- Sec. 6: Term of office of the clerk shall be the same of that of the county commissioners. Clerk shall give bond, to be filed with the circuit court clerk.
- Sec. 7: Annually by August 1 the clerk of the county commissioners shall deliver to each collector a copy of the assessment for that collection district with the rate of taxes and aggregate amount to be collected.
- Sec. 8: County taxes shall be due and payable on September 1 and discounts shall be allowed until December 1.
- Sec. 9: Collectors shall attend for ten days in September through December for receiving taxes.
- Sec. 10: Collectors shall pay county taxes monthly to the clerk of the county commissioners.
- Sec. 12: On January 1 taxes shall be in arrears and shall bear interest from then. Collectors shall prepare and send to each delinquent taxpayer a statement showing the amount due with a notice that unless the taxes are paid by December 1, the property will be sold. Collectors shall sell personal property after giving ten days notice. With real property a collector shall summon the county surveyor and two appraisers to value the land and lay off an amount, if divisible, sufficient to pay taxes, interest, and costs. Upon return of the plat and appraisal and after giving public notice, the circuit court shall order the collector to sell the land. A sale made under such a court order shall be final, provided the deed and plat are recorded within six months. Surplus proceeds shall be paid to the delinquent taxpayer.

## **Acts of 1884, Ch. 260**

An act to add a section to Art. 81, Public General Laws, re assessments, approved 4-8-1884

- Sec. 153A: Before increasing an assessment or adding new property not valued or returned by an assessor or tax collector, the county commissioners and BC Appeal Tax Court, after giving five days notice, shall notify the owner by a written summons including interrogatories and setting a day for written or oral responses. If the owner fails to appear, the local body shall change or add the valuation based on their own information.

## **Acts of 1886, Ch. 39**

An act to repeal Secs. 4-6 of Art. 10, Public Local Laws, re tax collection in DO, approved 3-18-1886

- Sec. 4: The DO Treasurer shall receive and disburse all moneys levied and collected for county purposes, receive state taxes from the tax collectors and pay them to the state treasury, keep a separate account of state and county taxes with each collector, make quarterly returns of amounts received to the county commissioners, and make monthly returns to the state comptroller. Treasurer shall give bond, to be recorded by the circuit court clerk.
- Sec. 5: In December 1887 and biennially thereafter the DO county commissioners shall appoint a county treasurer whose term of office shall begin on January 1.
- Sec. 6: Annually in May the county commissioners shall appoint a collector of state and county taxes for each election district.

## **Acts of 1886, Chs. 237 & 238**

An act re tax collection in PG, approved 4-7-1886

Sureties of the late treasurer applied to the PG Circuit Court which appointed a trustee to complete the tax collections.

- Sec. 1: The equity proceedings and orders of the PG Circuit Court in this matter are hereby ratified.

## **Acts of 1886, Ch. 243**

An act to repeal and reenact Sec. 12 of Acts of 1884, Ch. 143, re tax collection in WI, approved 4-7-1886

- Sec. 12: On January 1 taxes shall be in arrears and shall bear interest from then. Collectors shall prepare and send to delinquent taxpayers a statement showing the amount due with a notice that unless the taxes are paid by July 1, the property will be sold. Collectors shall sell personal property after giving ten days notice. With real property a collector shall summon the county surveyor and two appraisers to value the land and lay off an amount, if divisible, sufficient to pay taxes, interest, and costs. Upon return of the plat and appraisal and after giving public notice, the circuit court shall order the collector to sell the land. A sale made under such a court order shall be final, provided the deed and plat are recorded within six months. Surplus proceeds shall be paid to the delinquent taxpayer.

## **Acts of 1886, Ch. 488**

An act re commission to study taxation, approved 4-7-1886

- Sec. 1: Governor shall appoint four persons who shall elect a fifth member as secretary. They shall make up the Maryland Tax Commission and hold office for two years.
- Sec. 2: The commission shall investigate systems of state, county, and municipal taxation including direct and indirect taxation, licenses, taxes, valuations and assessments, and collections in Maryland and other states.



- Sec. 3: The commission shall present its report with recommendations to the next General Assembly.

## **Acts of 1888, Ch. 21**

An act to repeal Sec. 3 of Acts of 1880, Ch. 207, re tax collection in SO, approved 2-15-1888

- Sec. 1: Sec. 3 of Acts of 1880, Ch. 207, re tax sale purchases by SO States Attorney, repealed.

## **Acts of 1888, Ch. 137**

An act to repeal and replace Acts of 1880, Ch. 207, re tax collection in SO, approved 3-23-1888, effective 1-1-1889

- Sec. 1: SO is divided into four collection districts: District 1 composed of Princess Anne, Dublin, Fairmount, and Mount Vernon Election Districts; District 2 composed of St. Peters, Dames Quarter, and Tangier Election Districts; District 3 composed of Brinkleys, Lawson, and Crisfield Election Districts; and District 4 composed of Smiths Island Election District.
- Sec. 2: Annually in April the county commissioners shall appoint a collector of state and county taxes for each collection district, who shall give two bonds, to be filed with the circuit court clerk.
- Sec. 3: Collectors shall collect and pay to the proper officers all state and county taxes and shall report to the county commissioners all new and missed property liable to taxation.
- Sec. 5: County commissioners in April 1889 shall appoint a clerk who shall serve one year. Thereafter the clerks term shall be two years. County commissioners shall fill vacancies. Clerk shall give bond, to be filed with the circuit court clerk. Clerk shall also be the county treasurer and as such shall receive all moneys due the county and disburse funds on order of the county commissioners. Clerk shall maintain an account with each collector, showing the total amount of the assessment in the district, crediting amounts paid in, making settlements, and reporting any defaults to the county commissioners. In making settlements with the collectors the clerk shall not allow any delinquencies and insolvencies without an order from the county commissioners.
- Sec. 7: Annually by August 1 the clerk shall deliver to each collector a copy of the assessment for that collection district, showing the rate of taxation and the aggregate amount to be collected.
- Sec. 8: Discounts shall be given on county taxes paid before December 1.
- Sec. 9: County commissioners shall select ten days prior to the first days of September, October, November, and December for collectors to sit for receiving taxes and shall designate the sites.
- Sec. 10: Monthly the collectors shall pay taxes received to the clerk.
- Sec. 11: Collectors may receive any part of the levy list as payment of taxes.
- Sec. 12: On January 1 taxes shall be deemed in arrears and bear interest from that date. Collectors shall prepare for each delinquent taxpayer a statement showing the amount due with a notice that unless taxes are paid by December 1, the property will be sold. For taxes not paid by then the collectors, after giving ten days public notice, shall sell the personal property of the delinquent taxpayers. When there is no personal property, the collectors shall summon the county surveyor and two appraisers to value and lay off sufficient real property to pay the taxes, interest, and costs. The plat and appraisal shall be returned to the circuit which shall order the collector to sell the land. Property owners may petition on good cause to the circuit court to set aside the sale. If

the land is indivisible, all shall be sold. The deed and plat shall be recorded within six months.

### **Acts of 1888, Ch. 357**

An act re industry in WI, approved 4-5-1888

- Sec. 1: WI Board of County Commissioners, for the encouragement of growth and development of manufacturing and upon application of the firm, abate all taxes in a given year that may be levied for county or school purposes on machinery and equipment. County commissioners shall maintain a record of the abatements and annually publish a list of them.

### **Acts of 1888, Ch. 502**

An act re treasurer in PG, approved 4-5-1888

- Sec. 1: PG Treasurer shall be ineligible for reelection until after the interval of one full term.
- Sec. 2: Treasurer shall fully account for tax collections with the county commissioners within eighteen months from the date of the levy.

### **Acts of 1888, Ch. 515**

An act to repeal Secs. 30-32, 35-36, 42, 48-52, 66-67, and 81 of Art. 81, Public General Laws, as far as they relate to GA, and to repeal and reenact Secs. 71-75 of Acts of 1878, Ch. 108, re tax collection in GA

- Sec. 2: GA Board of County Commissioners shall biennially in April appoint a county treasurer who shall be the collector state and county taxes.
- Sec. 3: Treasurer shall take an oath and give two bonds, to be recorded by the circuit court clerk. County commissioners shall fill vacancies.
- Sec. 4: Treasurer shall attend in each election district two days between July 1 and September 1 to collect and receive taxes.
- Sec. 5: County commissioners shall make the annual levy for taxes in mid April. Discounts shall be given on county taxes paid by October 1. Those unpaid on December 31 shall be in arrears and be charged with interest from August 1.
- Sec. 6: Within ten days after the levy the clerk of the county commissioners shall deliver to the treasurer a copy of the assessment lists showing the aggregate assessment for every taxpayer with their names arranged alphabetically for each election district.
- Sec. 7: Treasurer shall prepare and send a tax bill to each taxpayer.
- Sec. 10: In the first week of December the treasurer shall publish a list of delinquent taxpayers showing their names, amounts of assessments, and amounts of taxes due and a notice that unless taxes are paid by January 1, payment will be enforced by the sale of property.
- Sec. 11: If taxes are due on real property or on real property and personal property, the treasurer may sell either. When real property is divisible, the treasurer may have a surveyor divide it and sell part of the tract, or may sell the entire parcel.
- Sec. 12: Treasurer shall advertise the tax sales showing time, terms, place of sale, years for which taxes are due, names of owners, election districts where located, and descriptions.

- Sec. 13: When necessary to sell personal property, the treasurer shall prepare a tax bill with an order to the sheriff to sell the property. Sheriff shall pay the amount of the tax bill to the treasurer after the sale.
- Sec. 14: Sales of real property shall be reported to the circuit court for ratification. If the sale is set aside, the treasurer shall make a new sale within thirty days. After ratification and payment of purchase money, the treasurer shall execute a deed.
- Sec. 16: Treasurer shall ascertain information about all property liable to taxation and not included in the last revised assessment, including improvements and newly created or acquired property, and make a return to the county commissioners who may revise or correct the valuations.
- Sec. 17: Treasurer shall pay state taxes per state law to the state treasury. The county treasurer shall be allowed two years to complete the collection and to make final settlement with the county commissioners and State Treasurer. At the end of the term of office or at final settlement, the county commissioners may direct the successor to complete the collections.
- Sec. 20: Land sold at a tax sale may be redeemed by the taxpayer within six months of the sale by paying the purchase price with interest into the circuit court, to be paid to the purchaser.

### **Acts of 1890, Ch. 137**

An act to repeal and reenact Secs. 90, 116, and 181 of and to add sections to Art. 17, Public Local Laws, re land records and tax collection in PG, approved 3-21-1890

- Sec. 85A: Annually in January the circuit court clerk in PG shall deliver to the county commissioners a list of transfers of real property by deed or court decree. The list shall include for each item the dates of execution and recording, consideration, names of grantors and grantees, location of the land, name of the land and acreage, nature of the transfer, and reference.
- Sec. 90: After the annual levy the clerk of the county commissioners shall prepare an assessment and levy book for each election district, containing the names of the taxpayers and for each person a description of the property, valuations, rate of state and county taxes, and amounts of the taxes.
- Sec. 116: Treasurer shall be the collector of state and county taxes.
- Sec. 116A: Taxes not paid by July 1 shall bear interest and ones not paid by November 1 shall have an added penalty. If taxes are unpaid after December 1, the treasurer shall levy on the personal property of the taxpayer and, after giving notice as required in cases of the sale of personal property upon execution, shall sell the property at public sale.
- Sec. 116B: Annually in January the treasurer shall prepare and publish a list of taxes in default and not collected from personal property. The list shall contain the names of taxpayers, locations of the land, tract names, deed references, and amount of taxes, interest, and penalties due. Appended shall be a notice that unless the amounts due are paid by early March the treasurer shall sell the real property.
- Sec. 116D: Upon payment of the purchase money at the sale the treasurer shall execute to the purchaser a certificate of sale. The taxpayer may redeem the property within two years of the sale by paying the treasurer the purchase price with interest. Otherwise, the treasurer shall execute a deed to the purchaser.

- Sec. 116E: Treasurer shall report tax sales of real property to the circuit court, which shall include all documentation.
- Sec. 116G: Treasurer shall report monthly to the county commissioners on taxes collected and sales of personal property. The latter shall show the taxpayers names, sale prices, and costs.

### **Acts of 1890, Ch. 203**

An act to add sections to Art. 15, Public Local Laws, re tax collection in KE, approved 3-25-1890

- Sec. 87A: KE Board of County Commissioners shall biennially in April appoint a treasurer, someone other than their clerk, who shall collect state and county taxes and assess all new and unassessed property. Treasurer shall give two bonds, to be recorded by the circuit court clerk.
- Sec. 87B: For two days in September and one day each in October and November the treasurer shall sit at the principal town in each election district for receiving taxes. Treasurer shall report monthly to the county commissioners on the amount of taxes collected and deliver the state taxes for forwarding to the state treasury.
- Sec. 87C: On January 1 taxes shall be deemed in arrears and interest charged from September 1. Treasurer shall deliver to each delinquent taxpayer an account of the assessment and taxes and interest due with a notice that unless payment is made within thirty days, taxes will be collected by process of law. Treasurer may at any time between January 1 and April 1 sell the property of delinquent taxpayers under provisions of state law. All tax bills unpaid on April 1 shall be given to the sheriff for collection. Sheriff may sell property under powers given collectors in state law. By June 1 the sheriff shall report and pay over to the treasurer amounts collected. Treasurer shall make a final accounting with the state treasury and county commissioners by early June. After being allowed for insolvencies, the treasurer shall close the tax account for the previous year.

### **Acts of 1890, Ch. 382**

An act tax sales in PG, approved 4-3-1890

Because of "loose and evil modes" of former years re tax collections and financial matters in PG, it may work hardship on taxpayers to enforce payment of this years taxes so early.

- Sec. 1: In regard to the enforcement of the payment of taxes levied in March 1890, the publication of delinquent taxes in PG, required by Sec. 116B of Art. 17, Public Local Laws, to be made in January 1891, shall be made instead in March and the sales in May.

### **Acts of 1890, Ch. 543**

An act tax collection in WO, approved 4-8-1890, effective 4-1-1892

- Sec. 1: WO is divided into three collection districts: District 1 composed of Election Districts 3, 5, and 9; District 1 composed of Election Districts 2, 4, 6, and 8; and District 3 composed of Election Districts 1 and 7.
- Sec. 2: Annually in April the county commissioners shall appoint a collector of state and county taxes for each collection district, who shall give two bonds, to be recorded by the circuit court

clerk.

- Sec. 3: Collectors shall collect and pay over to the proper officers all state and county taxes and report to the county commissioners all unassessed property liable to taxation.
- Sec. 5: Clerk of the county commissioners shall be the county treasurer and receive all county taxes collected. Clerk shall keep an account with each collector, showing the amounts levied in that collection district and other moneys due the county and the credits for amounts paid in.
- Sec. 6: Clerk of the county commissioners shall give bond, to be recorded by the circuit court clerk.
- Sec. 7: Annually by August 1 the clerk of the county commissioners shall deliver to each collector a copy of the assessment for that collection district, showing the tax rate and aggregate amount to be collected.
- Sec. 9: On January 1 unpaid taxes shall be in arrears and bear interest from then. Collectors shall enforce payment according to state law.
- Sec. 13: County commissioners shall fill vacancies among the collectors.

### **Acts of 1892, Ch. 211**

An act to add sections to Art. 6, Public Local Laws, re tax collection in CA, approved 3-31-1892

- Sec. 68A: CA Treasurer shall collect all state and county taxes and assess all new and unassessed property.
- Sec. 68B: For two days in September and one day each in October and November the treasurer shall attend in each election district at the principal town to receive and collect taxes. Treasurer shall monthly report to the county commissioners on amounts of state and county taxes collected and deliver to them for forwarding to the state treasury a check for the amount of the state taxes.
- Sec. 68C: On January 1 taxes shall be deemed in arrears and interest shall be charged from September 1. After January 1 the treasurer shall deliver to each delinquent taxpayer an account of the assessment and taxes and interest due with a notice that unless payment is made within thirty days the taxes will be collected by process of law. At any time between January 1 and April 1 the treasurer may sell the property according to provisions of the Public General Laws. All tax bills unpaid on April 1 shall be given to the sheriff who shall sell property as do tax collectors under provisions of the Public General Laws. Sheriff shall report and pay to the treasurer by June 1 all taxes collected. Treasurer shall make the final accounting with the state treasury and county commissioners annually in early June.
- Sec. 68D: Discounts shall be given on taxes paid by December 1.

### **Acts of 1892, Ch. 418**

An act to repeal and reenact sections of Art. 16, Public Local Laws, re tax collection in MO, approved 4-7-1892

- Sec. 64: Duties of the clerk of the MO Board of County Commissioners shall include the following. The clerk shall receive and deliver either in person or through tax collectors all moneys levied and collected for county purposes, according to orders of the county commissioners. The clerk shall keep a separate account of the state and county taxes with each

collector. An order to pay a creditor of the county may be accepted by the collectors in payment of taxes. After the annual levy, the clerk shall prepare for each collection district an alphabetical list of taxpayers, showing the amounts of the assessments and state and county taxes due. The clerk shall keep records of which taxpayers have paid their taxes and what amount of interest, if any, has been collected. Monthly the clerk shall forward state taxes to the state treasury.

- Sec. 219: Monthly the tax collectors shall pay to the clerk of the county commissioners the state and county taxes collected by them.
- This act shall take effect with the 1892 levy.

### **Acts of 1892, Ch. 577**

An act to add a section to Art. 81, Public General Laws, re tax sales, approved 4-7-1892

- Sec. 63A: On final ratification of a sale of real property made by a tax collector or other authorized person and after the period allowed for redemption, the circuit court clerks shall record and index the proceedings.

### **Acts of 1892, Ch. 704**

An act re tax on distilled spirits, approved 4-11-1892

- Sec. 1: A personal property tax shall be levied on distilled spirits.
- Sec. 2: Annually on January 1 distillers and warehouse owners shall report the amount of spirits on hand to the Tax Commissioner.
- Sec. 3: The Tax Commissioner shall value the spirits separately from any shares of capital stock. The commissioner shall send a copy of the valuations to the county commissioners and BC Appeal Tax Court where the distilleries and warehouses are located. All such spirits shall be subject to local taxation.
- Sec. 4: Distillers shall make quarterly reports to the Tax Commissioner in January, April, July, and October on deliveries during the preceding quarter. Tax Commissioner shall send a copy to the county commissioners and BC Appeal Tax Court where the distilleries are located. Distillers shall also send a copy of the reports to the collector of state and local taxes with a remittance of the tax.
- Sec. 9: Reports and returns shall describe spirits by name, serial number, and dates.

### **Acts of 1894, Ch. 75**

An act tax collection in TA, approved 3-14-1894

- Sec. 1: Annually in April the TA Board of County Commissioners shall appoint five collectors of state and county taxes, one per collection district: District 1 composed of Election District 1 and Easton prior to the boundary change, District 2 composed of Election District 3 and Trappe prior to the boundary change, District 3 composed of Election District 4 and Chapel, District 4 composed of Election District 2 and St. Michaels, and District 5 composed of Election District 5 and Bay Hundred.

- Sec. 3: On January 1 taxes shall be deemed in arrears and be charged with interest. In January collectors shall deliver to each delinquent taxpayer an account of the assessment and taxes due. If payment is not made by June 15, the collectors shall publish a list of the delinquent taxpayers and the amount due by each. For taxes not paid in ninety days, the collectors shall sell personal property or real property per procedures in state law.

### **Acts of 1894, Ch. 292**

An act to repeal Secs. 87A-87E of Art. 15, Public Local Laws, and enact a new subsection, re tax collection in KE, approved 4-6-1894, effective 6-1-1894

- Sec. 222: In November 1895 and biennially thereafter a KE Treasurer shall be elected and take office the next June 1. Treasurer shall collect state and county taxes and assess all new and unassessed property. Treasurer shall give two bonds, to be recorded by the circuit court clerk.
- Sec. 223: For two days in September and one day each in October and November the treasurer shall sit at the principal town in each election district for receiving taxes. Treasurer shall report monthly to the county commissioners on the amount of taxes collected and deliver the state taxes for forwarding to the state treasury.
- Sec. 224: On January 1 taxes shall be deemed in arrears and interest charged from September 1. Treasurer shall deliver to each delinquent taxpayer an account of the assessment and taxes and interest due with a notice that unless payment is made within thirty days, taxes will be collected by process of law. Treasurer may at any time between January 1 and April 1 sell the property of delinquent taxpayers under provisions of state law. All tax bills unpaid on April 1 shall be given to the sheriff for collection. Sheriff may sell property under powers given collectors in state law. By June 1 the sheriff shall report and pay over to the treasurer amounts collected. Treasurer shall make a final accounting with the state treasury and county commissioners by early June. After being allowed for insolvencies, the treasurer shall close the tax account for the previous year.
- Sec. 225: Governor shall fill vacancies for the county treasurer.

### **Acts of 1894, Ch. 353**

An act to repeal and reenact Sec. 68C of Art. 6, Public Local Laws, re tax collection in CA, approved 4-6-1894

- Sec. 68C: On January 1 taxes in CA shall be deemed in arrears and interest shall be charged from September 1. After January 1 the treasurer shall deliver to each delinquent taxpayer an account of the assessment and taxes and interest due with a notice that unless payment is made within thirty days the taxes will be collected by process of law. At any time between January 1 and March 1 the treasurer may sell the property according to provisions of Public General Laws. All tax bills unpaid on March 1 shall be given to the sheriff who shall sell property as do tax collectors under provisions of Public General Laws, after giving thirty days notice. Sheriff shall report and pay to the treasurer by June 1 all taxes collected. Treasurer shall make the final accounting with the state treasury and county commissioners annually in early June.

## Acts of 1894, Ch. 357

An act re manufacturing plants in SM, approved 4-6-1894

- Sec. 1: For the encouragement of industry in SM, upon the application of any individual, firm, or corporation engaged in manufacturing in the county, the county commissioners are authorized and directed to abate county taxes for ten years, beginning from the day the plant opens, on tools, implements, or machinery. Applications shall be made and verified before the annual revision and correction of the tax list. County commissioners shall keep a record of such abatements. This act shall not permit the abatement of state taxes.
- Sec. 2: This act shall not authorize the abatement of taxes levied on real or leasehold property.

## Acts of 1894, Sec. 398

An act to repeal and reenact Secs. 94-112 of Art. 23, Public Local Laws, re tax collection in WI, approved 4-6-1894

- Sec. 94: WI is divided into five collection districts: District 1 composed of Election Districts 1 and 10, District 2 composed of Election Districts 2-3, District 3 composed of Election Districts 7-8, District 4 composed of Election Districts 5 and 9, and District 5 composed of Election Districts 4 and 6.
- Sec. 95: Annually in April the county commissioners shall appoint a collector of state and county taxes for each collection district, who shall give two bonds, to be filed with the circuit court clerk.
- Sec. 96: Collectors shall collect and pay over state and county taxes to the proper officers and report all new and missed property liable to taxation to the county commissioners.
- Sec. 98: Collectors shall attend for ten days in September through December for receiving taxes.
- Sec. 99: Collectors shall monthly pay county taxes to the clerk of the county commissioners.
- Sec. 102: County taxes shall be due and payable on September 1 and discounts shall be allowed until December 1.
- Sec. 103: On January 1 taxes shall be in arrears and shall bear interest from then. Collectors shall prepare and send to delinquent taxpayers a statement showing the amount due with a notice that unless the taxes are paid by August 1, the taxes shall be collected by process of law. Collectors shall sell personal property after giving ten days notice. With real property a collector shall summon the county surveyor and two appraisers to value the land and lay off an amount, if divisible, sufficient to pay taxes, interest, and costs. Collector shall file the plat and appraisal with the circuit court which shall order a sale. All sales shall be reported to the circuit for ratification. Surplus proceeds shall be paid to the delinquent taxpayer.
- Sec. 104: A delinquent taxpayer may redeem property within twelve months after the sale by paying the purchaser the sale price, interest, and costs.
- Sec. 105: If necessary, the county commissioners may bid on property at tax sales, provided the bid does not exceed the amount due, and then sell the property.
- Sec. 106: The circuit court ratification of a tax sale may be appealed to the Court of Appeals.
- Sec. 108: Clerk of the county commissioners shall be the county treasurer and receive the taxes from the collectors. Clerk shall open an account with each collector, charging each with the amount of the assessment in that particular district and other sums due the county and crediting



each with amounts paid in. Clerk shall be elected at the general election in November 1895 and every two years thereafter.

- Sec. 109: Clerk shall give bond, to be filed with the circuit court clerk.
- Sec. 111: Annually by August 1 the clerk of the county commissioners shall deliver to each collector a copy of the assessment for that collection district with the rate of taxes and aggregate amount to be collected.

### **Acts of 1894, Ch. 578**

An act to repeal and reenact Sec. 213-226 of Art. 20, Public Local Laws, re tax collection in SO, approved 4-6-1894, effective 7-1-1894

- Sec. 213: Voters in SO shall elect in November 1895 and every two years thereafter a county treasurer and collector of state and county taxes who shall hold office from July 1. Treasurer shall collect all taxes and disburse county funds by order of the county commissioners. Person named in this act shall hold office until July 1, 1896. County commissioners shall fill vacancies.
- Sec. 214: Treasurer shall give two bonds, to be recorded by the circuit court clerk.
- Sec. 215: Treasurer shall sit in the principal town or public place in each election district for two days in October and one day each in November and December for receiving taxes. Monthly the treasurer shall report to the county commissioners the amount of taxes received and shall forward the state taxes to the state treasury.
- Sec. 216: On January 1 taxes shall be deemed in arrears and shall be charged with interest from October 1. Treasurer shall deliver to each delinquent taxpayer an account of the assessment and taxes and interest due with a notice that unless payment is made within sixty days, the amount due will be collected by process of law. All tax bills unpaid on April 1 shall be given to the sheriff who shall sell property of the delinquent taxpayers per provisions of state law. Sheriff shall report and pay to the treasurer by July 1 all taxes so collected. Treasurer shall make the final account with the state treasury and county commissioners in July and, after being allowed for insolvencies, close the tax accounts for the previous year. Provisions of this section shall not apply to estates in the hands of trustees, executors, or administrators or otherwise in custodia legis. Taxes on such property shall become demandable only when the estates are ready for distribution.
- Sec. 218: Discounts shall be given on taxes paid by December 1.

### **Acts of 1896, Ch. 120**

An act to repeal and reenact sections of and add new ones to Art. 81, Public General Laws, re assessments, approved 3-30-1896

- Sec. 146: A state franchise tax is hereby levied annually on gross receipts of all steam railroad companies. Formula specified in the act. A franchise tax shall also be imposed on gross receipts or earnings of telegraph or cable, express or transportation, telephone, parlor car, sleeping car, safe deposit, trust, guarantee and fidelity, oil pipe line, title insurance, electric light, electric construction, gas, guano, phosphate, and fertilizer companies. Reports on gross earnings shall be sent to the Tax Commissioner.

- Sec. 146A: Mortgagees or assignees holding mortgages shall annually pay a tax on the gross amount of interest, to be collected by local tax collectors. 25% of the taxes shall go to the state and 75% to the counties and BC. If a mortgage is recorded in two jurisdictions, the tax shall be paid where the greater portion of the property is located.
- Sec. 146B: Hereafter, covenants requiring mortgagors to pay taxes on the mortgage debt or interest shall be unlawful. Where such covenants already exist, the mortgagor shall pay the tax specified in Sec. 146A and have it deducted from the tax on the property covered by the mortgage.
- Sec. 146E: After passage of this act, the clerks of the county circuit courts and BC Superior Court shall send the county commissioners and BC Appeal Tax Court a list of all unreleased mortgages, giving for each the names of the mortgagee and mortgagor, location of the property, date of execution, time of expiration, amount of the mortgage, and rate of interest. Thereafter the clerks shall prepare and send monthly a list of mortgages recorded, released, and assigned during the previous month. If a mortgagee does not pay the tax, the collector may seize and sell the interest in the mortgage.
- Sec. 164: Jurisdictions are divided into assessment districts. For counties not listed the entire county is an assessment district.
  - AL - Assessment District 1 composed of Election Districts 1-4, 16, and 21-23; District 2 composed of Election Districts 5-7, 13-14, 17, 20, and 24; and District 3 composed of Election Districts 8-12, 15, 18-19, and 25
  - AA - Assessment District 1 composed of Annapolis, District 2 composed of Election Districts 1-2 and 8, and District 3 composed of Election Districts 3-5
  - BC - each of the 22 wards a separate Assessment District
  - BA - Assessment District 1 composed of Election Districts 1 and 13, District 2 composed of Election Districts 2-4, District 3 composed of Election District 5-7 and 10, District 4 composed of Election Districts 8-9, and District 5 composed of Election Districts 11-12
  - CR - Assessment District 1 composed of Election Districts 1-2, 10, and 12; District 2 composed of Election Districts 3, 7, and 11; District 3 composed of Election Districts 4, 6, and 8; and District 4 composed of Election Districts 5, 9, and 13
  - DO - Assessment District 1 composed of Election Districts 1-3 and 11-15 and District 2 composed of Election Districts 4-10 and 16
  - FR - Assessment District 1 composed of Election District 2; District 2 composed of Election Districts 3 and 12; District 3 composed of Election Districts 1, 7, and 14; District 4 composed of Election Districts 8-9 and 18; District 5 composed of Election Districts 11, 17, and 19; District 6 composed of Election Districts 4-5 and 15; District 7 composed of Election Districts 13 and 20-21; and District 8 composed of Election Districts 6, 10, and 16
  - MO - Assessment District 1 composed of Election Districts 1, 5, 8, and 13; District 2 composed of Election Districts 4, 6-7, and 10; and District 3 composed of Election Districts 2-3, 9, and 11-12
  - PG - Assessment District 1 composed of Election Districts 1, 10, and 14; District 2 composed of Election Districts 2, 7, and 13; District 3 composed of Election Districts 3 and 6; District 4 composed of Election Districts 4, 8, and 11; and District 5 composed of Election Districts 5, 9, and 12

- SM - Assessment District 1 composed of Election Districts 1-2, 6, and 8-9 and District 2 composed of Election Districts 3-5 and 7
- WA - Assessment District 1 composed of Election District 4, 5, and 15; District 2 composed of Election Districts 2, 13, and 23; District 3 composed of Election Districts 3 and 21; District 4 composed of Election Districts 17 and 22; District 5 composed of Election Districts 7, 9, 14, and 18; District 6 composed of Election Districts 6, 10, and 16; and District 7 composed of Election Districts 1, 8, and 11; District 8 composed of Election Districts 12 and 19-20; and District 9 composed of Election Districts 24-25
- Sec. 166: For each assessment district in the counties the governor shall appoint two assessors at large, one from each of the two major political parties. For each election district the county commissioners shall appoint one assessor. These three shall assess property in each election district at a time determined by the assessors at large. For BC the governor shall appoint 198 assessors, one for each precinct. They shall be organized by the Appeal Tax Court into groups of three and assigned to their precincts for assessment at a time determined by the Appeal Tax Court. For BC the governor shall appoint three members to each of six boards of control and review - No. 1 composed of Wards 1-4, No. 2 composed of Wards 5-8, No. 3 composed of Wards 9-12, No. 4 composed of Wards 13-14 and 19-20, No. 5 composed of Wards 15-18, and No. 6 composed of Wards 21-22. One member of each board shall belong to a major political party. Revision of assessments and appeals from assessors valuations shall be taken to the county commissioners and BC boards of control and review.
- Sec. 167: Each board of county commissioners sitting as a board of control and review may appoint a clerk in addition to their regular clerk. Each BC board may appoint two clerks.
- Sec. 168: Governor shall have the power to remove for just cause any assessor or member of a board of control and review appointed by him and to fill any vacancies. County commissioners shall have the same powers as the assessors and clerks they appoint.
- Sec. 169: Members of the BC boards of control and review, assessors, and clerks shall take an oath, to be filed with the county commissioners or BC Appeal Tax Court within ten days of appointment.
- Sec. 171: Tax Commissioner shall prepare instructions for the assessors, boards of control and review, and clerks. Tax Commissioner shall prepare a form or schedule for property subject to taxation, to which may be added interrogatories to secure full disclosure of property.
- Sec. 172: Assessors shall meet on the first Tuesday in June 1896 in order to begin duties.
- Sec. 173: Assessors shall deliver to each property owner in their assessment district the schedules and interrogatories with a notice to have them completed within twenty days. Each taxable person shall include on the schedule the tract or parcel name, acreage, value per acre, descriptions such as title papers or equity proceedings, value of improvements, for city lots the location and front footage and value per front foot and house numbers if used, and list of personal property. Taxable persons include partnerships, corporations, trustees, administrators, guardians, committees of lunatics, or agents. If an assessor fails to call upon a person owning personal property liable to taxation, that person shall report to the assessor and complete a schedule. If that person does not contact an assessor, the assessors shall value the property based on obtainable information.
- Sec. 174: When returning the schedules, the taxable persons shall make an affidavit.

- Sec. 175: This oath shall be made before an assessor or other authorized person.
- Sec. 178: Assessors shall examine the returned schedules and determine and settle the value of each item. Assessors shall personally inspect all real property in their assessment districts. When assessors assign a higher value than the amount shown on the returned schedule, they shall notify the property owner who will have twenty days to file a notice of appeal with the county commissioners acting as boards of control and review or the BC boards of control and review. If no notice is filed, the valuation shall be final upon the personal property except for possible changes by the county commissioners or BC Appeal Tax Court. Permanently located personal property shall be valued and assessed in the assessment district where it is located.
- Sec. 179: Prior to filing their returns, assessors may make corrections, if property has been omitted or improperly assessed.
- Sec. 180: If anyone fails to complete a schedule required by Sec. 173, the assessor who provided the form shall assess and value the property, from which act there shall be no right of appeal.
- Sec. 181: When valuations are completed, assessors for each assessment district shall prepare a return showing the names of owners, listing properties as shown on the schedules, and giving valuations. Returns shall include property claimed to be exempt from taxation and its value. Returns shall be delivered to the county commissioners and BC boards of control and review, along with the schedules and all books, documents, and papers used by the assessors.
- Sec. 182: County commissioners acting as boards of control and review and BC boards of control and review shall give two weeks notice prior to the 2nd Tuesday in September, or if the governor has extended the time for completion of the assessment, two weeks prior to that date. The boards shall examine assessors' returns and hear and determine appeals taken according to Sec. 178. Boards may lessen or increase valuations, assess omitted property, and determine the status of property claimed to be exempt. Corrections may be made whether or not an appeal has been made. When increasing a valuation or assessing omitted property, the board shall give ten days notice and direct the owner to appear and show why the action should not be taken.
- Sec. 183: Boards of control and review shall record an account of all properties within their county or in BC within their assessment district, showing the name of each owner in each election district or BC ward, arranged alphabetically in the counties and by assessment order in BC. After the name of each owner shall be listed, properties and values as specified in Sec. 173. Boards shall prepare indexes of persons' names and return the books, indexes, and lists to the county commissioners and BC Appeal Tax Court not later than sixty days after beginning the review of assessors' returns.
- Sec. 184: A person to whom property has been assessed and who disclaims ownership or claims exemption may file a petition with the county circuit court or BC Court within thirty days after the return made by the board of control and review or within thirty days after being notified about the valuation. Defendants shall be the county commissioners or BC Appeal Tax Court.
- Sec. 185: If boards of control and review fail to assess any property, the Tax Commissioner shall direct the county commissioners or BC Appeal Tax Court to do so, after giving notice to the owner. If they fail to give notice, the Tax Commissioner shall file a petition in the county circuit court or BC Court against the county commissioners or BC Appeal Tax Court.
- Sec. 186: Any party to the proceedings authorized by Secs. 184-185 may appeal the court decision to the Court of Appeals.

- Sec. 187: Tax Commissioner shall supervise the conduct and proceedings of the assessors, boards of control and review, and clerks and report to the governor all instances of neglect or dereliction of duty.
- Sec. 190: County commissioners and BC Appeal Tax Court shall prepare condensed statements of property valuations and deliver them to the Tax Commissioner who shall collate them and report to the next General Assembly.
- Sec. 192: County commissioners and BC Appeal Tax Court shall biennially revise assessments by lowering or increasing valuations and adding omitted property after giving five days notice. They shall require also a biennial listing of personal property by owners, following specifications in Secs. 173-174. County commissioners and BC Appeal Tax Court may provide the necessary assessors and clerks to accomplish this biennial listing of personal property. In BC the police force shall deliver the forms.
- Sec. 193: Governor may appoint additional assessors for BC in 1896, if deemed necessary.
- Sec. 194: Bonds, certificates of indebtedness or evidences of debt, and shares of stock shall be assessed and valued.

### **Acts of 1896, Ch. 177**

An act to add sections to Art. 11, Public Local Laws, re tax collection in FR, approved 4-2-1896

- Sec. 451A: In November 1897 and every two years thereafter a FR Treasurer shall be elected to hold office from January 1. The treasurer shall be the collector of state and county taxes. County commissioners shall fill vacancies.
- Sec. 451B: Treasurer shall give two bonds, one to be recorded by the circuit court clerk and the other filed with the state comptroller.
- Sec. 451C: Treasurer shall take an oath.
- Sec. 451D: All powers and duties exercised by the FR tax collectors shall be exercised by the FR Treasurer.

### **Acts of 1896, Ch. 291**

An act to repeal and reenact Sec. 216 of Art. 20, Public Local Laws, re tax collection in SO, approved 4-6-1896, effective 7-1-1896

- Sec. 216: On January 1 taxes in SO shall be deemed in arrears and shall be charged with interest from October 1. Treasurer shall deliver to each delinquent taxpayer an account of the assessment and taxes and interest due with a notice that unless payment is made within sixty days, the amount due will be collected by process of law. All tax bills unpaid on July 1 shall be given to the sheriff who shall sell the property of the delinquent taxpayers per provisions of state law. Sheriff shall report and pay to the treasurer by October 1 all taxes so collected. Treasurer shall make the final accounting with the state treasury and county commissioners in October and, after being allowed for insolvencies, close the tax accounts for the previous year. Provisions of this section shall not apply to estates in the hands of trustees, executors, or administrators or otherwise in custodia legis. Taxes on such property shall become demandable only when the estates are ready for distribution.

## Acts of 1896, Ch. 318

An act to repeal and reenact Secs. 213-218 of and to add sections to Art. 20, Public Local Laws, re tax collection in SO, approved 4-4-1896, effective 6-30-1898

- Sec. 213: SO is divided into four collection districts: District 1 composed of Princess Anne, Dublin, Fairmount, and Mount Vernon Election Districts; District 2 composed of St. Peters, Dames Quarter, and Tangier Election Districts; District 3 composed of Brinkleys, Lawson, and Crisfield Election Districts; and District 4 composed of Smiths Island Election District.
- Sec. 214: Annually in May the county commissioners shall appoint a collector of state and county taxes for each collection district, who shall give two bonds, to be filed with the circuit court clerk.
- Sec. 215: Collectors shall collect and pay to the proper officers all state and county taxes and shall report to the county commissioners all new and missed property liable to taxation.
- Sec. 216: In January the collectors shall sit for two days in the principal town or public place in each election district for receiving taxes.
- Sec. 218: On June 1 taxes shall be deemed in arrears and shall be charged with interest from January 1. Collectors shall deliver to each delinquent taxpayer an account of the assessment and taxes and interest due with a notice that unless payment is made within sixty days, the amount due will be collected by process of law. All tax bills unpaid on August 1 shall be collected by the collectors per provisions of state law.
- Sec. 219: Discounts shall be given on taxes paid by December 1.
- Sec. 220: County commissioners in April 1898 and biennially thereafter shall appoint a clerk. County commissioners shall fill vacancies. Clerk shall also be the county treasurer and as such shall receive all money due the county and pay it out on order of the county commissioners. Clerk shall maintain an account with each collector, showing the total amount of the assessment in the district, crediting amounts paid in, making settlements, and reporting any defaults to the county commissioners. In making settlements with the collectors the clerk shall not allow any delinquencies and insolvencies without an order from the county commissioners.
- Sec. 221: Clerk shall give bond, to be filed with the circuit court clerk. Annually by August 1 the clerk shall deliver to each collector a copy of the assessment for that collection district, showing the rate of taxation and the aggregate amount to be collected.
- Sec. 222: Monthly the collectors shall pay taxes received to the clerk.
- Sec. 223: Collectors may receive any part of the levy list as payment of taxes.

## Acts of 1896, Ch. 322

An act to add sections to Art. 81, Public General Laws, re assessments in BC, approved 4-4-1896  
The right of appeal hereby enacted shall not be applicable to the assessment made under Acts of 1896, Ch. 120.

- Sec. 18A: Anyone aggrieved by an assessment made by the BC Appeal Tax Court because of over valuation, inequality, or failure to reduce or abate an assessment based on such reasons may appeal to the BC Court. There shall not be a jury trial. The court decisions may be appealed to the Court of Appeals. Proceedings and decisions shall be recorded by the appeal tax court.

### **Acts of 1896, Ch. 413**

An act to repeal and reenact Sec. 68C of Art. 6, Public Local Laws, re tax collection in CA, approved 4-4-1896

- Sec. 68C: On January 1 taxes in CA shall be deemed in arrears and interest shall be charged from September 1. After January 1 the treasurer shall deliver to each delinquent taxpayer an account of the assessment and taxes and interest due with a notice that unless payment is made within thirty days the taxes will be collected by process of law. At any time between January 1 and March 1 the treasurer may sell the property per provisions of the Public General Laws. All tax bills unpaid on March 1 shall be given to the sheriff who shall sell property as do tax collectors under provisions of the Public General Laws, after giving thirty days notice. Sheriff shall report and pay to the treasurer by June 1 all taxes collected, and deliver a list of insolvencies whose names the treasurer shall strike from the list of taxables. Treasurer shall make his final accounting with the state treasury and county commissioners annually in early June.

### **Acts of 1898, Ch. 216**

An act to add sections to Art. 6, Public Local Laws, re assessment and tax collection in CA, approved 4-7-1898, effective 7-1898

CA auditors in 1897 concluded that the offices of county treasurer and clerk to the county commissioners should be separated.

- Sec. 50A: Clerk of the CA Board of County Commissioners shall assess all new and unassessed property.
- Sec. 50B: Clerk of the county commissioners shall strike from the list of taxables the names of all insolvents returned by the sheriff and allowed by the county commissioners.

### **Acts of 1898, Ch. 222**

An act to repeal and reenact Sec. 81A, 90, 101-103, and 105-117 of and to add sections to Art. 17, Public Local Laws, re land records and tax collection in PG, approved 4-9-1898

- Sec. 81A: Annually in October the circuit court clerk in PG shall deliver to the county commissioners a list of transfers of real property by deed or court decree. The list shall include for each item the dates of execution and recording, consideration, names of grantors and grantees, location of the land, name of the land and acreage, nature of the transfer, and reference.
- Sec. 90: Within thirty days after the annual levy the clerk of the county commissioners shall prepare an assessment and levy book for each election district, containing the names of the taxpayers and for each person a description of the property, valuations, rate of state and county taxes, and amounts of the taxes.
- Sec. 105: In November 1875 and every four years thereafter the PG Treasurer shall be elected.
- Sec. 106: Treasurer shall be ineligible for reelection until after the interval of one full term.
- Sec. 107: Treasurer shall take an oath before the circuit court clerk and give bond, to be recorded

by the circuit court clerk.

- Sec. 109: Treasurer shall pay county taxes to the county commissioners and state taxes to the state treasury.
- Sec. 110: Treasurer shall attend one day in June and one day in September in each election district for collecting taxes.
- Sec. 111: At the end of the term of office the treasurer shall be allowed nine months to complete the collection of taxes and make final settlement with the county commissioners and state treasury.
- Sec. 114: Unpaid county taxes shall bear interest from July 1 and accrue penalties after November 1.
- Sec. 115: Treasurer shall be the collector of state and county taxes. Taxes assessed on personal property shall not be a lien thereon until the treasurer has distrained for it, which may be made after October 1. Proceedings shall conform to those for distress for rent but without a warrant or intervention of another official. Taxes assessed on real property shall be a first lien thereon. Sales of real property by the treasurer for delinquent taxes shall be reported to the circuit court sitting in equity. In May, two months after the sales, the court shall ratify them unless cause to the contrary be shown. Circuit court clerk shall record the court orders in the book containing the reports of the tax sales and indicate the ones excepted or defective.
- Sec. 116: Treasurer shall prepare and publish before March a list of delinquent taxes. It shall contain the names of the taxpayers, changes in ownership occurring since the levy, locations, tract names, deed references, and amounts of taxes, interest, and penalties due. To the list shall be appended a notice that if payment is not made by early March the land will be sold at public sale.
- Sec. 116A: Treasurer shall report sales to the circuit court by early April in a book format and number the sales sequentially.
- Sec. 116B: If the purchase price exceeds the amount due, the balance shall be payable to the treasurer at the end of the redemption period. The amount covering taxes, interest, penalty, and costs must be paid on the day of the sale. Treasurer shall give the purchaser a certificate of sale which shall be assignable. Taxpayer may redeem the real property within two years by paying the treasurer the amount shown in the certificate of sale and subsequent taxes paid by the purchaser, with interest. After this redemption, the treasurer shall notify the purchaser and enter the redemption in the report of sale. If the land is not redeemed, the treasurer shall execute a deed. Treasurer shall maintain a book to be called Tax Sale Redemption Fund.
- Sec. 116C: Treasurer shall also maintain a book to be called Tax Sale Surplus Fund.
- Sec. 116D: Monthly the treasurer shall report on receipts and disbursements to the county commissioners.
- Sec. 116F: Real property liable to taxation, but unassessed, shall be valued by the treasurer for each year it has escaped taxation. Treasurer shall report these assessments annually in December to the county commissioners who shall set a day for considering them and putting the property on the assessment books. Such property shall be liable to assessment and taxation for no more than three prior years.
- Sec. 116G: No real property offered at a tax sale shall be sold for less the total amount due. Otherwise it shall be sold to the county commissioners and remain on the assessment record and be taxed. If not redeemed, the property shall be forfeited to the county commissioners who shall



have title without execution of a deed. After each period of forfeiture, the treasurer shall prepare a list of forfeited property and publish it with a notice that the land will be sold at public sale.

- Sec. 116H: Treasurer shall prepare a list taxes of assessed on real property from March 1890, that has not been paid and for which land has been offered at tax sale and remains unsold because of lack of bidders, default of purchasers, or other causes. The list shall be published before August 1898 and contain the same information as specified in Sec. 116. The sale shall take place in August. Proceedings thereafter shall be the same as for regular tax sales including redemption. Sales shall be reported in September and exceptions filed by October.
- Sec. 116K: Treasurer shall keep a book containing copies of ads for tax sales.
- Sec. 116M: Every tax sale deed shall contain the name of the former owner, if known, which shall be indexed by the circuit court clerk.
- Sec. 117: Upon receiving from the treasurer a list of real property to be advertised for tax sale, the circuit court clerk shall search for deed references. Upon the filing of exceptions to a tax sale, the circuit court clerk shall enter a separate suit on the equity docket. Proceedings shall not be fully recorded. Results shall entered on the report of sale as "exceptions dismissed and sale ratified" or "sale set aside."

### **Acts of 1898, Ch. 235**

An act to add sections to Art. 18, Public Local Laws, re tax collection in QA, approved 4-9-1898

- Sec. 133A: In November 1899 and every four years thereafter a QA Treasurer shall be elected, to serve from June 1. Treasurer shall collect all state and county taxes and assess new unassessed property. Treasurer shall give two bonds, to be recorded by the circuit court clerk.
- Sec. 133B: Treasurer shall sit at the principal town in each election district two days in September and one day in October and November to receive taxes. Treasurer shall report collections monthly to the county commissioners and deliver to them a check for state taxes to be sent to the state treasury.
- Sec. 133C: On January 1 taxes shall be in arrears and interest shall be charged from September. In January the treasurer shall publish a list of delinquent taxpayers showing the amounts due and shall deliver to each such taxpayer an account of the assessment and taxes and interest due with a notice that unless the amount due is paid in thirty days the taxes will be collected by process of law. Between January 1 and April 1 the treasurer may sell properties of delinquent taxpayers per provisions of Public General Laws. Tax bills still unpaid on April 1 shall be given to the sheriff who shall advertise and sell the properties, with all the powers given tax collectors under Public General Laws. By June 1 the sheriff shall report and pay to the treasurer all taxes so collected. Treasurer shall make a final accounting with the state treasury and county commissioners in June and, after being allowed for insolvencies, shall close the tax account for the fiscal year.
- Sec. 133F: In May 1898 the county commissioners shall appoint a treasurer, other than their clerk or one of themselves, to serve for two years from June 1.

### **Acts of 1898, Ch. 275**

An act to amend sections of and add a new one to Art. 81, Public General Laws, re assessments, approved 4-9-1898

- Sec. 146C: Mortgages executed before 3-30-1896 containing a requirement that the mortgagor pay any taxes are exempt from the provisions of Sec. 146A.
- Sec. 192: BC Appeal Tax Court shall biennially revise assessments by lowering or increasing valuations and adding omitted property after giving five days notice. They shall require also a biennial listing of personal property by owners, following specifications in Secs. 173-174. BC Appeal Tax Court may provide the necessary assessors and clerks to accomplish this biennial listing of personal property. The police force shall deliver the forms.
- Sec. 192A: County commissioners shall have the power to value and assess all personal property, revise all valuations and assessments of real property, lower or increase the assessments of any property, and take necessary steps to discover unassessed property. Whenever they propose to alter an assessment or make a new one, they shall give five days notice to the owner. County commissioners may appoint agents to help execute these powers. The listing of personal property that was supposed to made in 1898 by the counties shall not take place until 1902 at which time it shall be made under the orders and directions of the board of assessors. Such listings shall be made thereafter every six years. Appeals from decisions of the assessors or agents shall be to the county commissioners.

### **Acts of 1898, Ch. 313**

An act to repeal and reenact Sec. 146B and add a new one to Art. 81, Public General Laws, re tax collection, approved 4-9-1898

- Sec. 146B: For purposes of collecting the mortgage tax, the year shall begin on September 1. Deductions will be given for paying before January 1.
- Sec. 146E-1: Annually in September the county commissioners and BC Appeal Tax Court shall send to the state comptroller a return of the amount of the mortgage tax due the state.

### **Acts of 1900, Ch. 102**

An act to repeal and reenact Sec. 218 of and to add sections to Art. 16, Public Local Laws, re tax collection in MO, approved 3-20-1902

- Sec. 218: County taxes not paid by September 1 in MO shall bear interest thereafter. At any time after January 1 payment may be enforced by sale.
- Sec. 220: Upon receipt of the annual levy of state and county taxes, tax collectors shall prepare tax bills.
- Sec. 221: In January each collector shall prepare an alphabetical list of delinquent taxpayers showing for each a brief description of the property, deed references, and amount of the tax, interest, and costs due. Appended shall be a notice that unless the amounts are paid by early May, the property will be sold at public sale.
- Sec. 222: Real property may sold despite the existence of personal property. If it is unnecessary to sell an entire parcel, the collector shall estimate the acres needed and have the county surveyor lay it off. The plat and description shall be filed with the report of the sale. This provision shall not apply to town lots and subdivisions.

- Sec. 223: Within thirty days after the sales, the collectors shall report then to the circuit court for ratification. If any sale is set aside, the collector shall make a new sale within thirty days.
- Sec. 224: A taxpayer may redeem the real property within two years after the sale by paying into the circuit court, to be paid the purchaser, the amount of the purchase money plus interest, subsequent taxes paid by the purchaser, and sums expended for insurance and repair.
- Sec. 225: For properties not redeemed the collectors shall execute deeds to the purchasers.
- Sec. 226: County commissioners may purchase property at tax sales, provided they do not bid over the amount due. Then they may lease or sell the lands. They shall retain the properties no longer than three years, and then must sell them.
- Sec. 227: When a taxpayer is assessed with only personal property, collectors may sell it after January 1.

### **Acts of 1900, Ch. 237**

An act to repeal and reenact Sec. 25 of and to add sections to Art. 19, Public Local Laws, re tax collection in SM, approved 4-7-1900

- Sec. 25: In November 1901 and every two years thereafter there shall be elected a SM Treasurer who shall take office the following May and be ineligible for immediate reelection. From July 1901 until the first treasurer takes office in May 1902, the person named in this act shall act as treasurer and perform the duties imposed by this act. Treasurer shall give two bonds, one for the collection of state taxes and one for the collection and disbursement of county moneys, and take an oath. Bonds shall be recorded by the circuit court clerk. Current tax collectors shall complete their collections and turn over money collected to the county commissioners.
- Sec. 25A: After giving public notice the treasurer shall attend in each election district one day each in July, August, October, November, March, and April for collecting and receiving taxes. Discounts shall be allowed on county taxes paid before September 1. Interest shall be charged after that date. After giving thirty days notice the treasurer may sell personal personal and real property of delinquent taxpayers at public sale. Surplus proceeds, if any, shall be paid the owner. Notice of these sales shall not be made before February 1. Treasurer may extend this date to June 1.
- Sec. 25B: Treasurer shall pay county taxes to the county commissioners and state taxes to the state treasury. Treasurer shall be allowed twelve months after the end of the term of office to make settlement and complete the tax collections.
- Sec. 25C: Within thirty days after the annual levy the clerk of the county commissioners shall deliver a copy to the treasurer. Treasurer shall proceed to collect the taxes and pay to parties entitled the taxes collected for them. When no bids are received for real property at a tax sale, the county commissioners may purchase the land and sell it. Sales of real property shall be reported to the circuit court for ratification as an equity proceeding. Treasurer shall only sell such part of the real property as may be necessary to pay taxes.

### **Acts of 1900, Ch. 434**

An act re industry in WI, approved 4-7-1900

- Sec. 1: WI Board of County Commissioners, for the encouragement of the growth and development of manufacturing, may exempt from county taxes the land, buildings, or equipment of an industrial concern for any period of time.

### **Acts of 1900, Ch. 447**

An act re manufactures in WO, approved 4-7-1900

- Sec. 1: WO Board of County Commissioners, for the encouragement of the establishment and development of manufacturing, may exempt from county taxes the land, buildings, and equipment of an industrial concern for any period of time.

### **Acts of 1900, Ch. 477**

An act to repeal and reenact Sec. 117 of and to add a section to Art. 17, Public Local Laws, re tax collection in PG, approved 4-10-1900

- Sec. 117: Unassessed personal property liable to taxation in PG shall handled according to the provisions of Sec. 116F, except that no property that has been sold or transferred shall be assessed for back taxes.
- Sec. 117B: Upon receiving from the treasurer a list of real property to be advertised for tax sale, the circuit court clerk shall search for deed references. Upon the filing of exceptions to a tax sale, the circuit court clerk shall enter a separate suit on the equity docket. Proceedings shall not be fully recorded. Results shall entered on the report of sale as "exceptions dismissed and sale ratified" or "sale set aside."

### **Acts of 1900, Ch. 619**

An act re treasurer in TA, approved 4-10-1900, effective 11-1901

- Sec. 1: Secs. 31-33, 36-37, 42, 44-45, 49-53, 67-68, and 82 of Art. 81, Public General Laws, are repealed as far as they relate to TA. Secs. 32-34 of Art. 21, Public Local Laws, re TA, are repealed.
- Sec. 2: In November 1901 and every four years thereafter a TA Treasurer shall be elected to serve from the following June 1.
- Sec. 3: Treasurer shall be the collector of state and county taxes.
- Sec. 4: Treasurer shall take an oath and give bond, to be approved by the circuit court judges and recorded by the circuit court clerk.
- Sec. 6: Governor shall fill vacancies. But such successor shall not take charge of uncollected taxes that were in the hands of the late treasurer. The bond of the former treasurer shall remain responsible for the taxes which shall be collected and accounted for under laws governing such cases.
- Sec. 8: County commissioners shall levy taxes by early June. Discounts shall be given on taxes paid by October 1.
- Sec. 9: Within sixty days after the annual levy the clerk of the county commissioners shall

prepare and send to the treasurer a copy of the assessment list, arranged by election district and alphabetically by taxpayers names and showing the amounts due by each. Treasurer shall use this list to record moneys received, transfers, insolvencies, discounts, and abatements. Treasurer shall also enter alphabetically in a ledger the entire account of each taxpayer. Treasurer shall keep separate accounts for each election district. Treasurer shall keep a cash account for showing taxes received and from what source and sums paid to the county commissioners and state treasury.

- Sec. 11: During July the treasurer shall deliver tax bills to taxpayers.
- Sec. 12: Monthly the treasurer shall forward state taxes to the state treasury.
- Sec. 13: On January 1 taxes shall be deemed in arrears and be charged with interest. Within ten days thereafter the treasurer shall deliver to each delinquent taxpayer an account of the assessment and taxes and interest due, with a notice that unless payment is made by August 15, the taxes will be collected by process of law.
- Sec. 14: Taxes due on personal property and real property shall be a lien on real property which may be sold without regard to the existence of personal property.
- Sec. 15: Treasurer shall advertise the real property to be sold for taxes, showing the years for which taxes are due, election district and locality of the land, and acreage.
- Sec. 16: When necessary to sell personal property, treasurer shall prepare a tax bill with an order directing the sheriff to sell the property. Sheriff shall pay the amount due to the treasurer after the sale.
- Sec. 17: Tax sales of real property shall be reported to the circuit court for ratification. After that and payment of the purchase money, the treasurer shall execute deeds.
- Sec. 18: Every tax deed shall contain the name of the former owner whose name shall be indexed by the circuit court clerk.
- Sec. 20: Treasurer shall be allowed eighteen months from the date of the levy to complete the collection and make final settlement with the county commissioners and state treasury.
- Sec. 21: Treasurer shall submit claims for erroneous, insolvent, or uncollectable taxes to the county commissioners before or at the time of final settlement.
- Sec. 22: At any time after the end of the term of office or at the time of final settlement, the county commissioners may require the treasurer to deliver to the successor all collectible taxes due. The successor shall complete the collection.
- Sec. 23: If the bond of a treasurer becomes liable to the county or state for unpaid or uncollected taxes, the sureties shall have the power to enforce payments in the same manner as does the treasurer.
- Sec. 24: Treasurer shall attend in each election district one day per month to collect and receive taxes.
- Sec. 25: Treasurer shall determine any property, stock, or investment subject to taxation and not included in the last revised assessment and ascertain all buildings and improvements and property created or acquired since the last revised assessment. Treasurer shall value the properties and make a return to the county commissioners.
- Sec. 27: Taxpayers may redeem land sold at tax sales by paying into the circuit court, to be paid the purchaser, the purchase price plus interest within twelve months after the sale.
- Sec. 31: Treasurer shall be subject to removal from office by the circuit court upon conviction for willful neglect of duty, misdemeanors, or malfeasance in office.

## Acts of 1902, Ch. 76

An act to repeal and reenact Secs. 94-112 of Art. 23, Public Local Laws, re tax collection in WI, approved 4-11-1902

- Sec. 2: WI Treasurer shall be the collector of state and county taxes levied after January 1, 1902.
- Sec. 3: Treasurer shall take an oath and give bond, to be recorded by the circuit court clerk.
- Sec. 5: County commissioners shall fill vacancies.
- Sec. 7: County commissioners shall make the annual levy in June. Taxes shall be due and payable on the next January 1. County taxes paid before then shall be given discounts.
- Sec. 8: Within sixty days after the annual levy the treasurer, as clerk of the county commissioners, shall make a copy of the assessment list, one book for each election district, with the names of property owners arranged alphabetically and showing for each the aggregate assessment and amount of state and county taxes due. Treasurer shall use these books to records tax payments, property transfers, insolvencies, discounts, and abatements. Treasurer shall also maintain ledger entries for each taxpayers, arranged alphabetically.
- Sec. 10: Treasurer shall prepare tax bills and send them by August 1.
- Sec. 11: Treasurer shall forward state taxes monthly to the state treasury.
- Sec. 12: On January 1 taxes shall be deemed in arrears and be charged with interest. During January the treasurer shall deliver to each delinquent taxpayer an account of the assessment and taxes and interest due, with a notice that unless payment is made by August 15, the amount will be collected by process of law.
- Sec. 13: Taxes on real property and personal property shall be a lien on real property that may be sold without regard to the existence of personal property.
- Sec. 14: Treasurer shall advertise real property to be sold, showing the years for which taxes are due, name of the delinquent taxpayer, election district and location of the land, and acreage.
- Sec. 15: When personal property is to be sold, the treasurer shall direct the sheriff to conduct the sale. Sheriff shall pay the taxes to the treasurer and surplus proceeds to the owner.
- Sec. 16: When real property is sold, the treasurer shall report it and all proceedings to the circuit court for examination and ratification. The court may order a new sale if provisions of this act are not followed. Surplus proceeds shall be paid to the owner.
- Sec. 17: Every deed for land sold at a tax sale shall contain the name of the former owner, which the circuit court clerk shall index.
- Sec. 19: Treasurer shall be allowed eighteen months from the date of the levy to complete the collection and make final settlement with the county commissioners and state treasury.
- Sec. 20: Treasurer shall present all claims for erroneous, insolvent, or uncollectable tax bills to the county commissioners before or at the time of the final settlement.
- Sec. 21: At the end of the term of office or at the time of final settlement, the county commissioners may direct the treasurer to deliver all collectable taxes to the successor for completion.
- Sec. 23: Treasurer may spend one day per month in August, September, and October in each election district to collect and receive taxes.
- Sec. 24: During these visits, the treasurer shall ascertain all property, stock, or investments

subject to taxation but not included in the last revised assessment and all newly created and acquired buildings, improvements, and property and make returns to the county commissioners.

- Sec. 25: Taxpayers may redeem real property within twelve months after the sale by paying into the circuit court, to be paid the purchaser, the purchase price plus interest.
- Sec. 33: Annually the treasurer shall record transfers in the assessment records in accordance with the list furnished by the circuit court clerk.

### **Acts of 1902, Ch. 332**

An act to repeal Sec. 81A and to repeal and reenact Sec. 116F of Art. 17, Public Local Laws, re tax collection in PG, approved 4-8-1902

- Sec. 81A: Section re lists of transfers in PG as enacted by Acts of 1898, Ch. 222 is repealed.
- Sec. 116F: Real property liable to taxation but unassessed shall be valued by assessors who shall report them to the county commissioners who shall set a day for considering them and putting the property on the assessment books. Such property shall be liable to assessment and taxation for no more than three prior years.

### **Acts of 1902, Ch. 344**

An act to repeal and reenact Secs. 8, 12-13, and 22 of Acts of 1900, Ch. 619 and to add sections, re tax collection in TA, approved 4-8-1902

- Sec. 8: TA Board of County Commissioners shall levy taxes by early June. Discounts shall be given on taxes paid by September 1.
- Sec. 9A: Monthly the circuit court clerk shall send to the treasurer a list of alienations of property, equity sales made by trustees and ratified, judgments, and decrees, showing the properties and amounts of the judgments and decrees.
- Sec. 12: Annually on January 1 the treasurer shall pay state taxes to the state treasury and the balance at final settlement.
- Sec. 13: On January 1 taxes shall be deemed in arrears and be charged with interest. During the first ten days in June the treasurer shall deliver to each delinquent taxpayer an account of the assessment and taxes and interest due, with a notice that unless payment is made by August 15, the taxes will be collected by process of law.
- Sec. 13A: Whenever personal property on which taxes are due is about to be sold or removed from the county, the treasurer may enforcement payment per provisions of Sec. 16 of Acts of 1900, Ch. 619.
- Sec. 22: At any time after August 15 after the end of the term of office or at the time of final settlement, the county commissioners may require the treasurer to deliver to the successor all collectible taxes. The successor shall complete the collection.

### **Acts of 1902, Ch. 346**

An act to repeal and reenact Secs. 25 and 25A of Art. 19, Public Local Laws, re tax collection in SM, approved 4-8-1902

- Sec. 25: In November 1901 and every two years thereafter the shall be elected a SM Treasurer who shall take office the following September and be ineligible for immediate reelection. From July 1902 until the first treasurer takes office in September 1902, the person named in this act shall act as treasurer and perform the duties imposed by this act. Treasurer shall give two bonds, one for the collection of state taxes and one for the collection and disbursement of county moneys, and take an oath. Bonds shall be recorded by the circuit court clerk. Current tax collectors shall complete their collections and turn over money collected to the county commissioners.
- Sec. 25A: After giving public notice the treasurer shall attend in each election district one day each in February, June, August, and October for collecting and receiving taxes. Interest shall be charged on taxes not paid by September 1. After giving thirty days notice the treasurer may sell personal personal and real property of delinquent taxpayers at public sale. Surplus proceeds, if any, shall be paid the owner of the property sold. Notice of these sales shall not be made before February 1 following the year of the levy. Treasurer may extend this date to August 1.

### **Acts of 1902, Ch. 353**

An act to repeal and reenact Sec. 9 of Acts of 1890, Ch. 543 and to add sections, re tax collection in WO, approved 4-8-1902

- Sec. 8A: County taxes in WO shall be due and payable on September 1, with discounts until December 1.
- Sec. 8B: County commissioners shall select ten days in September through December for collectors to sit in their districts for receiving taxes.
- Sec. 8C: Collectors shall monthly pay county taxes to the clerk of the county commissioners.
- Sec. 9: Taxes shall be deemed in arrears on January 1 and shall bear interest from that date. Collectors shall prepare for each delinquent taxpayer a statement showing the amount due with a notice that unless taxes are paid by January 1, the amount will be collected per provisions of state law.

### **Acts of 1902, Ch. 370**

An act to repeal and reenact Secs. 213, 215, 218, and 222 of Art. 20, Public Local Laws, re tax collection in SO, approved 4-8-1902

- Sec. 213: SO is divided into four collection districts: District 1 composed of Princess Anne, Dublin, and Fairmount Election Districts; District 2 composed of St. Peters, Mount Vernon, Dames Quarter, and Tangier Election Districts; District 3 composed of Westover, Brinkleys, Lawsons, Asbury, and Crisfield Election Districts; and District 4 composed of Smiths Island Election District.
- Sec. 215: Collectors shall collect and pay to the proper officers all state and county taxes and shall report to the county commissioners all new and missed property liable to taxation. Collectors shall report monthly to the county commissioners the names of persons paying taxes and amount paid by each.



- Sec. 218: On January 1 taxes shall be deemed in arrears and shall be charged with interest from that date. Collectors shall deliver to each delinquent taxpayer an account of the assessment and taxes and interest due. On or after June 15 the collectors shall publish a list of delinquent taxpayers showing the amount due for each. For those taxes remaining unpaid sixty days later the collectors shall sell personal property or real property per provisions of state law.
- Sec. 222: After the annual levy the clerk of the county commissioners shall deliver to the collectors an alphabetical list of taxpayers for their respective collection district showing the aggregate assessment for each and the tax rate. As reports are received from the collectors the clerk shall note on the assessment lists which persons have paid taxes.

### **Acts of 1902, Ch. 402**

An act to add a section to Art. 81, Public General Laws, re assessments, approved 4-8-1902

- Sec. 192B: County commissioners shall appoint as many assessors as deemed necessary to carry out the provisions of Sec. 192A. The provisions of Sec. 175 shall be made applicable to the relisting and assessment of personal property.

### **Acts of 1902, Ch. 411**

An act to repeal and reenact Sec. 92 of and to add sections to Art. 17, Public Local Laws, re assessments in PG, approved 4-8-1902

- Sec. 92: In March 1903 and annually thereafter the PG Board of County Commissioners shall appoint a transfer clerk and auditor. Transfer clerk shall correct and keep assessment books so they show the actual owners of properties. The transfer clerk shall search for every transfer by deed, decree, will, descent, or otherwise and report them monthly to the county commissioners. The official shall take an oath.
- Sec. 92A: In March 1902 the county commissioners shall appoint a person from each of the three road districts as an assessor who shall ascertain properties not heretofore assessed, value them, and make returns to the county commissioners annually in December. Property worth less than \$100 shall not be reported and assessed.
- Sec. 92B: Individual named in this act shall fulfill the functions of transfer clerk and auditor until March 1903.

### **Acts of 1902, Ch. 469**

An act to repeal and reenact Sec. 116G of Art. 17, Public Local Laws, re tax collection in PG, approved 4-8-1902

- Sec. 116G: No real property offered at a tax sale in PG shall be sold for less the total amount due. Otherwise it shall be sold to the county commissioners and remain on the assessment record and be taxed. If not redeemed, the property shall be forfeited to the county commissioners who shall have title without execution of a deed. After each period of forfeiture, the treasurer shall prepare a list of forfeited properties and publish it with a notice that the land will be sold at public sale.

No piece of forfeited property shall be sold for less the taxes, interest, penalties, and cost due. It shall instead be withdrawn and by sold by the county commissioners at public or private sale. The original owner of the forfeited property may at any time prior to the actual payment of the purchase price pay the the total amount due and accrued to that date to the treasurer and thus become vested in his/her former title. All such redemptions heretofore made are hereby ratified. The treasurer shall record such redemptions in the reports of sale. County commissioners may also sell at public or private sale forfeited property sold under provisions of Secs. 116G and 116H for which purchasers have failed to pay the purchase money.

## **Acts of 1904, Ch. 14**

An act to repeal and reenact Acts of 1902, Ch. 76, re tax collection in WI, approved 3-3-1904

- Sec. 2: WI Treasurer shall be the collector of state and county taxes levied after January 1, 1902.
- Sec. 3: Treasurer shall take an oath and give bond, to be recorded by the circuit court clerk.
- Sec. 5: County commissioners fill vacancies.
- Sec. 7: County commissioners shall make the annual levy in June. Taxes shall be due and payable on the next January 1. County taxes paid before then shall be given discounts.
- Sec. 8: Within sixty days after the annual levy the treasurer, as clerk of the county commissioners, shall make a copy of the assessment list, one book for each election district, with the names of property owners arranged alphabetically and showing for each the aggregate assessment and amount of state and county taxes due. Treasurer shall use these books to records tax payments, property transfers, insolvencies, discounts, and abatements. Treasurer shall also maintain ledger entries for each taxpayers, arranged alphabetically.
- Sec. 10: Treasurer shall prepare tax bills and send them by August 1.
- Sec. 11: Treasurer shall monthly forward state taxes to the state treasury.
- Sec. 12: On January 1 taxes shall be deemed in arrears and be charged with interest. During January the treasurer shall deliver to each delinquent taxpayer an account of the assessment and taxes and interest due, with a notice that unless payment is made by November 15, the amount will be collected by process of law.
- Sec. 13: Taxes on real property and personal property shall be a lien on real property that may be sold without regard to the existence of personal property.
- Sec. 14: Treasurer shall advertise real property to be sold, showing the years for which taxes are due, name of the delinquent taxpayer, election district and location of the land, and acreage.
- Sec. 15: When personal property is to be sold, the treasurer shall direct the sheriff to conduct the sale. Sheriff shall pay the taxes to the treasurer and surplus proceeds to the owner.
- Sec. 16: When real property is sold, the treasurer shall report it and all proceedings to the circuit court for its examination and ratification. The court may order a new sale if provisions of this act are not followed. Surplus proceeds shall be paid to the owner.
- Sec. 17: Every deed for land sold at a tax sale shall contain the name of the former owner, which the circuit court clerk shall index.
- Sec. 19: Treasurer shall be allowed two years from the date of the levy to complete the collection and make final settlement with the county commissioners and state treasury.
- Sec. 20: Treasurer shall present all claims for erroneous, insolvent, or uncollectable tax bills to

the county commissioners before or at the time of final settlement.

- Sec. 21: At the end of the treasurers term of office or at the time of final settlement, the county commissioners may direct the treasurer to deliver all collectable taxes due to the successor for completion.
- Sec. 23: Treasurer may spend three days per year in each election district to collect and receive taxes.
- Sec. 24: During these visits, the treasurer shall ascertain all property, stock, or investments subject to taxation but not included in the last revised assessment and all newly created and acquired buildings, improvements, and property and make returns thereof to the county commissioners.
- Sec. 25: Taxpayers may redeem real property within twelve months after the date of the sale by paying into the circuit court the purchase price plus interest, to be paid the purchaser.
- Sec. 33: Annually the treasurer shall record transfers in the assessment records in accordance with the list furnished by the circuit court clerk.

### **Acts of 1904, Ch. 73**

An act to repeal and reenact Sec. 218 of Art. 20, Public Local Laws, re tax collection in SO, approved 3-15-1904, effective 5-1-1904

- Sec. 218: On January 1 taxes shall be deemed in arrears and shall be charged with interest from that date. Collectors shall deliver to each delinquent taxpayer an account of the assessment and taxes and interest due. On or after June 15 the collectors shall publish a list of delinquent taxpayers showing the amount due for each. For those taxes remaining unpaid sixty days later the collectors shall sell personal property, after giving ten days public notice. If there is no personal property, the collectors shall sell real property, after giving twenty days public notice and report the sale to the circuit court for examination and ratification. The taxpayer may redeem real property within twelve months of the sale by paying into the circuit court, to be paid the purchaser, the amount of the purchase price with interest.

### **Acts of 1904, Ch. 137**

An act to add Sec. 133H to Art. 18, Public Local Law, re tax collection in QA, approved 3-25-1904  
QA Board of County Commissioners has purchased property at tax sales and doubt has arisen as to their authority to do so.

- Sec. 1: Purchases of property at tax sales already made by the QA Board of County Commissioners are declared legal and valid.
- Sec. 2: Hereafter the county commissioners may bid at tax sales of real property, and on final ratification of the sale a deed shall be made to them.
- Sec. 3: If the land is not redeemed, the county commissioners shall sell it at public sale.

### **Acts of 1904, Ch. 405**

An act re mortgage tax, approved 4-7-1904

- Sec. 1: Secs. 146A-146F of Art. of the Public General Laws shall remain in effect in the counties not excluded. AL, AA, BC, BA, CV, CA, CE, CH, DO, HA, KE, PG, QA, SM, and TA are excluded. However, the mortgage tax shall be applied exclusively for the counties, free from any claim by the state. [CR, FR, GA, HO, MO, SO, WA, WI, and WO retain the tax.]

### **Acts of 1904, Ch. 434**

An act to repeal and reenact Sec. 117B of Art. 17, Public Local Laws, re tax collection in PG, approved 4-8-1904

- Sec. 117B: Circuit court clerk in PG upon receiving from the treasurer a list of real property to be advertised for tax sale shall verify the deed references. Before reporting sales for ratification, the treasurer shall file a supplementary report showing property redeemed and to which exceptions have not been filed.

### **Acts of 1904, Ch. 445**

An act to repeal and reenact Sec. 219 of Art. 16, Public Local Laws, re tax collection in MO, approved 4-8-1904

- Sec. 219: Monthly the tax collectors shall pay to the clerk of the county commissioners the state and county taxes collected by them. In May collectors shall also report to the clerk amounts received from tax sales and all insolvent and erroneous tax bills. Also to be reported are tax bills uncollectable because the real property is involved in pending litigation. The clerk shall keep these bills until it is possible to collect them from the trustee or court official.

### **Acts of 1904, Ch. 611**

An act to repeal and reenact Secs. 68B-68C of Art. 6, Public Local Laws, re tax collection in CA, approved 4-12-1904, effective 6-1-1906

- Sec. 68B: CA Treasurer shall attend one day each in September, October, and November in each election district at the principal town to receive and collect taxes. Treasurer shall monthly report to the county commissioners on amounts of state and county taxes collected and deliver to them for forwarding to the state treasury a check for the amount of the state taxes.
- Sec. 68C: On January 1 taxes shall be deemed in arrears and interest shall be charged from September 1. After January 1 the treasurer shall deliver to each delinquent taxpayer an account of the assessment and taxes and interest due with a notice that unless payment is made within thirty days the amount will be collected by process of law. At any time between January 1 and March 1 the treasurer may sell the property per provisions of the Public General Laws. On tax bills unpaid on March 1 the treasurer shall give the taxpayers thirty days notice to pay the taxes and shall then advertise and sell the properties. In June the treasurer shall deliver to the county commissioners a list of taxes unpaid on June 10, showing names of taxpayers and amounts due and which ones are insolvent. County commissioners shall publish the list in July.

## Acts of 1904, Ch. 656

An act to repeal and reenact Acts of 1900, Ch. 619 and Acts of 1902, Ch. 344, re tax collection in TA, approved 4-12-1900, effective 6-1-1906

- Sec. 1: Secs. 31-33, 36-37, 42, 44-45, 49-53, 67-68, and 82 of Art. 81, Public General Laws, are repealed as far as they relate to TA. Secs. 32-34 of Art. 21, Public Local Laws, re TA, are repealed.
- Sec. 2: In November 1905 and every six years thereafter a TA Treasurer shall be elected to serve from the following June 1.
- Sec. 3: Treasurer shall be the collector of state and county taxes.
- Sec. 4: Treasurer shall take an oath and give bond, to be approved by the circuit court judges and recorded by the circuit court clerk.
- Sec. 6: County commissioners shall fill vacancies. That successor shall not take charge of uncollected taxes that were in the hands of the late treasurer. The bond of the former treasurer shall remain responsible for the taxes which shall be collected and accounted for under laws governing such cases.
- Sec. 8: County commissioners shall levy taxes by early June. Discounts shall be given on taxes paid by September 1.
- Sec. 9: Within sixty days after the annual levy the clerk of the county commissioners shall prepare and send to the treasurer a copy of the assessment list, arranged by election district and then alphabetically by taxpayers names, showing the amounts due by each. Treasurer shall use this list to record moneys received, transfers, insolvencies, discounts, and abatements. Treasurer shall keep separate accounts for each election district. Treasurer shall keep a cash account for showing taxes received and from what source and sums paid to the county commissioners and state treasury.
- Sec. 9A: Monthly the circuit court clerk shall send to the treasurer a list of alienations of property, showing the properties, dates, and considerations.
- Sec. 11: During July the treasurer shall deliver tax bills to taxpayers.
- Sec. 12: Annually on January 1 the treasurer shall pay state taxes to the state treasury and the balance at final settlement.
- Sec. 13: On January 1 taxes shall be deemed in arrears and be charged with interest. During the September the treasurer shall deliver to each delinquent taxpayer an account of the assessment and taxes and interest due, with a notice that unless payment is made by November 30, the taxes will be collected by process of law.
- Sec. 13A: Whenever personal property on which taxes are due is about to be sold or removed from the county, the treasurer may enforcement payment per provisions of Sec. 16 of Acts of 1900, Ch. 619.
- Sec. 14: Taxes due on personal property and real property shall be a lien on real property which may be sold without regard to the existence of personal property.
- Sec. 15: Treasurer shall advertise the real property to be sold for taxes, showing the years for which taxes are due, election district and locality of the land, and acreage.
- Sec. 16: When necessary to sell personal property, treasurer shall prepare a tax bill with an order directing the sheriff to sell the property. Sheriff shall pay the amount due to the treasurer after the

sale.

- Sec. 17: Tax sales of real property shall be reported to the circuit court for ratification. After that and payment of the purchase money, the treasurer shall execute deeds.
- Sec. 18: Every tax deed shall contain the name of the former owner whose name shall be indexed by the circuit court clerk.
- Sec. 20: Treasurer shall be allowed two years from the date of the levy to complete the collection and make final settlement with the county commissioners and state treasury.
- Sec. 21: Treasurer shall submit claims for erroneous, insolvent, or uncollectable taxes to the county commissioners before or at the time of final settlement.
- Sec. 22: Upon the death, resignation, or removal of the treasurer or expiration of the term of office, the county commissioners may direct the treasurer or personal representative to deliver to the successor all uncollected taxes for completion of the collection.
- Sec. 23: If the bond of a treasurer becomes liable to the county or state for unpaid or uncollected taxes, the sureties shall have the power to enforce payments in the same manner as does the treasurer.
- Sec. 24: Treasurer shall attend in each election district one day in August and one day in December to collect and receive taxes.
- Sec. 25: Treasurer shall determine any property, stock, or investment subject to taxation and not included in the last revised assessment and ascertain all buildings and improvements and property created or acquired since the last revised assessment. Treasurer shall value the properties and make a return to the county commissioners.
- Sec. 27: Taxpayers may redeem land sold at tax sales within twelve months after the sale by paying into the circuit court, to be paid the purchaser, the purchase price plus interest.
- Sec. 31: Treasurer shall be subject to removal from office by the circuit court upon conviction for willful neglect of duty, misdemeanors, or malfeasance in office.

### **Acts of 1904, Ch. 669**

An act to repeal and reenact Secs. 50A-50B of Art. 6, Public Local Laws, re tax collection in CA, approved 4-12-1904

CA auditors in 1897 concluded that the offices of county treasurer and clerk to the county commissioners should be separated.

- Sec. 50A: Beginning on July 1, 1906, the offices of clerk of the CA Board of County Commissioners and county treasurer shall be separate. The clerk shall assess all new and unassessed property.
- Sec. 50B: Clerk of the county commissioners shall prepare an annual tax list and deliver it to the treasurer by August 15. The clerk shall strike from the list of taxables the names of all insolvents returned by the treasurer and allowed by the county commissioners.

### **Acts of 1906, Ch. 11**

An act to repeal and reenact Sec. 213 of Art. 20, Public Local Laws, re tax collection in SO, approved 4-16-1906, effective 4-30-1906

- Sec. 213: SO is divided into four collection districts: District 1 composed of East Princess Anne, Dublin, Westover, and Fairmount Election Districts; District 2 composed of West Princess Anne, St. Peters, Mount Vernon, Dames Quarter, Deals Island, and Tangiers Election Districts; District 3 composed of Brinkleys, Lawsons, Asbury, and Crisfield Election Districts; and District 4 composed of Smiths Island Election District.

### **Acts of 1906, Ch. 15**

An act to repeal and reenact Sec. 117B of Art. 17, Public Local Laws, re tax collection in PG, approved 2-27-1906

- Sec. 117B: Upon receiving from the PG Treasurer a list of real property to be advertised for tax sale, the circuit court clerk shall search for deed references. Upon the filing of exceptions to a tax sale, the circuit court clerk shall enter a separate suit on the equity docket. Proceedings shall not be fully recorded. Results shall entered on the report of sale as "exceptions dismissed and sale ratified" or "sale set aside." Circuit court clerk upon receiving from the treasurer a list of real property to be advertised for tax sale shall verify the deed references. Before reporting sales for ratification, the treasurer shall file a supplementary report showing property redeemed and to which exceptions have not been filed.

### **Acts of 1906, Ch. 114**

An act to repeal and reenact Secs. 222, 224-226 of Art. 15, Public Local Laws, re tax collection in KE, approved 3-16-1906, effective 6-1-1907

- Sec. 222: KE Treasurer shall be elected biennially and take office the next June 1. Treasurer shall collect state and county taxes and assess all new and unassessed property. Treasurer shall give two bonds, to be recorded by the circuit court clerk. Treasurer shall be ineligible for reelection until the interval of one term and completion of all business connected with the former term.
- Sec. 224: On January 1 taxes shall be deemed in arrears and interest charged from September 1. Treasurer shall deliver to each delinquent taxpayer an account of the assessment and taxes and interest due with a notice that unless payment is made within thirty days, taxes will be collected by process of law. On or before May 1 the treasurer shall sell property per provisions of state law. Treasurer shall make a final accounting with the state treasury and county commissioners in early June. After being allowed for insolvencies, the treasurer shall close the tax account for the previous year.
- Sec. 225: Governor shall fill vacancies.
- Sec. 226: This act shall not affect the treasurer elected in November 1905.

### **Acts of 1906, Ch. 171**

An act to repeal Secs. 62-64 and 218-227 of Art. 19, Public Local Laws, and reenact Sec. 62, re tax collection in MO, approved 3-27-1906

- Sec. 62: MO Board of County Commissioners shall appoint a clerk who shall be ex officio

treasurer and tax collector. Duties and responsibilities shall include:

- Treasurer shall take an oath and execute two bonds annually which shall be recorded by the circuit court clerk.
- County commissioners shall fill vacancies.
- Clerk shall collect all taxes levied by county commissioners.
- After the annual levy, the clerk shall prepare tax bills.
- Clerk shall attend in each election district at least one day between the date of the levy and September 1 and two days between September 1 and December 31 to collect and receive taxes.
- In January the clerk shall prepare an alphabetical list of delinquent taxpayers for each collection district, showing for each a description of the property, deed references, and amount of taxes, interest, and costs due. To the list shall be appended a notice that unless payment is received by early April, the real property shall be sold at public sale.
- Real property may sold despite the existence of personal property. If it is unnecessary to sell an entire parcel, the clerk shall estimate the acres needed and have the county surveyor lay it off. The plat and description shall be filed with the report of the sale. This provision shall not apply to town lots and subdivisions.
- If anyone is assessed with personal property only and taxes are unpaid on January 1, the clerk shall within one month, or within one month after discovering the property, sell the necessary part in the same manner as the sheriff does upon an execution on a judgment. This process shall be an addition to, not a substitution for, the power of the clerk to collect taxes on personal property by a suit before a justice of the peace or the circuit court.
- Within thirty days after the sales, the clerk shall report them to the circuit court for ratification. If any sale is set aside, the clerk shall make a new sale within thirty days.
- A taxpayer may redeem real property within two years after the sale by paying into the circuit court, to be paid the purchaser, the amount of the purchase money plus interest, subsequent taxes paid by the purchaser, and sums expended for insurance and repair. The purchaser shall file with the circuit court a statement showing such expenditures. Circuit court shall notify a purchaser when a redemption is made.
- County commissioners may purchase property at tax sales, provided they do not bid over the amount due. Then they may lease or sell the lands.
- At the end of each year in the term of office, the clerk shall make a settlement with the county commissioners for county taxes, and erroneous and insolvent tax bills shall be presented on or before the same date. Clerk's successor shall complete the collections.
- Clerk shall keep separate accounts of state and county taxes. A taxpayer owed money by the county may use an order to pay as payment of taxes.
- Clerk shall pay state taxes as provided by state law.
- Annually in March the county commissioners shall appoint an assessor in each election district who shall ascertain property created or acquired and not included in the assessment records. By April 25 the assessor shall value the properties and make return to the county commissioners. Clerk of the county commissioners shall notify each property owner of the intention to assess. County commissioners shall hold necessary hearings.
- County taxes not paid by September 1 shall bear interest thereafter.



- Clerk's term of office shall begin in July 1, 1906, and continue for two years.
- Taxes now in the hands of collectors shall be collected under provisions of Acts of 1892, Ch. 418 and Acts of 1900, Ch. 102.

### **Acts of 1906, Ch. 320**

An act to repeal and reenact Sec. 200 of Art. 81, Public General Laws, re assessments, approved and effective 4-3-1906

- Sec. 200: County commissioners shall have the power to value and assess all personal property and to revise all valuations and assessments of real property, and to lower or increase such assessments and take steps for the discovery of unassessed property. When such actions are proposed on real property, the county commissioners shall give five days public notice to the owner. If the owner cannot be found, the notice shall be given to the person in possession of the property, or if no one is present, the notice shall be posted on the land. County commissioners may appoint agents, assessors, and clerks to carry out these duties. The assessment of personal property shall not take place until 1908. Thereafter personal property shall be assessed every six years. Actions of assessors and agents may be appealed to the county commissioners.

### **Acts of 1906, Ch. 752**

An act to repeal and reenact Sec. 25 of and to add sections to Art. 19, Public Local Laws, re tax collection in SM, approved 4-5-1906

- Sec. 25: In November 1901 and every two years thereafter there shall be elected a SM Treasurer who shall take office the following August and be ineligible for immediate reelection. Treasurer shall give two bonds, one for the collection of state taxes and one for the collection and disbursement of county moneys, and take an oath. Bonds shall be recorded by the circuit court clerk. Current tax collectors shall complete their collections and turn over money collected to the county commissioners.
- Sec. 25A: After giving public notice the treasurer shall attend in each election district one day each in June, August, and October for collecting and receiving taxes. Interest shall be charged on taxes not paid by September 1. After giving thirty days notice the treasurer may sell personal and real property of delinquent taxpayers at public sale. Surplus proceeds, if any, shall be paid the owner. Notice of these sales shall not be made before February 1 following the year of the levy. Treasurer may extend this date to June 1. When necessary to enforce payment of taxes by the sale of personal property, the treasurer shall prepare a tax bill with an order directing the sheriff to sell the property. After the sale, the sheriff shall pay to the treasurer the amount of tax bill and pay any surplus to the owner.

### **Acts of 1906, Ch. 794**

An act to repeal and reenact Sec. 183 of Art. 81, Public General Laws, re mortgage tax in DO, approved 4-5-1906

- Sec. 183: Tax on mortgages is reinstated in DO.

### **Acts of 1906, Ch. 803**

An act to add a section to Art. 57, Public General Laws, re tax collection in PG, approved 4-5-1906

- Sec. 15: When land is sold for payment of taxes and the owner at the time of the sale continues to possess the land for seven years after the final court ratification without any suit being prosecuted by the purchasers, such possession shall be a lien to claims of the purchaser derived from the tax sale. This section shall apply to tax sales heretofore and hereafter ratified and shall apply only to PG. Its effect on tax sales prior to May 1, 1900 shall be postponed to May 1, 1907.

### **Acts of 1908, Ch. 43**

An act to repeal and reenact Sec. 213 of Art. 20, Public Local Laws, re tax collection in SO, approved 3-3-1908, effective 4-30-1908

- Sec. 213: SO is divided into three collection districts: District 1 composed of East Princess Anne, Dublin, Westover, and Fairmount Election Districts; District 2 composed of West Princess Anne, St. Peters, Mount Vernon, Dames Quarter, Deals Island, and Tangiers Election Districts; and District 3 composed of Brinkleys, Lawsons, Asbury, Crisfield, and Smiths Island Election Districts.

### **Acts of 1908, Ch. 283**

An act to repeal and reenact Sec. 183 of Art. 81, Public General Laws, re mortgage tax in WA, approved 4-8-1908

- Sec. 183: WA is removed from the provisions of this section re taxes on mortgages.

### **Acts of 1908, Ch. 341**

An act to repeal and reenact Secs. 106-121 of and add sections to Art. 10, Public Local Laws, re tax collection in DO, passed 4-6-1908, effective 5-1-1908

- Sec. 106: In November 1909 and every four years thereafter a clerk for the DO Board of County Commissioners, who shall ex-officio be the county treasurer and collector of state and county taxes, shall be elected. The term of office shall begin on January 1. County commissioners shall fill vacancies.
- Sec. 107: Clerk shall take an oath and give two bonds, one for state taxes and one for county taxes, to be recorded by the circuit court clerk.
- Sec. 108: Clerk may appoint assistants and deputies, subject to approval of the county commissioners.
- Sec. 110: Clerk shall collect all state and county taxes, and assess all new property subject to approval of the county commissioners.
- Sec. 111: All taxes shall become due and in arrears on January 1 and shall bear interest from that

date.

- Sec. 112: Annual levy of taxes shall be made on or before July 1.
- Sec. 113: On a day between August 15 and November 15 and between January 1 and April 1, the clerk shall attend in each election district to collect taxes.
- Sec. 115: At any time after taxes become in arrears and remain unpaid, the clerk may proceed to sell the properties. The clerk shall prepare two statements showing the amount of property assessed, name of the taxpayer, and amount of taxes due. Attached shall be a notice that unless taxes are paid within one month, the taxes will be collected by distress or execution. One statement shall be served on the taxpayer. The other one, showing fact of service on the taxpayer, shall be retained by the county commissioners until the taxes have been paid or it is filed with the report of sale.
- Sec. 115A: Before a sale the clerk shall prepare a schedule of the property. Any personal property, whether or not assessed, may be seized for sale.
- Sec. 115B: Real property may be sold after twenty days public notice, personal property after ten days. Surplus proceeds shall be paid to the taxpayer.
- Sec. 115C: Clerk shall report the sales to the circuit court for ratification. The court may order a new sale.
- Sec. 116: State, county, and municipal taxes shall be liens on real property and on personal property as long as the taxpayer owns it. All real property shall be liable for taxes assessed against it regardless of change in ownership.
- Sec. 117: When real property is sold, the taxpayer may redeem the land within twelve months of the sale by paying the purchase price plus interest and costs into the circuit court.
- Sec. 118: For real property not so redeemed the clerk shall execute a deed.
- Sec. 119: The clerk shall apply to the county commissioners for allowances for insolvencies and removals.
- Sec. 120A: At the end of each year the clerk shall make a settlement with the county commissioners for county taxes so far collected. The successor to the clerk shall complete collections not finished by the predecessor.
- Sec. 121: Clerk shall keep separate accounts for state and county taxes.
- Sec. 121B: Tax enforcement proceedings shall take place between January 1 and October 1, and later if necessary.
- Sec. 121C: The current clerk and county treasurer shall also become collector by taking the oath and giving bonds prescribed by Sec. 107. Collectors appointed in 1907 shall remain in office until their collections are completed.

### **Acts of 1908, Ch. 386**

An act to repeal Secs. 9-10 of Art 81, Public General Laws, re transfer lists in SM, approved 4-8-1908

- Sec. 1: Sec. 9, re lists of transfers from circuit court clerks, and Sec. 10, re lists of transfers from registers of wills, of Art 81, Public General Laws, repealed as far as they relate to SM.

### **Acts of 1908, Ch. 564**

An act to repeal Secs. 183-188 of Art. 81, Public General Laws, re mortgage tax in GA, approved 4-6-

1908

- Sec. 1: GA removed from these provisions for a mortgage tax.

### **Acts of 1908, Ch. 589**

An act re assessments in KE, approved 4-8-1908

- Sec. 1: KE is hereby exempt from the listing of personal property in 1908 provided for in Acts of 1906, Ch. 320.
- Sec. 2: All acts done in KE in reference to carrying out Acts of 1902, Ch. 402, Sec. 192A and Acts of 1906, Ch. 320, Sec. 200, re revaluation of personal property, are hereby ratified and made valid.

### **Acts of 1910, Ch. 10**

An act to repeal and reenact Secs. 213-226 of and to add sections to Art. 20, Public Local Laws, re tax collection in SO, approved 3-1-1910

- Sec. 213: SO Treasurer, who is also the clerk of the county commissioners, shall be the collector of state and county taxes. All taxes levied after January 1, 1910 shall be collected by the treasurer.
- Sec. 214: Treasurer shall give bond, to be recorded by the circuit court clerk.
- Sec. 216: County commissioners shall fill vacancies.
- Sec. 218: County commissioners shall make the annual levy in July. Discounts on county taxes shall be given until December 1.
- Sec. 219: Within sixty days after the levy the treasurer shall make a copy of the assessment list showing the aggregate assessment of each person, with the owners names arranged alphabetically for each election district and showing the taxes due from each. Treasurer shall use these lists to record moneys received, transfers, insolvencies, discounts, and abatements. Treasurer shall keep a cash account showing moneys received and source and moneys paid to the county commissioners and state treasury.
- Sec. 221: Treasurer shall send tax bills to taxpayers by October 1.
- Sec. 222: Treasurer shall forward state taxes monthly to the state treasury.
- Sec. 223: On January 1 taxes shall be deemed in arrears and shall bear interest from that date. In January the treasurer shall deliver to each delinquent taxpayer an account of the assessment and taxes and interest due with a notice that unless payment is received by November 15, the amount will be collected by process of law.
- Sec. 224: Taxes on personal property and real property shall be a lien on real property which may be sold without regard to the existence of personal property.
- Sec. 225: When necessary to sell real property, the treasurer shall advertise the sale and list for each parcel the years for which taxes are due, name of the delinquent taxpayer, location, acreage, and other descriptions.
- Sec. 226: When necessary to sell personal property, the treasurer shall prepare a tax bill with an order directing the sheriff to sell the property. After the sale the sheriff shall pay the amount due

to the treasurer.

- Sec. 227: Treasurer shall report sales of real property to the circuit court for ratification. After that, the treasurer shall execute deeds to the purchasers.
- Sec. 228: Every tax sale deed shall include the name of the former owner, which the circuit court clerk shall index.
- Sec. 230: Treasurer shall be allowed two years from the date the levy is received to complete the collection and make final settlements with the county commissioners and state treasury.
- Sec. 231: At or before that time the treasurer shall present to the county commissioners claims for erroneous, insolvent, or uncollectable tax bills.
- Sec. 232: At any time after the end of a treasurer's term, the county commissioners may require the successor to complete the collections.
- Sec. 234: Treasurer shall attend in each commissioner district one day per month for collecting and receiving taxes.
- Sec. 235: Treasurer shall determine property subject to taxation but omitted from the last revised assessment list, including buildings and improvements, and ascertain newly acquired or created property. Treasurer shall make returns of these determinations to the county commissioners.
- Sec. 236: Taxpayers may redeem real property within twelve months after the sale by paying the purchase price plus interest into the circuit court, to be paid the purchaser.
- Sec. 240: Treasurer shall be subject to removal from office by judges of the circuit court upon conviction of willful neglect of duties or malfeasance in office.
- Sec. 243: At least once a year the treasurer shall correct the transfers on the assessment records according to the list furnished by the circuit court clerk.
- Sec. 244: Current treasurer and clerk shall hold office under this act until January 1914. In November 1913 and every four years thereafter a treasurer shall be elected to take office in January.

### **Acts of 1910, Ch. 87**

An act re tax sale records in PG, approved 4-5-1910

- Sec. 6: Circuit court clerk in PG shall maintain a special docket and index thereto, to be called the Tax Sale Book in which shall appear the names of taxpayers whose real property is sold for taxes and information relative to the legal status of the land including redemption which the treasurer shall report to the clerk.

### **Acts of 1910, Ch. 292**

An act to repeal Sec. 9 of Art 81, Public General Laws, re record lists in AA, approved 4-7-1910

Sec. 9 required the circuit court clerk to furnish county commissioners with a list of deeds, judgments, etc. for purposes of transferring and assessing property. This list has been found to be useless.

- Sec. 1: Sec. 9 of Art. 81, Public General Laws, shall be repealed as far as it relates to AA.

### **Acts of 1910, Ch. 300**

An act re general valuation and reassessment of property, approved 4-11-1910

Same as Acts of 1896, Ch. 120, Secs, 164, 166-169, 171-175, 178-187, and 190 except as noted below.

- Sec. 1: Reassessment shall take place in 1910.
- Sec. 2: Assessment districts that are changed:
  - BA - Assessment District 1 composed of Election District 1, District 2 composed of Election Districts 2 and 4, District 3 composed of Election District 5-7, District 4 composed of Election Districts 8 and 10-11, District 5 composed of Election District 5, District 6 composed of Election District 9, District 7 composed of Election District 12, District 8 composed of Election District 14, District 9 composed of Election District 15, and District 10 composed of Election District 13
  - DO - Assessment District 1 composed of Election Districts 1-2, 12, and 15; District 2 composed of Election Districts 3, 11, 14, and 17; District 3 composed of Election Districts 7-8 and 13; District 4 composed of Election Districts 4, 9, and 16; and District 5 composed of Election Districts 5-6 and 10
  - HA - Assessment District 1 composed of Election Districts 1 and 3-4 and District 2 composed of Election Districts 2 and 5-6
  - PG - Assessment District 1 composed of Election District 17; District 2 composed of Election Districts 2 and 16; District 3 composed of Election Districts 1, 10, and 14; District 4 composed of Election Districts 3, 6, and 15; District 5 composed of Election Districts 4, 8, and 11; District 6 composed of Election Districts 5, 9, and 12; and District 7 composed of Election Districts 7 and 13
  - WI - District 1 composed of Election Districts 1-3 and 9-12 and District 2 composed of Election Districts 4-8 and 13-14
- Sec. 4: Governor shall appoint two assessors at large for each county by 4-15-1910. Revisions of assessments and appeals from assessors decisions shall be made to the county commissioners sitting as boards of control and review.
- Sec. 10: Assessors shall first assemble on the first Tuesday in May 1910.
- Sec. 20: Boards of control and review shall begin to consider assessors returns on the second Tuesday in September 1910.
- BC, SO, and WO are exempt from this act.

### **Acts of 1910, Ch. 369**

An act to repeal and reenact Sec. 133C and add sections to Art. 18, Public Local Laws, re tax collection in QA, approved 4-7-1910, effective 6-1-1910

- Sec. 133C: On January 1 taxes in QA shall be in arrears and interest shall be charged from September 1. In January the treasurer shall publish a list of delinquent taxpayers showing the amounts due. In early April the treasurer shall deliver to each such taxpayer an account of the assessment and taxes and interest due with a notice that unless the amount due is paid by July 1 the taxes will be collected by process of law. On July 1 the treasurer shall publish a list of delinquent taxpayers assessed with real property, showing for each a brief description of the land, election district, deed references, and amount due, with a notice that unless payment is made by

early August the land will be sold.

- Sec. 133C1: Within thirty days after the sale the treasurer shall report them to the circuit court for ratification. If any sale is set aside, the treasurer shall make a new sale within thirty days.
- Sec. 133C2: Six months after the sales the treasurer shall execute deeds.
- Sec. 133C3: A taxpayer may redeem property within twelve months of the sale by paying into the circuit court, to be paid the purchaser, the amount of the purchase money and subsequent taxes paid with interest.
- Sec. 133C4: County commissioners may purchase real property at tax sales provided they do not bid more than the amount due. They may then sell or lease the lands.
- Sec. 133C6: After July 1 the treasurer shall collect taxes in arrears on personal property by selling personal property or real property.
- Sec. 133C7: Treasurer may sell personal property after giving ten days notice and then proceed per provisions of Sec. 133C1.
- Sec. 133C9: If less than an entire tract is needed to satisfy the amount due, the treasurer shall estimate the acreage needed and have the county surveyor lay it off. Treasurer shall file the plat with the report of sales. This section shall not apply to lots in towns or subdivisions.
- Sec. 133C11: When a term of office ends before the collections are completed, the treasurer shall be given twelve more month to finish the process.

### **Acts of 1910, Ch. 430**

An act to add a section to Art. 81, Public General Laws, re appeals, approved 4-15-1910

- Sec. 7A: Anyone aggrieved by an assessment decision made by the county commissioners may appeal to the circuit court in the county where the property is located. Proceedings shall follow the provisions set out for the BC Court in Sec. 17. The circuit court shall have the proceedings and decisions entered in the proceedings of the county commissioners. These provisions shall not apply to assessments made under Acts of 1896, Ch. 120. Appeals may be taken to the Court of Appeals.

### **Acts of 1910, Ch. 488**

An act to add sections to Art. 81, Public General Laws, re bonus tax, approved 4-7-1910

- Sec. 101A: Clerks of the BC Superior Court and county circuit courts shall record among the charter records receipts for the payment of the bonus tax, that are given to a corporation whose charter is recorded therein.
- Sec. 101B: The clerks shall index these certificates under the names of the corporations.

### **Acts of 1910, Ch. 544**

An act to repeal and reenact Sec. 183 of Art. 81, Public General Laws, re mortgage tax in WI, approved 4-11-1910

- Sec. 183: WI is removed from the provisions of this section re taxes on mortgages.

## Acts of 1910, Ch. 762

An act to repeal and reenact Acts of 1908, Ch. 341, re tax collection in DO, approved 4-11-1910

- Sec. 106: There shall be a DO Treasurer who shall also be the clerk of the county commissioners. The treasurer shall receive state and county taxes from collectors. The treasurer shall take an oath and give two bonds, one for state taxes and one for county taxes, to be recorded by the circuit court clerk.
- Sec. 107: The current treasurer, collector, and clerk shall complete the collection of taxes levied in 1908 and 1909 and the taxes on mortgages remaining uncollected.
- Sec. 108: Treasurer shall be elected every four years, beginning in November 1913, and take office on January 1. County commissioners shall fill vacancies.
- Sec. 109: Annual levy of taxes shall be made on or before July 1. Annually in May the county commissioners shall appoint a collector of state and county taxes for each election district, who shall hold office for two years, but only for taxes levied in the year of the appointment.
- Sec. 110: Every collector shall give a bond, to be recorded by the circuit court clerk.
- Sec. 111: Treasurer shall keep an account of taxes showing the date and rate of levy, names of taxpayers by election district, amounts of state and county taxes due from each, names of collectors and data on their bonds and securities, and purposes for which taxes were levied.
- Sec. 112: Treasurer shall deliver to each collector a copy of this account for the appropriate election district.
- Sec. 113: Discounts shall be allowed on taxes paid by October 1.
- Sec. 115: All taxes shall become due and in arrears on January 1 and shall bear interest from that date.
- Sec. 115B: Treasurer shall keep separate accounts for state and county taxes.
- Sec. 116B: Collectors shall apply to the county commissioners for allowances for removals and insolvencies.
- Sec. 117B: At the end of each year the treasurer shall make a settlement with the county commissioners on taxes received from the collectors.
- Sec. 118A: At any time after taxes become in arrears and remain unpaid, the collectors may sell the properties. The collector shall prepare two statements showing the amount of property assessed, name of the taxpayer, and amount of taxes due. Attached shall be a notice that unless taxes are paid within one month, they will be collected by distress or execution. One statement shall be served on the taxpayer. The other one, showing the fact of service on the taxpayer, shall be retained by the county commissioners until the taxes have been paid or it is filed with the report of sale.
- Sec. 118B: Before a sale the collector shall prepare a schedule of the property. Any personal property, whether or not assessed, may be seized for sale.
- Sec. 119: Real property may be sold after twenty days public notice, personal property after ten days. Surplus proceeds shall be paid to the taxpayer.
- Sec. 119A: Collector shall report the sales to the circuit court for ratification. The court may order a new sale.
- Sec. 119B: State, county, and municipal taxes shall be liens on real property and on personal property as long as the taxpayer owns it. All real property shall be liable for taxes assessed



against it regardless of change in ownership.

- Sec. 120: When real property is sold, the taxpayer may redeem the land within twelve months of the sale by paying the purchase price plus interest and costs into the circuit court.
- Sec. 120A: For real property not so redeemed the collector shall execute a deed.
- Sec. 121B: In 1910 the treasurer shall acquire information about real property, buildings, improvements, and personal property that are liable to taxation, but not assessed, and return a list with valuations to the county commissioners in May. Thereafter, the tax collectors shall annually perform these functions. The county commissioners may revise and correct the valuations.
- Sec. 121C: Every second month the tax collectors shall return to the county commissioners a list of taxpayers who have paid taxes. Clerk of the county commissioners shall record and index them.
- Sec. 121D: Taxes on mortgages shall become due and in arrears on September 1. Treasurer shall enforce payment by procedures outlined in Secs. 118A-120.

### **Acts of 1912, Ch. 114**

An act to repeal and reenact Sec. 183 of Art. 81, Public General Laws, re mortgage tax in CR, HO, and WO, approved 4-8-1912

- Sec. 183: Provisions for a tax on mortgages shall not apply to CR, HO, and WO.

### **Acts of 1912, Ch. 184**

An act to repeal and reenact Sec. 115 of and add new sections to Art. 17, Public Local Laws, re tax collection in PG

- Sec. 115: PG Treasurer shall be the collector of state and county taxes. Sales of real property by the treasurer for delinquent taxes shall be reported to the circuit court sitting in equity. In May, two months after the sales, the court shall ratify them unless cause to the contrary be shown. Circuit court clerk shall record the court orders in the book containing the reports of the tax sales and indicate the ones excepted or defective. The final court order may be appealed to the Court of Appeals.
- Sec. 115A: If anyone is assessed with personal property only and taxes remain unpaid on January 1, the treasurer shall within one month levy upon the property per procedures used by the sheriff for execution on judgments. The property may include shares of stock. Treasurer may instead collect taxes due on personal property by suit in the name of the county commissioners before a justice of the peace. Sales of personal property made under this section shall be reported by the treasurer to the circuit court and show the names of the purchasers, purchase prices, articles sold, and amounts of taxes, interest, and costs.

### **Acts of 1912, Ch. 225**

An act to repeal and reenact Sec. 25A of Art. 19, Public Local Laws, re tax collection in SM, approved 4-8-1912

- Sec. 25A: After giving public notice the SM Treasurer shall attend in each election district one

day each in June, August, and October for collecting and receiving taxes. Interest shall be charged on taxes not paid by September 1. After giving thirty days notice the treasurer may sell personal personal and real property of delinquent taxpayers at public sale. Surplus proceeds, if any, shall be paid the owner of the property. Notice of these sales shall not be made before February 1. Treasurer may extend this date to June 1. When necessary to enforce payment of taxes by the sale of personal property, the treasurer shall prepare a tax bill with an order directing the sheriff to sell the property. After the sale the sheriff shall pay to the treasurer the amount of tax bill and pay any surplus to the delinquent taxpayer. Fifteen days before sales of real property are advertised, the treasurer shall file with the circuit court clerk a list of delinquent taxpayers. Clerk shall search for the appropriate deed and enter the references on the list and note those for which no deed is found. These entries shall be published as title references. Treasurer shall report tax sales to the circuit court. Twelve months later the circuit court clerk shall publish an order of ratification nisi. Before final ratification the treasurer shall file a supplementary report showing properties redeemed or excepted to. Exceptions shall be heard by the circuit court. According to the court decisions, the circuit court clerk shall enter on the docket "exceptions sustained and sale set aside" or "exceptions overruled and sale ratified," designating the specific property to which the ruling applies. After the final ratification the court shall refer all proceedings to the auditor of the court for a statement of accounts and distribution of the moneys to parties entitled. After deducting taxes, expenses, and costs, the auditor shall ascertain from court records and claims filed in the proceedings whether there are any creditors of the delinquent taxpayers. Auditor shall distribute any surplus moneys to the creditors according to priority of claims and balance, if any, to the taxpayers or heirs. Auditors report shall be ratified by the court. If no heirs are found within a year, the surplus money shall be paid to the county commissioners for almshouse expenses. Any heirs shall have twelve years in which to establish a claim to the money. If so proven, the county commissioners shall refund it with interest. Surpluses from sheriffs sales of personal property shall be distributed in the same manner.

### **Acts of 1912, Ch. 490**

An act re land records and assessments in HA, approved 4-11-1912

- Sec. 1: No deed conveying real property or chattels real in HA shall be recorded until the property has been transferred on the assessment records of the county commissioners or a description is provided to the circuit court clerk that will enable the clerk of the county commissioners to make the transfer.
- Sec. 2: The clerk of the commissioners shall endorse the fact of the transfer on the deed. When presented first to the circuit court clerk, that official shall ascertain the name of the taxpayer appearing on the assessment record, number of acres or lot number or other description, improvements, and number of arable and woodland acres, and convey the information to the clerk of the county commissioners.

### **Acts of 1912, Ch. 599**

An act to add a section to Art. 81, Public General Laws, re appeals, approved 4-11-1912

- Sec. 17B: Anyone aggrieved by an assessment decision made by municipal officials, other than BC, may appeal to the circuit court in the county where the property is located. Proceedings shall follow the provisions set out in Sec. 17. The circuit court shall have the proceedings and decisions entered in the proceedings of the municipality.

### **Acts of 1912, Ch. 633**

An act to repeal Acts of 1908, Ch. 386, re transfer lists in SM, approved 4-11-1912

- Sec. 1: Acts of 1908, Ch. 386, re lists of transfers from circuit court clerks and lists of transfers from registers of wills in SM, is repealed.

### **Acts of 1912, Ch. 822**

An act to repeal and reenact Secs. 133C and 133C6 of Art. 18, Public Local Laws, re tax collection in QA, approved 4-11-1912, effective 12-31-1912

- Sec. 133C: On January 1 taxes in QA shall be in arrears and interest shall be charged from September 1. In January the treasurer shall publish a list of delinquent taxpayers showing the amounts due. In the February treasurer shall deliver to each such taxpayer an account of the assessment and taxes and interest due with a notice that unless payment is made by April 1 the taxes will be collected by process of law. On April 1 the treasurer shall publish a list of delinquent taxpayers assessed with real property, showing for each a brief description of the land, election district, deed references, and amount due, with a notice that unless payment is made by mid May the land will be sold.
- Sec. 133C6: After April 1 the treasurer shall collect taxes in arrears on personal property by selling personal property or real property.

### **Acts of 1914, Ch. 182**

An act re tax collection in WO, approved 3-30-1914, effective 4-1-1915

- Sec. 1: In November 1915 and every four years thereafter a WO Treasurer shall be elected who shall take office the next January 1.
- Sec. 2: Treasurer shall be the collector of state and county taxes.
- Sec. 3: Treasurer shall take an oath and give bond, to be recorded by the circuit court clerk.
- Sec. 7: County commissioners shall make the annual levy in early June. Discounts shall be given on taxes paid by October 15.
- Sec. 8: Within sixty days after the levy the treasurer shall make a copy of the assessment list showing for each person the aggregate assessment and amount of state and county taxes due, with the owners names arranged alphabetically for each election district. Treasurer shall use this record to show credits for money received, property transfers, insolvencies, discounts, or abatements. Treasurer shall enter alphabetically in a ledger the entire account of each taxpayer.
- Sec. 10: In July the treasurer shall prepare and send out tax bills.
- Sec. 11: Monthly the treasurer shall send state taxes to the state treasury.

- Sec. 12: On January 1 taxes shall be deemed in arrears and bear interest from that date. In January the treasurer shall deliver to each delinquent taxpayer an account of the assessment and amount of taxes and interest due, with a notice that unless payment is made by July 1 personal property or real property will be sold.
- Sec. 13: Taxes shall be a lien on real property which may be sold without regard to existence of personal property.
- Sec. 14: Treasurer shall publish a notice of the tax sales of real property that shall include for each parcel the years for which taxes are due, name of the taxpayer, election district where located, and acreage.
- Sec. 15: When necessary to sell personal property, the treasurer shall direct the sheriff to do so. Sheriff shall pay the amount due to the treasurer and any surplus to the owner.
- Sec. 16: Treasurer shall report sales of real property to the circuit court which shall examine the proceedings and, after public notice and hearing objections, shall ratify the sales. Court may order the treasurer to make new sales. Surplus sale proceeds shall be paid to the taxpayer.
- Sec. 17: Every tax deed shall contain the name of the former owner which shall be indexed by the circuit court clerk.
- Sec. 19: Treasurer shall be allowed two years from the date of the levy to complete the collections and make final settlement with the county commissioners and state treasury.
- Sec. 20: Treasurer shall file claims for erroneous, insolvent, or uncollectable tax bills with the county commissioners before or at the time of final settlement.
- Sec. 21: County commissioners may require the treasurer to complete the collections of predecessors.
- Sec. 22: If the bond of a treasurer becomes liable for unpaid and uncollected taxes, the sureties shall be empowered to enforce payments in the same manner as the treasurer would have done.
- Sec. 23: Treasurer may attend three days per year in each election district for collecting taxes.
- Sec. 24: During these visits the treasurer shall determine taxable property not included in the last revised assessment, new buildings and improvements, and newly created and acquired properties and report them to the county commissioners.
- Sec. 25: A taxpayers may redeem real property within twelve months after the sale by paying into the circuit court, to be paid the purchaser, the purchase price plus interest.
- Sec. 32: At least once a year the treasurer shall correct the list of property transfers on the tax books, according to the list furnished by the circuit court clerk.
- Sec. 34: By April 1, 1915, county commissioners shall appoint a treasurer who shall serve until January 1, 1916.

### **Acts of 1914, Ch. 197**

An act to repeal and reenact Sec. 159 of Art. 81, Public General Laws, re corporative taxes, approved 4-3-1914

- Sec. 159: [Added to provisions about corporations filing lists of real property and payment of taxes on stock.] Fire insurance companies shall file with the county commissioners or BC Appeal Tax Court of list of mortgages on real or leasehold property, showing the amounts due. Tax Commissioner shall incorporate these amounts when computing taxes on capital stocks and

shares.

## **Acts of 1914, Ch. 324**

An act to add sections to Art. 23, Public General Laws, re corporative taxes, approved 4-16-1914

- Sec. 88A: Every corporation having a capital stock, except railroads and building or homestead associations, shall at the the time of incorporation pay a bonus tax for use of the state and at times of amending its charter that effect the increase of capital stock.
- Sec. 88B: Ordinary business corporations created under Maryland law after 1914 shall be exempt from taxation on its shares, as shall the shareholders.
- Sec. 88C: Every ordinary business corporation shall be subject to taxation upon its real property and personal property. On real property the taxes shall be levied and payable where it is located as now provided by law. Personal property, except for bonds, stock shares, and securities enumerated by Sec. 214 of Art. 81 and property exempt by law, shall be valued and assessed by the Tax Commissioner. These taxes shall be apportioned among the counties and municipalities according to the number of shares of stock held by residents therein. Stock held by nonresidents shall be treated as if held by residents of the jurisdiction where the main office of the company is located. When so apportioned to the state, counties, and municipalities, the taxes shall be payable to the officers authorized to collect them.
- Sec. 88D: After 1914 every business corporation shall annually by May 1 pay to the state treasury a franchise tax based on the amount of capital stock issued and outstanding the preceding January 1.
- Sec. 88E: One half of the franchise tax shall be for the use of the state and the other half for counties and municipalities apportioned according to the number of shares held by residents.

## **Acts of 1914, Ch. 510**

An act to repeal and reenact Sec. 181 of Art. 17, Public Local Laws, re assessments in PG, approved 4-13-1914

- Sec. 181: In March 1903 and biennially thereafter the PG Board of County Commissioners shall appoint a transfer clerk and auditor. Transfer clerk shall correct and keep assessment books so that they show the actual owners of properties. The transfer clerk shall search for every transfer by deed, decree, will, descent, or otherwise and report them monthly to the county commissioners. The official shall take an oath.

## **Acts of 1914, Ch. 765**

An act re judgments in DO, approved 4-13-1914

- Sec. 1: All judgments of record in DO shall be taxed for county and municipal purposes to the owner at one half the amount of the judgment, exclusive of court costs.
- Sec. 2: Annually in April the circuit court clerk shall file with the clerk of the county commissioners a list of all unsatisfied judgments appearing in the judgment record books,

showing names of plaintiffs and defendants, recordation references, dates rendered, and amounts. Once a judgment has been so listed, it shall not appear on any subsequent list.

- Sec. 3: Annually in April the clerk of the county commissioners shall notify the owners of the judgments that each must make a declaration in May whether the judgment is considered good and collectable. If a declaration is not made, the tax shall be levied and collected anyway.
- Sec. 4: Judgments considered good and collectable by the owners shall be taxed. If not, the judgment shall be placed in a separate account and no taxes collected until the judgment is paid.
- Sec. 5: Circuit court clerk shall not mark a judgment satisfied unless a notice is received from the clerk of the county commissioners that the tax has been paid.

## **Acts of 1914, Ch. 834**

An act to repeal and reenact Secs. 106-121D of Art. 10, Public Local Laws, re tax collection and assessment in DO, approved 4-16-1914, effective 1-1-1915

- Sec. 106: There shall be a DO Treasurer who shall also be the collector of state and county taxes. The treasurer shall keep a cash account showing moneys received, their sources, and sums paid the county commissioners and state treasury.
- Sec. 107: Treasurer shall take an oath before the circuit court clerk and shall give bond, to be recorded by the circuit court clerk.
- Sec. 110: County commissioners shall make the annual levy of taxes on or before May 1. All taxes shall become due and in arrears on January 1 and shall bear interest from that date. Discounts shall be allowed on taxes paid by October 1.
- Sec. 112: In July and August the treasurer shall prepare and send out tax bills.
- Sec. 113: Treasurer shall report monthly to the county commissioners on amounts of taxes collected and shall transfer state taxes to the state treasury.
- Sec. 114: Annually in January the treasurer shall publish a list of delinquent taxpayers showing amounts due by each. In April the treasurer shall notify each delinquent taxpayer that unless payment is received by July 1 taxes will be collected by process of law. If taxes are not paid, the treasurer shall prepare a list of delinquent taxpayers assessed with real property, showing names of the taxpayers, brief descriptions of the properties, election districts where located, deed references, and amounts due including taxes due on personal property. Attached shall be a notice that unless taxes are paid by mid August, the real property will be sold. Land may be sold without regard to the existence of personal property. Surplus proceeds shall be paid to the taxpayer.
- Sec. 115: When personal property is to be sold for taxes, the treasurer shall prepare a tax bill with an order directing the sheriff or constable to sell the property. Proceeds shall be paid to the treasurer, with any surplus going to the taxpayer.
- Sec. 115A: Taxes on personal property about to be sold or removed from the county shall be taken to be due and in arrears from the date of the levy.
- Sec. 115B: Treasurer shall report the real property tax sales to the circuit court for ratification. The court may order a new sale.
- Sec. 115C: State, county, and municipal taxes shall be liens on real property, and on personal property as long as the taxpayer owns it. All real property shall be liable for taxes assessed against it regardless of change in ownership.

- Sec. 116: When real property is sold, the taxpayer may redeem the land within twelve months of the sale by paying the purchase price plus interest and costs into the circuit court.
- Sec. 116A: For real property not so redeemed the treasurer shall execute a deed.
- Sec. 116B: Every tax deed shall contain the name of the former owner which name the circuit court clerk shall index.
- Sec. 117A: County commissioners may purchase real property at tax sales provided their bid does not exceed the amount of taxes, interest, and costs. They may then lease or sell the property.
- Sec. 117B: The treasurer shall apply to the county commissioners for allowances for insolvencies and removals.
- Sec. 120: Successors to the treasurer shall complete the collection of taxes.
- Sec. 121: Treasurer may attend three days per year in each election district for collecting and receiving taxes.
- Sec. 121A: Annually in March the county commissioners shall appoint an assessor for each election district, except in Election District 7, Cambridge, where the clerk of the county commissioners shall be the assessor. Assessors shall ascertain all property created or acquired since the last revised list of assessments and make returns annually in April. Clerk of the county commissioners shall notify owners that the county commissioners intend to assess their properties unless cause to the contrary be shown.
- Sec. 121E: The current treasurer, after taking the prescribed oath and giving bond, shall hold office under this act. In November 1917 and every four years thereafter the treasurer shall be elected and hold office from January 1.
- Sec. 121G: Clerk of the county commissioners shall annually prepare assessment and levy books for each election district, showing the names of taxpayers alphabetically, their aggregate assessments, and state and county tax rates.
- Sec. 121H: Taxes on mortgages shall become due and in arrears on September 1. Treasurer shall enforce payment by procedures outlined in this act.
- Completion of the collection of taxes of prior years shall be completed under Acts of 1910, Ch. 762.

### **Acts of 1914, Ch. 841**

An act to create a State Tax Commission and add sections to Art. 81, the Public General Laws, approved 4-16-1914, effective 5-29-1914

Office of State Tax Commissioner shall cease upon qualification of the Tax Commission. All duties of the Tax Commissioner shall be performed by the Tax Commission.

- Sec. 233: State Tax Commission is hereby created. It shall consist of three persons - one each from BC, Eastern Shore, and Western Shore. The term of office shall be six years, staggered and to begin June 1. The first commission shall be composed of Oscar Leser to serve two years, Lewin W. Wishes to serve four years, and Arthur P. Gorman to serve six years and be chairman. Thereafter the governor shall fill vacancies, make new appointments, and designate the chairman.
- Sec. 234: Duties and powers of the Tax Commission:
  - Supervise administration of assessment and tax laws.
  - Supervise supervisors of assessments and the final determination of assessments so that all

taxable properties are placed on assessment books and equalized throughout the state.

Property legally subject to taxation but not assessed may be placed on the books at any time and subject to taxation for current and previous years, not exceeding four years total.

- Establish the forms for assessment reports, assessment books, collection books, schedules, notices, and financial and statistical reports to be used by the county commissioners and BC Appeal Tax Court. Tax Commission may examine the records of local governing bodies, assessors, and tax collectors.
- Provide for a uniform system of accounts for collectors of state taxes.
- Formulate standards for the assessment of various types of property and issue instructions to the local supervisors of assessment.
- Require that all property be reviewed for assessment at least once every five years.
- Sec. 235: In each county and BC there shall be a supervisor of assessments, appointed by the Tax Commission from a list of five persons submitted by the county commissioners and BC Mayor. County supervisors shall have general supervision over the assessment of property. These supervisors shall not be required to make assessments that are the responsibility of the county commissioners or other proper authorities as now required by law. The supervisors shall have the power and duty to appeal to the Tax Commission any assessment or ruling deemed improper. The supervisors shall keep posted on sales of property and report them to the Tax Commission and the county commissioners. Based on data from the Tax Commission or county commissioners, the supervisors may order a new valuation of particular assessments.
- Sec. 236: BC Supervisor of Assessments shall have access to the BC assessment books, records of the BC Appeal Tax Court, and assessors returns. The supervisor shall have the authority to inquire into any assessment, report results to the appeal tax court and Tax Commission, recommend changes, and appeal assessments or rulings of the appeal tax court to the Tax Commission. The commission may order the appeal tax court to reassess particular properties.
- Sec. 238: Any taxpayer or city or town may demand a hearing before the county commissioners or BC Appeal Tax Court concerning assessment of property or any unit of tax value. No formal proceedings shall be required. After the hearing, the taxpayer, city or town, or supervisor of assessments may appeal the decision to the Tax Commission. There shall be an appeal on questions of law only from the decisions of the Tax Commission to the circuit court in the county where the property, if real estate or tangible personal property, is located or where the owner resides, if intangible personal property.
- Sec. 244: On appeals to the Tax Commission the provisions of Acts of 1908, Ch. 167, re appeals to the BC Court, and Acts of 1910, Ch. 430, re appeals to the county circuit courts, shall be applicable, except that the Tax Commission shall be substituted for and exercise the functions now performed by these courts. Appeals from decisions of the Tax Commission in BC shall go to the BC Court. Appeals from decisions of the BC Court and county circuit courts may be taken to the Court of Appeals.

## **Acts of 1916, Ch. 431**

An act to repeal Sec. 68D of Art. 6, Public Local Laws, re tax collection in CA, approved 4-18-1916, effective 6-1-1916



- Sec. 1: Sec. 68D, re discounts for early payment of taxes in CA, of Art. 6, Public Local Laws, is repealed.

### **Acts of 1916, Ch. 516**

An act to repeal and reenact Sec. 187 of Art. 81, Public General Laws, re mortgage tax in CR, DO, and SO, approved 4-18-1916

- Sec. 183: Provisions for a tax on mortgages are reinstated in CR, but shall no longer apply in DO and SO.

### **Acts of 1916, Ch. 629**

An act to add sections to Art. 81, Public General Laws, re assessments, approved 4-14-1916, effective 6-1-1916

- Sec. 248: Each county supervisor of assessments shall act at the chief assessor in that county. At a time set by the Tax Commission the county commissioners shall appoint such number of county assessors as determined by the commission. Tax Commission shall have the authority to dismiss with cause any assessor and require the county commissioners to fill the vacancy or do the task itself.
- Sec. 251: Tax Commission may institute mandamus proceedings to compel the county commissioners to follow instructions as to the method of assessment or to appoint assessors.
- Sec. 252: County commissioners may appoint an additional clerk in connection with the reassessment of property.
- Sec. 253: Public notice of reassessment shall be given when it involves all property in a county, district, or town.

### **Acts of 1916, Ch. 630**

An act to repeal and reenact Sec. 48 of Art. 81, Public General Laws, re state taxes, approved 4-18-1916

- Sec. 48: State taxes levied per Sec. 28 and taxes due from corporations shall be payable annually on or after July 1, and if not paid by September 1, shall bear interest. Tax collectors or county treasurers shall make monthly returns and remittances to state treasury. State taxes shall be in arrears on or after January 1.

### **Acts of 1918, Ch. 255**

An act to repeal and reenact Sec. 26 of Art. 81, Public General Laws, re assessments, approved 4-10-1918, effective 6-1-1918

- Sec. 26: Besides the annual return of assessments to the state comptroller, the clerks of the county commissioners and BC Appeal Tax Court shall make similar returns quarterly for new assessments.

**Acts of 1918, Ch. 268**

An act to repeal and reenact Sec. 88 of Art. 81, Public General Laws, re tax collection, approved 4-10-1918

- Sec. 88: The four year limitation on the collection of taxes shall not apply when receivers or trustees are appointed to complete the collections. They shall have two years from the time of their appointment to complete the collections.

**Acts of 1918, Ch. 314**

An act to add a section to Art. 10, Public Local Laws, re assessments in DO, approved 4-18-1918

- Sec. 105M: Only during April shall the DO county commissioners adjust assessments by taking off property or changing ownership.

**Acts of 1918, Ch. 316**

An act to repeal and reenact Sec. 99 of Art. 81, Public General Laws, re franchise taxes, approved 4-10-1918, effective 6-1-1918

- Sec. 99: If corporations do not pay the franchise tax, tax on capital stock, or gross receipts tax for two years after they are due, the state comptroller shall provide the governor and the companies with a list of delinquent corporations. The governor shall then proclaim their charters or certificates of incorporation annulled and forfeited unless all taxes plus interest and penalties are paid within thirty days. The Secretary of State shall send copies of the final proclamation to the Comptroller of the Treasury, State Treasurer, and Tax Commission who shall note the forfeitures in their records.

**Acts of 1920, Ch. 19**

An act to repeal and reenact Secs. 227 and 236 of Art. 20, Public Local Laws, re tax collection in SO, approved 3-5-1920, effective 6-1-1920

- Sec. 227: Treasurer shall report sales of real property to the circuit court for ratification. Persons shall have sixty days in which to object. After the redemption period has expired, the treasurer shall execute deeds.
- Sec. 236: Taxpayers may redeem real property within twelve months after the sale by paying the purchase price plus interest into the circuit court, to be paid the purchaser. Circuit court clerk shall note this fact on the docket entry of the sale.

**Acts of 1920, Ch. 212**

An act to repeal and reenact Sec. 110 of Art. 10, Public Local Laws, re tax collection in DO, approved 4-16-1920

- Sec. 110: The taxable year in DO shall be the calendar year. The annual levy shall be made on or

before May 1. Taxes shall be in arrears on October 1 and bear interest thereafter. Penalties shall be imposed on taxes unpaid after January 1.

### **Acts of 1920, Ch. 278**

An act to add a new section to Art. 2, Public Local Laws, re land records and assessments in AA, approved 4-16-1920

- Sec. 303C: Before deeds for the conveyance of real property in AA are recorded, the purchasers shall submit them to the clerk of the county commissioners who shall note the transfer on the assessment records to the names of the new owners and shall certify this fact on the deeds. Grantees shall also provide information about buildings, if any, on the lands and purchase prices.

### **Acts of 1920, Ch. 325**

An act to add a new section to Art. 20, Public Local Laws, re land records and assessments in SO, approved 4-16-1920, effective 6-1-1920

- Sec. 47A: Before deeds for the conveyance of real property in SO are recorded, the purchasers shall submit them to the clerk of the county commissioners who shall note the transfer on the assessment records to the names of the new owners and shall certify this fact on the deeds. Grantees shall also provide information about buildings, if any, on the lands and the purchase prices.

### **Acts of 1920, Ch. 334**

An act to add a section to Art. 14, Public Local Laws, re land records and assessments in HO, approved 4-16-1920, effective 6-1-1920

- Sec. 44E: Before deeds for the conveyance of real property in HO are recorded, the purchasers shall submit them to the clerk of the county commissioners who shall note the transfer on the assessment records to the names of the new owners and shall certify this fact on the deeds. Grantees shall also provide information about buildings, if any, on the lands.

### **Acts of 1920, Ch. 238**

An act re land records and assessments in WI, approved 4-16-1920, effective 6-1-1920

- Sec. 1: No deed conveying real property or chattels real in WI shall be recorded until the property has been transferred on the assessment records.
- Sec. 2: Clerk of the county commissioners shall certify the fact of the transfer on the deed. If the deed is offered for recording without this endorsement, the circuit court clerk shall obtain the following information - current name on the assessment record, number of acres or town lot being conveyed, improvements thereon, number of arable acres, and number of acres in woodland or swamp. These statements shall be sent weekly to the clerk of the county commissioners.

**Acts of 1920, Ch. 398**

An act to repeal Acts of 1914, Ch. 765, re judgments in DO, approved 4-16-1920

- Sec. 1: Acts of 1914, Ch. 765, re taxation of judgments in DO, is repealed.

**Acts of 1920, Ch. 494**

An act to repeal and reenact Sec. 12 of Acts of 1904, Ch. 14, re tax collection in WI, approved 4-16-1920

- Sec. 12: On January 1 taxes in WI shall be deemed in arrears and be charged with interest. During January the treasurer shall deliver to each delinquent taxpayer an account of the assessment and taxes and interest due, with a notice that unless payment is made by March 1, the amount will be collected by process of law.

**Acts of 1920, Ch. 553**

An act to add a section to Art. 11, Public Local Laws, re land records and assessments in FR, approved 4-16-1920, effective 6-1-1920

- Sec. 82A: Deeds for the conveyance of real property in FR shall be submitted to the clerk of the county commissioners who shall make the transfer on the assessment records and shall note the fact of the transfer on the deed.

**Acts of 1920, Ch. 646**

An act to repeal Sec. 24 of Acts of 1904, Ch. 656, re tax collection in TA, approved 4-16-1920, effective 6-1-1920

- Sec. 1: Sec. 24 of Acts of 1904, Ch. 656, re tax collection in election districts in TA, repealed.

**Acts of 1920, Ch. 722**

An act to add a section to Art. 6, Public Local Laws, re land records and assessments in CA, approved 4-16-1920

- Sec. 59A: Deeds for the conveyance of real property in CA shall be submitted to the clerk of the county commissioners who shall make the transfer on the assessment records and shall note the fact of the transfer on the deed. The clerk shall also ascertain information on buildings on the land and the purchase price.

**Acts of 1922, Ch. 15**

An act to add a new section to Art. 17, Public Local Laws, re tax collection in PG, approved 4-13-1922, effective 6-1-1922

- Sec. 116HH: PG Board of County Commissioners shall prepare a list of state and county taxes

levied on real property through 1919, that has not been paid and that remains unsold or has been sold to the county commissioners at tax sales. Added to the list shall be a description of the lands as found in the assessment records including names of present owners if ascertainable and the amounts of taxes, interest, and penalties due. The list shall be delivered to the treasurer who shall publish it before September 1922 with a notice that unless the amounts due are paid by September the properties will be sold at public sale. All proceedings thereafter shall be in conformity with provisions for the annual March tax sales, except the treasurers report shall be made by October 15 and exceptions must be filed by December and the redemption period shall be one year from the date of the sale. After that the treasurer shall execute deeds, except to the county commissioners. County commissioners may sell their properties at public or private sale and the treasurer shall execute deeds.

### **Acts of 1922, Ch. 18**

An act to add a section to Art. 18, Public Local Laws, re land records and assessments in QA, approved 3-1-1922, effective 6-1-1922

- Sec. 134: Deeds for the conveyance of real property in QA shall be submitted to the clerk of the county commissioners who shall make the transfer on the assessment records and shall note the fact of the transfer on the deed. The clerk shall also ascertain information on buildings on the land and the purchase price.

### **Acts of 1922, Ch. 56**

An act re land records and assessments in BA, approved 3-14-1922

- Sec. 1: No deed for the conveyance or assignment of real estate or chattels real in BA shall be recorded in the land records until the property has been transferred on the assessment records of the county commissioners.
- Sec. 2: Clerk of the county commissioners shall endorse the fact of this transfer on the deed.
- Sec. 3: No property shall be transferred on the assessment book until all taxes, current and past, have been paid.

### **Acts of 1922, Ch. 65**

An act to add a new section to Art. 7, Public Local Laws, re land records and assessments in CR, approved 3-14-1922, effective 6-1-1922

- Sec. 22A: Before any deed for the conveyance of real property in CR is recorded, it shall be submitted to the clerk of the county commissioners who shall note the transfer on the assessment records and shall certify this fact on the deed. Before the transfer is made all taxes shall be paid. The clerk shall also receive a statement on buildings on the land.

### **Acts of 1922, Ch. 198**

An act to repeal and reenact Sec. 116G of Art. 17, Public Local Laws, re tax collection in PG, approved

4-13-1922

- Sec. 116G: No real property in PG offered at a tax sale shall be sold for less the total amount due. Otherwise it shall be sold to the county commissioners and remain on the assessment books and be taxed. If not redeemed, the property shall be forfeited to the county commissioners who shall have title without execution of a deed. Each piece of property so forfeited shall be removed from the assessment records and entered in the Tax Sale Properties book. Thereafter the properties while owned by the county shall not be listed, assessed, advertised, or sold in the annual tax sales. When the county commissioners do sell a property, they shall strike it from the Tax Sale Properties record and place it in the assessment records in the purchasers name. After each period of forfeiture the treasurer shall publish a list of the forfeited properties with a notice that they will be sold at public sale. No real property shall be sold for less than the amount of the taxes, interest, penalties, and costs due. The original owner of the forfeited property may at any time prior to the actual payment of the purchase money pay to the treasurer the amounts due and become vested with the former title to the land. Treasurer shall record this redemption. County commissioners may also sell forfeited properties under provisions of this section and Sec. 116H when purchasers have failed to pay the purchase money.

### **Acts of 1922, Ch. 224**

An act to add a section to Art. 10, Public Local Laws, re land records and assessments in DO, approved 4-13-1922

- Sec. 123A: Deeds for the conveyance of real property in DO shall be submitted to the clerk of the county commissioners who shall make the transfer on the assessment records and shall note the fact of the transfer on the deed. The clerk shall also ascertain information on buildings on the land.

### **Acts of 1922, Ch. 229**

An act to add a section to Art. 19, Public Local Laws, re land records and assessments in SM, approved 4-13-1922, effective 6-1-1922

- Sec. 31B: Deeds for the conveyance of real property in SM shall be submitted to the clerk of the county commissioners who shall make the transfer on the assessment records and shall note the fact of the transfer on the deed. The clerk shall also ascertain information on buildings on the land and the purchase price. If a deed is presented without the certificate, the circuit court clerk shall send it to the clerk of the county commissioners to have it certified.

### **Acts of 1922, Ch. 413**

An act to add a section to Art. 22, Public Local Laws, re land records and assessments in WA, approved 4-13-1922, effective 6-1-1922

- Sec. 31B: Deeds for the conveyance of real property in WA shall be submitted to the clerk of the

county commissioners who shall make the transfer on the assessment records and shall note the fact of the transfer on the deed. The clerk shall also ascertain information on buildings on the land.

### **Acts of 1922, Ch. 457**

An act to repeal and reenact Sec. 59A of Art. 6, Public Local Laws, re land records and assessments in CA, approved 4-16-1922

- Sec. 59A: Deeds for the conveyance of real property in CA shall be submitted to the clerk of the county commissioners who shall make the transfer on the assessment records and shall note the fact of the transfer on the deed. The clerk shall also ascertain information on buildings on the land and the purchase price. Circuit court clerk will no longer be required to send the clerk of the county commissioners a list of alienations.

### **Acts of 1922, Ch. 461**

An act to add a section to Acts of 1904, Ch. 656, re tax collection in TA, approved 4-13-1922, effective 6-1-1922

- Sec. 16A: When necessary to sell personal property in TA to enforce payment of taxes and it has been removed from the county and ownership has not changed, the treasurer shall direct the sheriff or constable in the other county to sell the property.

### **Acts of 1924, Ch. 284**

An act to add a section to Art. 81, Public General Laws, re assessors, approved 4-9-1924

- Sec. 248A: Assessors shall take the oath of office before the county circuit court clerks.

### **Acts of 1924, Ch. 298**

An act to add a section to Art. 8, Public Local Laws, re land records and assessments in CE, approved 4-9-1924, effective 6-1-1924

- Sec. 110A: Before a deed for the conveyance of real property in CE is recorded, it shall be submitted to the clerk of the county commissioners who shall make the transfer on the assessment records and certify this fact on the deed. The clerk shall also receive a statement on buildings on the land and purchase price.

### **Acts of 1924, Ch. 324**

An act to repeal reenact Sec. 68C of Art. 6, Public Local Laws, re tax collection in CA, approved 4-9-1924, effective 6-1-1924

- Sec. 68C: On January 1 taxes shall be deemed in arrears and interest shall be charged from October 1. After January 1 the treasurer shall deliver to each delinquent taxpayer an account of

the assessment and taxes and interest due with a notice that unless payment is made within thirty days the taxes will be collected by process of law. At any time between January 1 and March 1 the treasurer may sell the property per provisions of the Public General Laws. For tax bills unpaid on March 1 the treasurer shall give the taxpayers thirty days notice to pay the taxes and shall then advertise and sell the properties. In June the treasurer shall deliver to the county commissioners a list of taxes unpaid on June 10, showing the names of the taxpayers and amounts due and which ones are insolvent. County commissioners shall publish the list in July.

### **Acts of 1924, Ch. 328**

An act re land records and assessments in WO, approved 4-9-1924, effective 6-1-1924

- Sec. 1: Before a deed for the conveyance of real property or chattels real in WO is recorded, it shall be submitted to the clerk of the county commissioners who shall make the transfer on the assessment records. If this is not done, the circuit court clerk shall obtain the necessary information and send it to the clerk of the county commissioners.
- Sec. 2: Clerk of the county commissioners shall certify the fact of the transfer on the deed. If this does not appear on the deed, the circuit court clerk shall ascertain in whose name the property stands in the assessment records, acreage or lot description, improvements, arable acres, acres in woodland or swamp, and name of grantee or assignee. These statements shall be sent weekly to the clerk of the county commissioners.

### **Acts of 1924, Ch. 505**

An act to add a section to Art. 17, Public Local Laws, re land records and assessments in PG, approved 4-9-1924, effective 6-1-1924

- Sec. 37A: Before a deed for the conveyance of real property in PG is recorded, it shall be submitted to the transfer clerk who shall make the transfer on the assessment records and certify this fact on the deed.

### **Acts of 1924, Ch. 506**

An act re subdivision plats in PG, approved 4-9-1924, effective 6-1-1924

- Sec. 1: In PG every deed for a lot of any recorded subdivision plat when the lines are changed must be accompanied by a plat which the circuit court clerk shall deliver to the supervisor of assessments.
- Sec. 4: Any application for the recording of a plat must be accompanied by an additional copy to be filed by the circuit court clerk with the supervisor of assessments.

### **Acts of 1924, Ch. 563**

An act to add a section to Art. 17, Public Local Laws, re building permits in PG, approved 4-9-1924, effective 6-1-1924



- Sec. 91A: PG Supervisor of Assessments shall receive copies of building permits issued by the clerk of the county commissioners or town officials.

### **Acts of 1924, Ch. 570**

An act to add a section to Art. 12, Public Local Laws, re land records and assessments in GA, approved 4-9-1924, effective 6-1-1924

- Sec. 37A: Before a deed for the conveyance of real property in GA is recorded, it shall be submitted to the clerk of the county commissioners who shall make the transfer on the assessment records and certify this fact on the deed. The clerk shall also receive a statement on buildings on the land.

### **Acts of 1927, Ch. 12**

An act re land records and assessments in AA, approved 3-23-1927, effective 6-1-1927

- Sec. 1: No deed conveying real property or chattels real in AA shall be recorded in the land records until the property has been transferred on the assessment books to the grantee or assignee.
- Sec. 2: Clerk of the county commissioners shall endorse this fact on the deed.
- Sec. 3: Such property shall not be transferred on the assessment books until all taxes and public charges due on the property has been paid to the county treasurer and collector of state and county taxes.

### **Acts of 1927, Ch. 22**

An act to repeal and reenact Secs. 218, 221, and 223 of Art. 20, Public Local Laws, re tax collection in SO, approved 3-18-1927, effective 6-1-1927

- Sec. 218: County commissioners shall make the annual levy in July. Discounts on county taxes shall be given until December 1. Interest shall be charged from October 1 on taxes not paid.
- Sec. 221: Treasurer shall send tax bills to taxpayers by October 1 with a notice that unless the taxes and interest are paid by January 1, the amount will be collected by process of law.
- Sec. 223: On January 1 taxes shall be deemed in arrears. Treasurer shall collect them in the manner provided in this article.

### **Acts of 1927, Ch. 226**

An act to repeal and reenact Secs. 3, 6, and 8 of Acts of 1904, Ch. 14, re tax collection in WI, approved 4-1-1927, effective 6-1-1927

- Sec. 3: WI Treasurer shall take an oath and give bond, to be approved by the circuit court and to be recorded by the circuit court clerk.
- Sec. 6: County commissioners shall appoint a clerk, separate from the the treasurer. After the annual levy the clerk shall prepare assessment and levy books for each election district with entries arranged alphabetically by the names of taxpayers and showing for each the aggregate

assessment and amount of state and county taxes due.

- Sec. 8: After the annual levy the clerk of the county commissioners shall deliver to the treasurer a list of taxpayers showing for each the state and county taxes due. Treasurer shall use this document to record tax payments, property transfers, insolvencies, discounts, and abatements. Treasurer shall also maintain ledger entries for each taxpayers, arranged alphabetically.

### **Acts of 1927, Ch. 281**

An act to repeal and reenact Sec. 123A of Art. 10, Public Local Laws, re land records and assessments in DO, approved 4-5-1927, effective 6-1-1927

- Sec. 123A: Deeds for the conveyance of real property in DO shall be submitted to the clerk of the county commissioners who shall make the transfer on the assessment records and shall note the fact of the transfer on the deed. The clerk shall also ascertain information on buildings on the land. These provisions shall also apply to land in Cambridge.

### **Acts of 1929, Ch. 226**

An act to recodify and revise Art. 81, Public General Laws, re assessments and taxation, approved 4-2-1929, effective 6-1-1929

- Sec. 4: Taxes shall be divided into ordinary and special taxes. The former are direct taxes imposed on real property and personal property. The latter include the tax on deposits of savings banks, gross receipts tax, tax on official commissions, tax on commissions of executors and administrators, collateral inheritance tax, bonus tax on corporations, franchise tax on domestic corporations, and franchise tax on foreign corporations.
- Sec. 6: The following properties, except as mentioned in Secs. 7-8, shall be subject to assessment:
  - real property in the county city where located
  - tangible personal property where permanently located, or if with no permanent location where the owner resides or has the principal place of business. When owned by a domestic ordinary business corporation, the property shall be taxed where stockholders reside or at place of the main office when stockholders are nonresidents.
  - interest bearing bonds, certificates of indebtedness, and evidences of debt owned by residents and issued by corporations
  - interest bearing mortgages owned by residents on real property or tangible personal property located in the state
  - dividend paying shares of stock or shares in a foreign corporation, owned by residents
  - shares of stock in a national bank in the state
  - shares of stock in a domestic corporation other than an ordinary business corporation
  - money or investments made to avoid taxes
  - interests and shares of residents in vessels
  - stock in business of merchandise which shall be deemed tangible personal property permanently located where the business is conducted.
- Sec. 10: Property subject to ordinary state and local taxation shall be valued and assessed by the county commissioners and BC Appeal Tax Court. Cities that have the power to make their own

assessments may adopt the county assessment. Tax Commission shall value and assess for state and local taxation shares of stock in national banks and domestic corporations, shares of capital stock of domestic finance corporations, rolling stock of steam railroads, distilled spirits, and tangible property of domestic ordinary business corporations.

- Sec. 11: Except as otherwise provided, property shall be assessed at full cash value.
- Sec. 12: Stock in business shall be assessed at fair average value of the preceding twelve months.
- Sec. 14: Land and improvements shall be assessed separately.
- Sec. 15: This act gives a formula for assessing the value of shares of stock in banks and domestic corporations, which shall be taxed to the owners and may be paid by the banks or corporations.
- Sec. 16: This act gives a formula for assessing the value of shares of stock in domestic finance corporations, which shall be taxed to the owners and may be paid by the corporations.
- Sec. 20: Annually by March 15 distillers and warehouse owners shall report the amount of spirits on hand on January 1 to the Tax Commission.
- Sec. 26: Before any existing assessment against any person for the preceding year can be increased, any classification of property changed, any assessment transferred to another person, or new assessment made against anyone by the Tax Commission, county commissioners, or BC Appeal Tax Court, the assessing body, except as provided by Sec. 177, shall notify the person involved, setting a day for an appearance and hearing.
- Sec. 28: Ordinary state taxes shall be levied for the calendar year. Except for taxes to be levied on assessments by the Tax Commission, all ordinary county and city taxes shall be levied for the period prescribed by local law. Any locality may adopt the calendar year as its taxable year.
- Sec. 31: Any property subject to assessment that has been missed may be entered on the assessment rolls at any time and subject to taxation for the current and previous years, not exceeding four years.
- Sec. 32: County commissioners and BC Appeal Tax Court shall appoint such number of assessors as deemed necessary.
- Sec. 33: Assessors shall annually inform themselves of all property liable to assessment and taxation and not already assessed or insufficiently or incorrectly assessed and make returns to the county commissioners and BC Appeal Tax Court.
- Sec. 35: Annually the registers of wills shall send to the county commissioners and BC Appeal Tax Court a summary account of all property liable to assessment and taxation that is in the hands of executors, administrators, or guardians.
- Sec. 37: Annually the commissioner of the Land Office shall send to the county commissioners and BC Appeal Tax Court a list of certificates ready for patent.
- Sec. 38: Annually the county commissioners and BC Appeal Tax Court shall alter and correct the account of any person who has disposed of or acquired any property since the last assessment or whose property was omitted. They shall also alter the assessment of real property whose value has increased or diminished.
- Sec. 45: County commissioners and BC Appeal Tax Court shall record an account of all property assessed and the valuations thereof and an alphabetical list of property owners, arranged according to election districts or wards.
- Sec. 46: Annually the county commissioners and BC Appeal Tax Court shall prepare and deliver to the tax collector a book or statement showing valuations of all properties. It shall contain a list

of all real property and improvements with location and description of each piece of property and a list of persons to whom personal property has been assessed, including for all the amounts of the assessments and the classifications of property bearing different rates of taxation. This record shall be the tax roll for the succeeding year.

- Sec. 47: At the same time the county commissioners and BC Appeal Tax Court shall prepare and sent to the state comptroller and Tax Commission a statement of the total basis of assessment subject to taxation. It shall show by totals assessed the value of land, improvements, tangible personal property, and intangible personal property.
- Sec. 48: County and city taxes shall be due and payable at times prescribed by local law or ordinance. Ordinary state taxes shall be payable on and after January 1 of the year for which they are levied. State taxes not paid by October 1 shall bear interest. This also applies to taxes levied by local assessing bodies. Ordinary state and local taxes levied on assessments made by the Tax Commission shall be payable on and after July 1 of the year for which they are levied, and if not paid by October 1 shall bear interest.
- Sec. 50: County commissioners of the counties where a collector is not otherwise selected by law shall annually by January 1 appoint one or more tax collectors to collect state and county taxes. They shall take an oath.
- Sec. 51: For local taxes each collector shall give bond, to be approved by county commissioners and in BC by mayor and president of the city council.
- Sec. 52: For state taxes each collector shall give bond, to be approved by the governor and filed with the state comptroller. Bonds required by Sec. 51 shall be recorded by the clerks of the county circuit courts and clerk of the BC Superior Court.
- Sec. 53: BC collectors of state taxes shall make daily deposits to the credit of the state treasury and send monthly statements. County collectors of state taxes shall make monthly returns to the state comptroller and remittances to the state treasury.
- Sec. 57: If no collector of state taxes is selected and qualified by January 15, the governor shall make the appointment.
- Sec. 59: Collectors of local taxes shall make monthly payments to the county commissioners or BC mayor and city council. Funds for educational purposes by the county commissioners shall be levied separately and a list thereof furnished to the school commissioners.
- Sec. 66: Allowance shall be made by the county commissioners, BC Appeal Tax Court, or Tax Commission to collectors for insolvencies and removals.
- Sec. 69: All state, county, and city taxes on real property shall liens on that property.
- Sec. 69 1/2: Sales for the nonpayment of taxes on real property may be made according to existing laws or with Secs. 70-86 of this act, as the county or city elects. Unless the latter procedure is adopted, the county or city shall follow the former procedures as specified in Secs. 58-67 of the 1924 version of Art. 81 and as renumbered herein as Secs. 189-198.
- Sec. 70: After January 1 succeeding the date of the levy of taxes, the collectors shall prepare and send bills for taxes that have not been paid with a notice that unless the account is paid within thirty days the collector will proceed by distress or execution.
- Sec. 72: If the taxes are still not paid, the collector shall within six months proceed to enforce payment by distraint, levy, or execution upon the land. A notice shall be posted on the premises with a warning that unless taxes, interest, penalties, and costs are paid within thirty days the land

will be sold at public auction. Public notices of these tax sales shall be given and shall contain house and place information, years for which the taxes are due, to whom the property is assessed, district where the land is located, quantity of land, and deed reference. If only part of a large tract is necessary to satisfy the tax bill, the collector shall have a surveyor lay off that portion. This power to sell real property shall exist notwithstanding the existence of personal property of the delinquent taxpayer.

- Sec. 73: Tax sale provisions shall also apply to leasehold interests.
- Sec. 74: Within thirty days after the sale the collector shall report the sale and all proceedings to the county circuit court or BC Equity Court or Equity Court No. 2. The court shall examine the proceedings and enter an order nisi warning interested persons to appear and show cause why the sale should not be ratified and confirmed. From subsequent actions of the court appeals may be taken to the Court of Appeals.
- Sec. 75: After ratification of the sales by the court, the collectors shall execute deeds.
- Sec. 76: Excess proceeds of any tax sale shall be paid to the owner of the property.
- Sec. 77: If the court sets aside the sale and taxes are not paid within thirty days, the collector shall conduct a new sale.
- Sec. 78: The owner may redeem the property within twelve months after the sale by repaying the purchaser with interest, who shall execute a deed for reconveyance through the court ratifying the sale.
- Sec. 80: After the redemption period has ended, the court clerk shall record and index the tax sale proceedings.
- Sec. 83: County commissioners and BC mayor and city council may bid at tax sales.
- Sec. 84: They may then sell the property at public auction, but not for less than the taxes and charges due.
- Sec. 90: Savings institutions shall annually pay a franchise tax, based on the deposits reported to the Tax Commission. One fourth shall be paid to the state treasury and three fourths to the county or BC where it is located. The taxes shall be due at the same time as the ordinary taxes.
- Sec. 91: State franchise tax, based on gross receipts of the preceding calendar year, shall be levied on the following companies: steam railroad, telegraph, transportation, safe deposit and trust, telephone, oil pipe line, title insurance, electric power, and gas. The taxes shall be due and payable to the state treasury on July 1.
- Sec. 92: The companies in Sec. 91 shall annually report their total receipts to the Tax Commission.
- Sec. 133: Every domestic corporation having capital stock, except railroads, building associations, and cooperatives, shall at the time of incorporation pay for use of the state a bonus tax for its authorized capital stock.
- Sec. 134: The same provision will apply when the amount of capital stock is increased.
- Sec. 135: Bonus taxes shall be deposited with the Tax Commission when certificates of incorporation and articles of amendment or agreement of consolidation are filed.
- Sec. 136: Ordinary business corporations shall annually pay to the state treasury a franchise tax, based on capital stock.
- Sec. 137: Ordinary business corporations shall annually file reports on capital stock with the Tax Commission.

- Sec. 139: One half of the franchise taxes shall be for state use, the rest paid to the county or BC where the main office is located.
- Sec. 140: Foreign corporations, except insurance companies and those paying a gross receipts tax, shall annually pay to the state treasury a franchise tax based on capital employed in the state.
- Sec. 141: Nonpayment of the taxes levied on foreign corporations may result in the forfeiture of the right to do business in the state.
- Sec. 144: If domestic corporations do not pay the franchise tax, tax on capital stock, or gross receipts tax for two years after they are due, the state comptroller shall provide the governor and the companies with a list of delinquent corporations. The governor shall then proclaim their charters or certificates of incorporation annulled and forfeited unless all taxes plus interest and penalties are paid within thirty days. The Secretary of State shall send copies of the final proclamation to the Comptroller of the Treasury, State Treasurer, and Tax Commission who shall note the forfeitures in their records.
- Sec. 145: Any tax may be collected from the person liable by action of assumpsit.
- Sec. 149: Such a suit shall be instituted whenever taxes are overdue and unpaid, unless the taxes are secured by a lien on real property.
- Sec. 151: All state and local taxes shall be collected within four years and after that cannot be collected unless a trustee or receiver is appointed to complete the collection, at which time the period shall be extended two more years or unless a suit has been instituted.
- Sec. 158: State Tax Commission shall consist of three persons - one each from BC, Eastern Shore, and Western Shore. The term of office shall be six years, staggered so that one is replaced every two years. The governor shall fill vacancies, make new appointments, and designate the chairman.
- Sec. 166: Duties and powers of the Tax Commission:
  - Supervise administration of assessment and tax laws.
  - Supervise supervisors of assessments and the final determination of assessments so that all taxable properties are placed on assessment books and equalized throughout the state. Property legally subject to taxation but not assessed may be placed on the books at any time and subject to taxation for current and previous years, not exceeding four years total.
  - Establish the forms for assessment reports, assessment books, collection books, schedules, notices, and financial and statistical reports to be used by the county commissioners and BC Appeal Tax Court. Tax Commission may examine the records of local governing bodies, assessors, and tax collectors.
  - Provide for a uniform system of accounts for collectors of state taxes.
  - Formulate standards for the assessment of various types of property and issue instructions to the local supervisors of assessment.
  - Require that all property be reviewed for assessment at least once every five years. This review may be performed rotationally by district or class of property.
- Sec. 167: In each county and BC there shall be a supervisor of assessments, appointed by the Tax Commission from a list of five persons submitted by the county commissioners and BC Mayor.
- Sec. 168: County supervisors of assessments shall have general supervision over the assessment of property. They shall have the power to recommend assessments to the county commissioners or other authorities and may appeal assessments or rulings made by the county commissioners or

BC Appeal Tax Court to the Tax Commission. The supervisors shall report sales of property to the Tax Commission and county commissioners or BC Appeal Tax Court. They shall obtain data on assessments in the districts or wards and report to the county commissioners or BC Appeal Tax Court any recommended changes.

- Sec. 170: BC Supervisor of Assessments shall have access to BC assessment books, records of the BC Appeal Tax Court, and assessors returns. The supervisor shall have the authority to inquire into any assessment, report results to the appeal tax court and Tax Commission, recommend changes, and appeal assessments or rulings of the appeal tax court to the Tax Commission. The commission may order the appeal tax court to reassess particular properties.
- Sec. 171: Each county supervisor of assessments shall act at the chief assessor in that county. At a time set by the Tax Commission the county commissioners shall appoint such number of county assessors as determined by the commission. Tax Commission shall have the authority to dismiss with cause any assessor and require the county commissioners to fill the vacancy or do the task itself.
- Sec. 172: Assessors shall take an oath of office before the circuit court clerk or BC Superior Court clerk.
- Sec. 175: Tax Commission may institute mandamus proceedings to compel the county commissioners to follow instructions as to the method of assessment or to appoint assessors.
- Sec. 176: County commissioners may appoint an additional clerk in connection with the reassessment of property.
- Sec. 177: Public notice of reassessment shall be given when it involves all property of a county, district, or town.
- Sec. 178: Corporations subject to assessment on its property by the Tax Commission and calculation of its taxes by the same body shall file with the commission an annual report that includes a list of stockholders, their addresses, and number and class of shares held by each. The report shall cover a calendar year and be filed by March 15.
- Sec. 180: Foreign corporations doing business or owning property in the state shall by March 15 file with the Tax Commission a report that includes the names and addresses of shareholders residing in Maryland as of January 1 and the number and class of shares held by them. Upon failure to file this report, the corporation may forfeit its right to do business in the the state.
- Sec. 181: From the reports required by Secs. 178 and 180 the Tax commission shall send to the county commissioners and BC Appeal Tax Court information necessary for them to assess shares of stock and other property.
- Sec. 182: Any taxpayer, city, or Attorney General on behalf of the state may demand a hearing before the county commissioners or BC Appeal Tax Court regarding the assessment of any property, any unit of tax value, any increase, reduction or abatement of an assessment, or any assessment classification.
- Sec. 183: Any taxpayer, city, Attorney General on behalf of the state, or supervisor of assessments aggrieved by a decision of the county commissioners or BC Appeal Tax Court may file an appeal with the Tax Commission. Proceedings and decisions of the commission shall be filed among its records at the request and expense of any party.
- Sec. 185: Decisions of the Tax Commission may be appealed to the county circuit courts or BC Court, depending on the location of the property or residence of the taxpayer. The court decision

may be appealed to the Court of Appeals. Any taxpayer, board of county commissioners, city, or Attorney General on behalf of the state may appeal the decisions of the Tax Commission in the exercise of its original jurisdiction in assessment or taxation to the county or BC equity courts, depending in the location of the property or residence of the taxpayer or agency. Court decisions may be appealed to the Court of Appeals.

### **Acts of 1931, Ch. 73**

An act to add a section to Art. 13, Public Local Laws, re land records and assessments in HA, approved 4-6-1931

- Sec. 245A: No property shall be transferred in the assessment records in HA until all public taxes are paid to the county treasurer who shall endorse this fact on the deed.

### **Acts of 1931, Ch. 110**

An act re land records and assessments in WO, approved 4-6-1931, effective 6-1-1931

- Sec. 1: Deeds conveying real property in WO shall not be recorded unless all state and county taxes due and in arrears are paid. Treasurer shall certify the fact of payment on the deed.

### **Acts of 1931, Ch. 206**

An act to repeal and reenact Secs. 203 and 208 of Art. 23, Public Local Laws, re tax collection in WI, approved 4-6-1931, effective 6-1-1931

- Sec. 203: WI Board of County Commissioners shall make the annual levy in June. One half of the county taxes shall be due and payable on July 1 and the other half on January 1. Discounts shall be given until October 1, after which interest shall be charged.
- Sec. 208: On February 1 taxes shall be deemed in arrears and be charged with interest. During February the treasurer shall deliver to each delinquent taxpayer an account of the assessment and taxes and interest due, with a notice that unless payment is made by March 1, the amount will be collected by process of law.

### **Acts of 1931, Ch. 242**

An act to add a section to Art. 9, Public Local Laws, re land records and assessments in CH, passed 4-17-1931, effective 6-1-1931

- Sec. 88A: Before any deed for the conveyance of real property in CH is recorded, it shall be submitted to the county treasurer who shall make the transfer on the assessment records and shall certify that fact on the deed. The treasurer shall also receive a statement on buildings on the land and the purchase price.

### **Acts of 1931, Ch. 296**

An act to repeal and reenact Sec. 114 of Art. 10, Public Local Laws, re tax collection in DO, approved 4-



17-1931, effective 6-1-1931

- Sec. 114: In April the treasurer shall notify each delinquent taxpayer that unless payment is received by July 1 taxes will be collected by process of law. If taxes are not paid, the treasurer shall prepare a list of delinquent taxpayers assessed with real property, showing the names of the taxpayers, brief descriptions of the properties, election districts where located, deed references, and amounts due including taxes due on personal property. Attached shall be a notice that unless taxes are paid by mid August, the real property shall be sold. Land may be sold without regard to the existence of personal property. Surplus proceeds shall be paid to the taxpayer.

### **Acts of 1931, Ch. 494**

An act to repeal and reenact Sec. 166 of Art. 81, Public General Laws, re assessments, approved 4-17-1931, effective 6-1-1931

- Sec. 166: Same as Acts of 1929, Ch. 226, Sec. 166 except as follows. There shall be no general assessment of property before 1935 except for adjusting assessments for equalization. BC may make a general assessment for calendar year 1933 or any year thereafter. MO shall the right to reassess property per provisions of HB257.

### **Acts of 1931, Ch. 500**

An act to repeal and reenact Sec. 48 of Art. 81, Public General Laws, re, tax collection, approved 4-17-1931, effective 6-1-1931

- Sec. 48: County and city taxes shall be due and payable at times prescribed by local law or ordinance. Ordinary state taxes shall be payable on and after January 1 of the year for which they are levied. State taxes not paid by October 1 shall carry interest. This also applies to taxes levied by local assessing bodies. Ordinary state and local taxes levied on assessments made by the Tax Commission shall be payable on and after August 1 of the year for which they are levied, and if not paid by October 1 shall carry interest.

### **Acts of 1933, Ch. 33**

An act to repeal and reenact Sec. 325 of Art. 17, re taxes in PG, approved 3-16-1933

- Sec. 325: PG Board of County Commissioners shall lay the annual levy for state and county taxes by the last Monday in April 1933 and thereafter by the last Monday in March.

### **Acts of 1933, Ch. 116**

An act to repeal and reenact Secs. 349, 352, and 355 of Art. 17, Public Local Laws, re tax collection in PG, approved 3-31-1933

- Sec. 349: PG Treasurer shall be the collector of state and county taxes. Sales of real property by the treasurer for delinquent taxes shall be reported to the circuit court sitting in equity. In May,

two months after the sales, the court shall ratify them unless cause to the contrary be shown. In 1933 the time for filing objections is extended to the first Monday in June. Circuit court clerk shall record the court orders in the book containing the reports of the tax sales and indicate the ones excepted or defective. The final court order may be appealed to the Court of Appeals.

- Sec. 352: Treasurer shall report sales to the circuit court by early April in a book format and number the sales sequentially. In 1933 the time period is extended to the first Monday in May.
- Sec. 355: Taxes shall be credited to respective appropriations. Treasurer shall report receipts and disbursements to the county commissioners in May, July, and October 1933 and thereafter in January, April, July, and October.

## **Acts of 1933, Ch. 221**

An act to add a section to Art. 81, Public General Laws, re tax collection in BC, approved 4-21-1933, effective 6-1-1933

This act is intended to be an addition to existing provisions re sales of property for the non-payment of taxes.

- Sec. 48B: After a tax lien has been recorded in the BC tax lien records for more than three months and remains unpaid, the city tax collector shall make a title search of the property to ascertain the names of the owners, holders of unsatisfied mortgages, owners of ground rent, and owners of leasehold title. The collector shall notify owners and mortgagees that unless the tax lien is satisfied within thirty days legal proceedings will be instituted in BC Circuit Court or BC Circuit Court No. 2. The city collector shall be entitled to be appointed trustee to sell the properties. Any such sale shall not be subject to ratification by the court until the expiration of one year and one day from the date of the sale, during which time owners and mortgagees may redeem the property by paying the tax liens and expenses. For properties not redeemed, the city collector shall execute deeds.

## **Acts of 1933, Ch. 294**

An act to repeal and reenact Sec. 120 of and to add sections to Art. 6, Public Local Laws, re tax collection in CA, approved 4-21-1933, effective 1-1-1934

- Sec. 120: On January 1 taxes in CA shall be deemed in arrears and interest shall be charged from September 1. In January the county treasurer shall publish the list of delinquent taxpayers showing the amount of taxes and interest due by each. In February the treasurer shall send to each delinquent taxpayer an account of the assessment and amount due with a notice that unless paid by April 1 the taxes will be collected by process of law. On April 1 the treasurer shall prepare a list of delinquent taxpayers assessed with real property, showing for each individual a description of the land, election district of location, deed references, and amount due, along with a notice that unless taxes are paid by mid May, the land will be sold. Treasurer shall conduct sales, after giving public notice, in June.
- Sec. 120A: Within thirty days after the sales the treasurer shall report them to the circuit court for ratification. If any sale is set aside, the treasurer shall make a new sale within thirty days of the order.

- Sec. 120B: Twelve months after the sale the treasurer shall execute deeds to the purchasers.
- Sec. 120C: If a former treasurer fails to complete the provisions of Secs. 120A-120B, the successor shall finish the process.
- Sec. 120D: A taxpayer, heir, mortgagee, or other lien holder may redeem real property within twelve months after the sale by paying the purchase price plus interest into the circuit court, to be paid to the purchaser.
- Sec. 120E: Each tax deed shall contain the name of the former owner, which the circuit court clerk shall index.
- Sec. 120H: Personal property may also be sold for taxes, after giving public notice. Afterwards the treasurer shall proceed per sec. 120A.
- Sec. 120I: When personal property on which taxes are due is about to be sold or removed from the county, the treasurer may proceed to sell it per Sec. 120H.
- Sec. 120K: Real property of a delinquent taxpayer may be sold to pay taxes whether or not personal property exists. When it is unnecessary to sell an entire parcel, the treasurer shall have the county surveyor lay off a sufficient quantity to cover taxes and costs and make a plat which shall be filed with the report of sales. Lots in towns, subdivisions near town, or laid off for town purposes shall be not be divided, but sold as a whole.
- Sec. 120L: A treasurer who cannot complete the collection of taxes due and payable during the term of office shall have an additional twelve months to complete the process.
- Sec. 120N: County commissioners may purchase property at tax sales at bids not greater than the taxes, interest, and costs due and then sell or lease the land.

### **Acts of 1933, Ch. 339**

An act to add a section to Art. 5, Public Local Laws, re land records and assessments in CV, approved 4-21-1933, effective 6-1-1933

- Sec. 72C: Before any deed or lease for real property in CV is recorded, it shall be submitted to the clerk of the county commissioners who shall make the transfer in the assessment books and certify this fact on the deed or lease. The clerk shall also ascertain the existence of buildings on the property and the purchase price. Circuit court clerk is hereby relieved of the task of furnishing lists of alienations, equity sales, judgments, and decrees to the county commissioners.

### **Acts of 1933, Ch. 595**

An act to repeal and reenact Sec. 168 of Art. 81, Public General Laws, re assessments, approved 4-21-1933

- Sec. 168: County supervisors of assessments shall have general supervision over the assessment of property. They shall have the power to recommend assessments to the county commissioners or other authorities and may appeal assessments or rulings made by the county commissioners or BC Appeal Tax Court to the Tax Commission. The supervisors shall report sales of property to the Tax Commission and county commissioners or BC Appeal Tax Court. They shall obtain data on assessments in the districts or wards and report to the county commissioners or BC Appeal Tax Court any recommended changes. Supervisors of assessments shall notify the county

commissioners or BC Appeal Tax Court about property not assessed and shall appeal improper assessments to the Tax Commission.

### **Acts of 1935, Ch. 15**

An act to repeal and reenact Sec. 132 of Art. 8, Public Local Laws, re land records and assessments in CE, approved 4-29-1935, effective 6-1-1935

- Sec. 132: Before a deed for the conveyance of real property or personal property in CE is recorded, it shall be submitted to the clerk of the county commissioners who shall make the transfer on the assessment records and certify this fact on the deed. The clerk shall also receive a statement on buildings on land and the purchase price. In addition, all taxes must be paid before recordation. The county treasurer shall certify such payment on the deed.

### **Acts of 1935, Ch. 70**

An act re land records and assessments in WI, approved 4-29-1935, effective 6-1-1935

- Sec. 1: No deed conveying real property or chattels real in WI shall be recorded until the property has been transferred on the assessment records. Clerk of the county commissioners shall certify the fact of the transfer on the deed. Before transfers are so noted, all current and past public taxes must be paid.
- Sec. 2: Circuit court clerk shall record a deed only if the note of the transfer appears on the document.

### **Acts of 1935, Ch. 104**

An act to repeal and reenact Sec. 192 of Art. 18, Public Local Laws, re land records and assessments in QA, approved 4-29-1935, effective 6-1-1935

- Sec. 192: Deeds for the conveyance of real property in QA shall be submitted to the clerk of the county commissioners who shall make the transfer on the assessment records and shall note the fact of the transfer on the deed. The clerk shall also ascertain information on buildings on the land and the purchase price. Before the clerk makes the transfer, all state and county taxes shall be paid to the treasurer who shall endorse this fact on the deed.

### **Acts of 1935, Ch. 133**

An act to repeal and reenact Sec. 325 of Art. 17, Public Local Laws, re taxes in PG, approved 3-23-1935

- Sec. 325: PG Board of County Commissioners shall lay the annual levy by the second Monday in April. All property acquired through March 31 shall be included in the taxable basis for that year.

### **Acts of 1935, Ch. 215**

An act to repeal and reenact Sec. 88A of Art. 9, Public Local Laws, re land records and assessments in CH, passed 5-17-1935, effective 6-1-1935

- Sec. 88A: Before any deed for the conveyance of real property in CH is recorded, a statement showing total acreage, number of tillable acres, number of wooded acres, number of marsh acres, and number and character of buildings and other improvements shall be submitted to the county treasurer who shall record the statement and sent it to the clerk of the county commissioners who shall make the transfer on the assessment records. The treasurer shall certify the statement on the deed.

### **Acts of 1935, Ch. 217**

An act to repeal and reenact Sec. 171 of Art. 10, Public Local Laws, re tax collection in DO, approved 5-17-1935, effective 6-1-1935

- Sec. 114: In April the treasurer shall notify each delinquent taxpayer that unless payment is received by August 15 taxes will be collected by process of law. If taxes are not paid, the treasurer shall prepare a list of delinquent taxpayers assessed with real property, showing the names of the taxpayers, brief descriptions of the properties, election districts where located, deed references, and amounts due including taxes on personal property. Attached shall be a notice that unless taxes are paid by mid October, the real property shall be sold. Land may be sold without regard to the existence of personal property. Surplus proceeds shall be paid to the taxpayer.

### **Acts of 1935, Ch. 387**

An act re tax delinquencies, approved 5-17-1935

- Sec. 1: Governing bodies of counties, cities, and other taxing districts are authorized to provide for the abatement of interest, penalties, and other charges against persons delinquent in paying local taxes for fiscal year 1934 and earlier upon the condition that the delinquent taxes be paid promptly.
- Sec. 2: The same governing bodies may provide for the payment of delinquent taxes plus interest and penalties in installments over a five year period.
- Sec. 4: These relief measures shall be granted to persons whose property has been sold at tax sale to any of the governing bodies provided the redemption period has not expired.
- Sec. 4 1/2: This act shall not apply in BC and HO.

### **Acts of 1935, Ch. 446**

An act to repeal and reenact Sec. 203 of Art. 10, Public Local Laws, re land records and assessments in DO, approved 5-17-1935, effective 6-1-1935

- Sec. 203: Deeds for the conveyance of real property in DO shall be submitted to the clerk of the county commissioners who shall make the transfer on the assessment records and shall note the fact of the transfer on the deed. The clerk shall also ascertain information on buildings on the land. These provisions shall also apply to land in Cambridge. In addition, all taxes imposed by the county and Cambridge must be paid before the transfer is noted.

**Acts of 1935, Ch. 464**

An act to repeal and reenact Sec. 166 of Art. 81, Public General Laws, re assessments, approved 5-17-1935, effective 6-1-1935

- Sec. 166: Same as Acts of 1929, Ch. 226, Sec. 166, except as follows. There shall be no general assessment of property before 1937 except for adjusting assessments for equalization. BC may make a general assessment to become more effective.

**Acts of 1937, Ch. 111**

An act to add sections to Art. 2, Public Local Laws, re plats in AA, approved 5-18-1937

- Sec. 200A: Every deed for a lot or part of a lot in any recorded subdivision in AA must be accompanied by a plat whenever the lines of the subdivision are changed. Circuit court clerk shall send a copy of the plat to the supervisor of assessments.
- Sec. 200B: When a person or firm subdivides or develops or promotes any tract in AA into lots of five acres or less, two plats shall be filed with the circuit court clerk in the manner now provided by law. The clerk shall send one copy to the supervisor of assessments.

**Acts of 1937, Ch. 248**

An act to repeal and reenact Sec. 84 of Art. 81, Public General Laws, re tax sales, approved 5-18-1937

- Sec. 84: County commissioners and BC mayor and city council may sell the property they have purchased at tax sales, but not for less than the taxes and charges due. They may sell the property at private sale to the former owner or other person having previously held an interest in the property.

**Acts of 1937, Ch. 275**

An act to add a section to Art. 17, Public Local Laws, re tax collection in PG, approved 4-15-1937, effective 6-1-1937

- Sec. 359A: In PG legal actions brought for any lands heretofore sold for taxes must be taken within three years from passage of this act. For lands hereafter the statute of limitations shall be seven years from the date of the sale. Excepted shall be minors or non compus mentis whose limitations shall begin from the removal of the disability.

**Acts of 1937, Ch. 450**

An act re municipal taxes in PG, approved 5-28-1937, effective 6-1-1938

- Sec. 1: When real property in an incorporated town in PG has been sold for taxes or special assessments or has been bought by the town at the sale and the redemption period has expired, an additional and cumulative means for the collection of the taxes or special assessments is hereby

provided. Treasurer of the town may institute a plenary proceeding in equity in the circuit court to establish a lien upon the property for the taxes, special assessments, interest, and costs and to obtain a decree for the enforcement by having the land sold at a court sale. The bill of complaint shall include a description of the real property, names of the assessed owners, names of the present owners, and amounts due. The court shall appoint two appraisers to examine the properties and a trustee to sell them. Other political units, such as the state of Maryland, PG, Washington Suburban Sanitary Commission, etc., shall be names as defendants so that their taxes assessed against the properties may be included. Appeals may be taken to the Court of Appeals.

### **Acts of 1937, Ch. 475**

An act to repeal and reenact Sec. 39 of Art. 20, Public Local Laws, re land records and assessments in SO, approved 4-16-1920, effective 6-1-1920

- Sec. 39: Before deeds for the conveyance of real property in SO are recorded, the purchasers shall submit them to the clerk of the county commissioners who shall note the transfers on the assessment records and shall certify this fact on the deeds. Grantees shall also provide information about buildings, if any, on the lands and the purchase prices. In addition, all public taxes must be paid to the treasurer and collectors of municipal taxes who shall endorse the fact of payment on the deeds.

### **Acts of 1937, Ch. 488**

An act to repeal and reenact Sec. 166 of Art. 81, Public General Laws, re assessments, approved 5-18-1937, effective 6-1-1937

- Sec. 166: Same as Acts of 1929, Ch. 226, Sec. 166, except as follows. There shall be no general assessment of property before 1939 except for adjusting assessments for equalization. However, a general assessment may be made in AL, AA, CA, FR, GA, HA, KE, SM, and WI.

### **Acts of 1939, Ch. 22**

An act to add a section to Art. 13, Public Local Laws, re land records and assessments in HA, approved 3-10-1939

- Sec. 245A: No property shall be transferred in the assessment records in HA until all public taxes, including those on personal property, are paid to the county treasurer who shall endorse this fact on the deed.

### **Acts of 1939, Ch. 294**

An act to add a section to Art. 15, Public Local Laws, re land records and assessments in KE, approved 5-3-1939, effective 6-1-1939

- Sec. 151A: Deeds for the conveyance of real property in KE shall not be recorded until all public taxes have been paid to the county treasurer, and if appropriate, a collector of city taxes, who

shall endorse this fact on the deeds. The deeds shall be submitted to the clerk of the county commissioners who shall note the transfers on the assessment records and endorse this action on the deeds. For each deed the clerk of the county commissioners shall also receive a statement of buildings on the land and the purchase price.

### **Acts of 1939, Ch. 387**

An act to amend laws re taxation, approved 5-3-1939, effective 1-1-1940

- Sec. 48: Ordinary state and local taxes levied for a calendar year in the county and BC shall be due and payable on and after April 1 and in arrears on October 1.
- Sec. 181, re reports on shares of stock and other property sent to the county commissioners and BC Appeal Tax Court, of Art. 81, Public General Laws, is repealed.

### **Acts of 1939, Ch. 414**

An act to a new section to Art. 5, Public Local Laws, re land records and assessments in CV, approved 5-3-1939, effective 6-1-1939

- Sec. 108A: No property shall be transferred in the assessment books in CV until all taxes in arrears over one year are paid to the county treasurer and tax collector, who shall endorse the fact of payment on the deed.

### **Acts of 1939, Ch. 649**

An act to repeal and reenact Sec. 203 of Art. 10, Public Local Laws, re land records and assessments in DO, approved 5-11-1939, effective 6-1-1939

- Sec. 203: Deeds for the conveyance of real property in DO or any incorporated town shall be submitted to the clerk of the county commissioners who shall make the transfer on the assessment records and shall note the fact of the transfer on the deed. The clerk shall also ascertain information on buildings on the land. In addition, all taxes imposed by the county or any incorporated town must be paid before the transfer is noted.

### **Acts of 1941, Ch. 729**

An act to repeal and reenact Sec. 166 of Art. 81, Annotated Code, re assessments, approved 5-29-1941, effective 6-1-1941

- Sec. 166: Same as Acts of 1929, Ch. 226, Sec. 166, except as follows. In AA no general assessment shall be made until 1944.

### **Acts of 1943, Ch. 4**

An act to repeal Secs. 47-51 of Art. 81, Annotated Code, re tax delinquencies, approved 2-4-1943, effective 6-1-1943

These sections were enacted by Acts of 1935, Ch. 387, re tax delinquencies, and have no further



application.

### **Acts of 1943, Ch. 717**

An act to repeal and reenact Secs. 175(8), 180, and 186 of and to add sections to Art. 81, Annotated Code, re assessments, approved 5-6-1943, effective 6-1-1943

- Sec. 175(8): Supervisors of assessments shall enforce and execute a continuing method of assessment so that all assessable property in every county and BC is thoroughly reviewed at least once in five years. The Tax Commission in consultation with local assessing authorities shall establish five districts or five classes of property in each county and BC and require rotational reassessment.
- Sec. 180: Each county supervisor of assessments shall act as chief assessor. By January 1, 1944 the county commissioners shall appoint a sufficient number of assessors to execute a continuing system of assessments. The number of assessors shall be determined by the county commissioners after consultation with the Tax Commission. No assessors shall be appointed if the supervisor of assessments can do the job alone. For each assessor position the county commissioners shall submit a list of at least three names to the Tax Commission which shall verify their qualifications. Then the county commissioners shall make the appointments. Vacancies shall be fill in the same manner. Term of office shall be indefinite, subject only to removal by the Tax Commission for just cause. This section shall not affect the powers and duties of the BC Bureau of Assessments. WA shall have two assessors, one from each major political party.
- Sec. 186: County commissioners may create an appeal tax court consisting of three members to be appointed by the commissioners for three year terms staggered so that a new appointee takes office each June 1. County commissioners shall designate a chairman. County commissioners may remove members only after a hearing and shall fill vacancies.
- Sec. 186A: Clerk of the county commissioners shall be the clerk of the appeal tax court.
- Sec. 186B: The county appeal tax courts shall replace the county commissioners in hearing and determining tax appeals and assessing, classifying, reassessing, and reclassifying property. Appeals may be taken to the Tax Commission. This subtitle, Appeal Tax Court, shall not affect the BC Appeal Tax Court. This subtitle shall apply only in BA and MO.

### **Acts of 1943, Ch. 761**

An act to repeal Secs. 72-90 and 197-206 of and enact new sections under subtitle Tax Sales in Art. 81, Annotated Code, approved 5-6-1943, effective 12-31-1943

All laws inconsistent with this act shall be repealed, but will remain in effect re tax sales made prior to December 31, 1943. This act shall not apply in AL, HA, and WO.

- Sec. 73: Tax collectors shall sell property upon which taxes are in arrears under the provisions of this subtitle at the time prescribed by local law, but in no case, except in BC, later than two years from the date taxes became in arrears. Failure to sell within the two year period shall not affect the collectibility of any taxes or validity of any sale made thereafter.
- Sec. 74: Tax collectors shall notify other taxing agencies, except the state, of the intention to hold

a tax sale. These agencies shall certify to the collectors taxes due on the properties. Collectors shall be responsible only for those taxes so certified.

- Sec. 75: Collectors may withhold from sale any property on which taxes, interest, and penalties amount to less than \$15 per year.
- Sec. 76: Collectors shall notify property owners about the pending sale and give them thirty days to pay the taxes, interest, and penalties.
- Sec. 77: Tax sale notices shall be published in newspapers and shall include descriptions of the properties, names of owners, amount of taxes due, and assessed values.
- Sec. 78: Each parcel shall be sold in its entirety.
- Sec. 79: Power to sell real property shall exist notwithstanding the existence of personal property.
- Sec. 80: When property is subject to a ground rent or a lease for a term of years renewable forever, the collectors shall sell only the leasehold interests and improvements. If this brings in an insufficient amount, the collector may sell the whole fee simple interest.
- Sec. 81: All sales shall be at public auction to the highest bidder for at least the amount of taxes, interest, penalties, and expenses.
- Sec. 82: That amount shall be paid to the collector immediately, with the rest of the purchase price due after the final court decree.
- Sec. 83: Collector shall give each purchaser a certificate of sale.
- Sec. 84: Certificates of sale may be assigned.
- Sec. 86: Certificates of sale may be recorded in the land records.
- Sec. 88: County commissioners and other taxing agencies may buy land for which there is no private purchaser and shall have the same rights and remedies as other purchasers.
- Sec. 89B: The owner or anyone having an estate or interest in the property sold may redeem it at any time until the right of redemption has expired by paying the collector the amount required. The collector shall deliver to the person redeeming a certificate of redemption which may be recorded in the land records.
- Sec. 89C: The person redeeming property shall pay to the collector the amount received from the sale plus 6% interest and any taxes imposed after the sale.
- Sec. 89H: Whenever, prior to the effective date of this act, any property was sold for taxes and the sale has not been ratified, the purchaser may proceed under this act after obtaining a certificate of sale from the collector.
- Sec. 90: The holder of a certificate of sale, or heirs or assignees, may at any time one year and one day from the sale date, file a bill in equity to foreclose all rights of redemption. The right to redeem shall continue until barred by court order. If the bill is not filed within two years after the sale date, the holder of the certificate of sale shall lose the interest in the property and all money received by the collector shall be forfeited and applied to the taxes due. In CH and PG the time period shall be three years, not two years.
- Sec. 90C: Defendants shall be property owners and mortgage holders, as determined by the land records, records of the registers of wills, and records of any court of law or equity.
- Sec. 90D: If the property owner cannot be determined, the defendant shall be an unknown owner.
- Sec. 90E: In that case the bill of complaint shall be accompanied by an affidavit of the search for the owner.
- Sec. 90H: If a plaintiff holds certificates of sale for several properties in the same county, all may

be included in one bill of complaint.

- Sec. 90L: The courts shall render decrees sixty days after subpoenas are issued and notices of publication given. The decree shall vest title or leasehold interest in the plaintiff.
- Sec. 90O: The final decree shall direct the collector to execute a deed upon payment of the balance of the purchase price and taxes, interest, and penalties accruing subsequent to the sale.
- Sec. 90P: If the final decree voids the sale, the plaintiff shall be repaid the amount paid the collector with 6% interest. The collector shall then proceed to a new sale.
- Sec. 90Q: When the BC mayor and city council are purchasers, they may use an alternative method of foreclosure as outlined in the following sections.
- Sec. 90S: The defendant shall be the person whose name last appears on the collectors tax roll or unknown if that is the situation.
- Sec. 90T: Notices and summons may be served or notice given exclusively by publication.

### **Acts of 1945, Ch. 385**

An act to repeal and reenact Sec. 14, Art. 21, Annotated Code, re assessments and land records, approved 3-29-1945, effective 6-1-1945

- Sec. 14: Deeds shall be recorded within six months in the county circuit court or BC Superior Court where the land is located. No deed shall be recorded until the property has been transferred on the assessment records. No property shall be so transferred until all taxes are paid. A statement of buildings and improvements shall be furnished to the clerk of the county commissisoners or other person having charge of the assessment records. Except for the first sentence, the act shall not apply to BC.
- All public local laws relating assessments and the recording of deeds are repealed.

### **Acts of 1951, Ch. 616**

An act to repeal and reenact Secs. 175(5) and 175(8) of Art. 81, Annotated Code, re assessments, approved 4-30-1951, effective 6-1-1951

- Sec. 175(5): Tax Commission shall prepare and install for each county and BC a complete record of properties and system of appraisal guides including property description cards, property location maps, land classification maps, unit value maps, records of new construction, sales, building costs and private appraisals, and indexes. This work shall be done by January 1, 1954. Tax Commission shall prescribe forms, records, and procedures for supervisors of assessments and assessors.
- Sec. 175(8): Tax Commission shall continue the present rotational system of reassessment until completion of the current five year cycle or until January 1, 1954, whichever occurs first. Then a three year cycle shall be instituted by district or class of property. The Tax Commission and local assessing authorities shall decide the method and shall also have the authority to order special reappraisals.

### **Acts of 1954, Ch. 69**

An act to repeal and reenact Sec. 280(8) of Art. 81, Annotated Code, re assessments, approved 4-2-1954, effective 7-1-1956

- Sec. 280(8): Tax Commission shall enforce and execute a continuing method of assessment so that all assessable property shall be reviewed at least once a year.

### **Acts of 1954, Ch. 116**

An act to amend Acts of 1954, Ch. 69, approved 3-24-1955, effective 7-1-1955

Effective date for Acts of 1954, Ch. 69 changed to 7-1-1955.

## ATTORNEYS

### **Acts of 1719, Ch. 4**

An act re attorneys, passed 6-6-1719

- Sec. 2: Judges shall observe the demeanor of lawyers and punish them according to the offense by suspending them from practice perpetually or for a period of time or by fining them.

### **Acts of 1790, Ch. 23**

An act re admission of attorneys, passed 12-2-1790

- Sec. 2: Every attorney must obtain a license of admission to practice in the county courts.

### **Acts of 1831, Ch. 268**

An act re admission of attorneys, passed 3-10-1832

Purpose of this act - to make uniform rules for all courts

- Sec. 1: Applications for admission to practice law shall be made to a county court, court of equity, or Court of Appeals in open court.
- Sec. 2: During the regular session, the court shall examine the applicants as to qualification, character, and education in law.
- Sec. 3: The court shall certify admissions and record the certificate.
- Sec. 4: Upon a refusal, an applicant may reapply after twelve months.
- Sec. 5: If refused by a county court, an applicant may apply to the Court of Appeals. An admission there will entitle the attorney to practice in any county court or Chancery Court.

### **Acts of 1876, Ch. 264**

An act to repeal and reenact Sec. 3, Art. 11, Public General Laws, re admission of attorneys, approved 4-7-1876

- Sec. 3: The court to which an application to practice law is made shall appoint an examining board of at least three members of the bar, who shall examine the applicant in the presence of the court. County circuit courts and BC Supreme Bench may appoint a permanent examining board, but no member may serve over one year.

### **Acts of 1878, Ch. 400**

An act to repeal and reenact Sec. 9, Art. 11, Public General Laws, re admission of attorneys, approved 4-5-1878

- Sec. 9: All persons now or hereafter admitted to practice law in the Court of Appeals shall be entitled to practice in all other courts upon exhibiting a certificate of admission.

## **Acts of 1898, Ch. 139**

An act to repeal and reenact several sections, Art. 10, Public General Laws, re Board of Law Examiners, approved 4-14-1898

- Sec. 2: All applications to practice law shall be made to the Court of Appeals which shall appoint a state Board of Law Examiners. The board shall consist of three members of the bar, each for a three year term, staggered so that a new member is appointed each year.
- Sec. 3: The board shall examine applicants and report their proceedings and recommendations to the Court of Appeals which shall pass the order for admission. Court of Appeals shall develop rules for a uniform system of examination. The board shall file annual financial accounts with the Court of Appeals.
- Sec. 6: Members of the bar of any other state and U.S. district or territory, who has practiced or taught law for at least five years, shall be admitted without examination after becoming a state resident.

## **Acts of 1918, Ch. 426**

An act to repeal and reenact Sec. 3, Art. 10, Public General Laws, re admission of attorneys, approved 4-10-1918

- Sec. 3: The Board of Law Examiners shall examine applicants and report their proceedings and recommendations to the Court of Appeals which shall pass the order for admission. Court of Appeals shall develop rules for a uniform system of examination. Any person desiring to begin the study of law for the purpose of admission to the bar shall file with the clerk of the Court of Appeals an application for registration as a law student along with a certificate showing completion of a high school education or its equivalent. Anyone not possessing the latter may be examined by the Board of Law Examiners.

## **Acts of 1929, Ch. 370**

An act to add sections to Art. 10, Public General Laws, re suspension and disbarment, approved 4-11-1929, effective 6-1-1929

- Sec. 10A: Upon reasonable cause to believe an attorney admitted to the bar is guilty of professional misconduct, malpractice, fraud, deceit, crime involving moral turpitude, or conduct prejudicial to the administration of justice, a judge shall issue an order to the bar association and/or the states attorney of that county or BC to prosecute the charges and have a copy of the charges served on the attorney.
- Sec. 10B: Charges may also be filed by a committee of a bar association or five or more members of a bar association.
- Sec. 10C: Charges shall be heard by two or more judges of the circuit where filed.
- Sec. 10E: Attorneys found guilty shall be suspended or disbarred from practice in the state.
- Sec. 10F: An attorney may appeal to the Court of Appeals, as in civil cases, except that the court shall have the right to review the entire proceedings and affirm, modify, alter, or reverse the order.

- Sec. 10G: Upon a disbarment order and no appeal being entered, the court clerk shall send a copy of the order and docket entries to the clerk of the Court of Appeals who shall strike the attorneys name from the register and certify that fact to all other court clerks.
- Sec. 10H: When the Court of Appeals affirms a disbarment, the clerk there shall strike the attorneys name from the register and certify that fact to all other court clerks.

### **Acts of 1937, Ch. 370**

An act to add a section to Art. 10, Public General Laws, re suspension and disbarment, approved 4-26-1937

- Sec. 12: Any attorney heretofore and hereafter suspended or disbarred, who has been pardoned by the governor, shall upon application to the court that issued the order be entitled to reinstatement as a member of the bar. Hearings and appeals shall follow the procedure outlined in [Acts of 1929, Ch. 370].

### **Acts of 1939, Ch. 410**

An act to add a section to Art. 10, Public General Laws, re admission of attorneys, approved 5-3-1939, effective 6-1-1939

- Sec. 3 1/2: After June 1, 1940 requisites for the study of law shall include the submission of proof to the Board of Law Examiners, showing completion of one year of college work or its equivalent.

### **Acts of 1955, Ch. 586**

An act to repeal and reenact Secs. 3-4, Art. 10, Annotated Code, re admission of attorneys, approved 4-25-1955, effective 6-1-1955

- Sec. 3: The Board of Law Examiners shall examine applicants and report their proceedings and recommendations to the Court of Appeals which shall pass the order for admission. Court of Appeals shall develop rules for a uniform system of examination. Any person desiring to begin the study of law for the purpose of admission to the bar shall file with the Board of Law Examiners an application for registration as a law student along with a certificate showing completion of a high school education or its equivalent. Anyone not possessing the latter may be examined by the board.
- Sec. 4: Requisites for the study of law shall include the submission of proof to the Board of Law Examiners, showing completion of two years of college work or its equivalent.

### **Acts of 1977, Ch. 273**

An act to repeal and reenact Sec. 2, Art. 10, Annotated Code, re Board of Law Examiners, approved 4-29-1977, effective 1-1-1978

- Sec. 2: Board of Law Examiners shall consist of seven members of the bar, appointed by the

Court of Appeals which will also fill vacancies. The term of office shall be five years.

Applications for admission to the bar shall be by petition to the Court of Appeals and filed with the Board of Law Examiners.

- Transitional provisions:
  - The terms of examiners in office on July 1, 1977 shall expire on the last day in 1977, 1978, and 1979 respectively. Thereafter the appointments shall be for five years.
  - Of the four new positions, two shall serve until the end of 1980 and two until the end of 1981. Thereafter the appointments shall be for five years.



## BC GOVERNMENT

### **Acts of 1817, Ch. 142**

An act re BC and BA joint expenses, passed 2-7-1818

- Sec. 5: Judges of the BC Court shall examine the accounts for keeping the jail for BC and BA and supporting the prisoners therein and the accounts returned by the coroner for holding inquests. Judges shall ascertain what portions shall be paid by BC and BA respectively.

### **Acts of 1818, Ch. 141**

An act re BC and BA joint expenses, passed 2-7-1818

- Sec. 5: Judges of the BA Levy Court shall examine the accounts for keeping the jail for BC and BA and supporting the prisoners therein and the accounts returned by the coroner for holding inquests. Levy court shall ascertain what portions shall be paid by BC and BA respectively.

### **Acts of 1826, Ch. 217**

An act to establish BA Board of County Commissioners, passed 3-10-1827

- Sec. 5: After the BA Board of County Commissioners takes office, the BC Mayor and City Council shall provide for making all appointments and assessing and levying taxes within BC, as is now performed by the BA Levy Court.

### **Acts of 1827, Ch. 167**

An act re BC and BA joint property and expenses, passed 3-3-1828

- Sec. 1: Property and funds belonging to BA, including therein the city of BC, are hereby vested in the BA Board of County Commissioners and BC Mayor and City Council as tenants in common. This section shall not interfere with Acts of 1822, Ch. 167, re welfare.
- Sec. 4: Expenses of the BA Court shall be paid by BA and BC in proportion to the quantity of business for each jurisdiction and shall no longer be a joint charge on the city and county.
- Sec. 5: Provisions of Sec. 4 shall apply to the expenses of the BA Orphans Court and Register of Wills.
- Sec. 6: Expenses of the jail shall be paid proportionally according to the number of prisoners from BC and BA. Repairs shall be paid in equal proportions.
- Sec. 7: Keeper of the courthouse and lot shall be appointed by the BA Board of County Commissioners who shall also prescribe regulations for preservation of the building. The salary of the keepers and repairs for the building and premises shall be paid in equal proportions by BA and BC.

### **Acts of 1852, Ch. 357**

An act re BC and BA joint property, passed 5-31-1852

- Sec. 1: By August 1852 BA Board of County Commissioners and BC Mayor and City Council shall each appoint three persons who shall estimate the value of all property owned jointly by BC and BA and divide it equally according to the valuations.
- Sec. 2: If these commissioners cannot reach an agreement, they shall select an arbiter who shall be a nonresident and non property owner in BA or BC. The arbiter shall report findings to the county commissioners and mayor and city council.
- Sec. 4: The commissioners shall employ a clerk to record their proceedings, a copy of which shall be filed with the county commissioners and mayor and city council.
- Sec. 5: A copy of these proceedings and any arbiters report shall be sent to the General Assembly in 1853.

### **Acts of 1939, Ch. 298**

An act to add a section to Art. 4, Public Local Laws, re BC officials, approved 5-3-1939, effective 6-1-1939

- Sec. 749A: No public officer, special police officer, or other official appointed for BC by any authority shall take an oath of office before a justice of the peace. The oath shall be taken before the clerk of the BC Superior Court.

## BOUNTIES, ANIMAL

### Acts of 1728, Ch. 7

An act for a bounty on wolves, crows, and squirrels, passed 10-24-1728, effective 12-15-1728

- Sec. 1: Every master or mistress of a family or single taxpayer shall be obliged annually to produce before any county justice three squirrel scalps or crow heads for every taxable person they pay levy on. Justices shall destroy the scalps and heads to prevent fraud and provide a certificate showing the number of scalps and heads produced. Certificates shall be presented to the justices at the time of laying the county levy.
- Sec. 2: Fines shall be imposed for not producing the required number of scalps and heads.
- Sec. 3: A bounty of two lbs. of tobacco shall be paid for each scalp and head over the minimum.
- Sec. 4: For every wolf head brought before a justice, a bounty of 200 lbs. of tobacco shall be paid.
- Sec. 5: All earlier acts are repealed.

### Acts of 1758, Ch. 5

An act to amend Acts of 1728, Ch. 7, passed 12-22-1758

- Sec. 1: Every master or mistress of a family or single taxpayer shall be obliged annually to produce before any county justice four squirrel scalps or crow heads for every taxable person they pay levy on. Justices shall destroy the scalps and heads to prevent fraud and provide a certificate showing the number of scalps and heads produced. Certificates shall be presented to the justices at the time of laying the county levy.
- Sections on bounties for squirrels and crows are repealed for AA, BA, CV, CE, CH, DO, PG, SM, SO, and WO.

### Acts of 1765, Ch. 35

An act to amend Acts of 1728, Ch. 7, passed 12-14-1765

- Sections on bounties for squirrels and crows are repealed for AA, CV, CE, CH, DO, FR, PG, SM, SO, TA, and WO.

### Acts of 1888, Ch. 467

An act to new sections to Art. 28, Public General Laws, approved 4-5-1888

- Sec. C: Boards of county commissioners may make rules and regulations for allowing and paying bounties for killing wild animals and birds.
- Sec. 2: This act shall not apply to PG.

[The above notes were abstracted for information about the topic in PG. Other laws were not abstracted.]

## BOUNTIES, MILITARY

### Acts of 1864, Ch. 15

An act to encourage enlistments, passed 2-6-1864

- Sec. 1: Governor is authorized to pay \$300 in installments to every person, except slaves, who shall enlist before March 1, 1864 to serve three years as part of the state quota in the U.S. armies.
- Sec. 2: The same provision shall apply to persons who reenlist.
- Sec. 3: A slave owner who agrees to the enlistment of a slave shall be paid \$100 when a manumission is filed with the property agency. The slave shall receive \$50 upon being mustered into service and \$50 upon an honorable discharge. Every volunteer claiming a bounty shall be credited to the county or city of residence. If any county or city furnishes a surplus of freed negro volunteers, it shall be credited to the state at large.
- Sec. 4: If a soldier enlisted under this act dies, his widow or children shall receive the balance of the bounty. If the wife or children are slaves, the balance shall revert to the state.
- Sec. 5: A defence loan fund is hereby created by the issuance of bonds or certificates of debt.
- Sec. 6: Governor shall notify the county commissioners and BC Mayor and City Council of the number of men for which they are liable to be drafted. Upon forwarding to the governor a list of volunteers mustered in under this act, these local agencies shall draw upon the state treasury for sums to pay the bounties.
- Sec. 7: County commissioners and BC Register shall disburse the sums and keep a record of them.
- Sec. 8: A special state tax is levied to redeem the defence loan bonds.

### Acts of 1864, Ch. 159

An act to make valid certain proceedings, passed 2-19-1864

- Sec. 1: Acts of the county commissioners in borrowing money before January 1, 1864 and issuing bonds and notes for paying bounties to volunteers and for relief of draftees and their families are hereby confirmed and made valid.

### Acts of 1864, Ch. 373

An act to extend the time and provisions of Acts of 1864, Ch. 15, passed 3-4-1864

- Sec. 1: The deadline for enlistment is extended to before April 1, 1864.
- Sec. 2: The filing of a manumission, as required by the U.S. government, with the U.S. Board of Claims for compensation to masters of enlisted slaves organized in BC shall be taken as sufficient compliance with Acts of 1864, Ch. 15, Sec. 3.

### Acts of 1865, Ch. 33

An act to provide bounties for soldiers under the federal call of December 1864 and future calls, passed 2-3-1865

- Sec. 1: Whenever under a proclamation of a U.S. President a draft shall take place in Maryland to fill the state quota, a bounty of \$300 shall paid to each draftee, volunteer, or person furnishing a substitute.
- Sec. 2: Governor shall appoint a state bounty board in each county and each legislative district in BC. Each board shall be composed of three persons. Each member shall give bond and be entitled to draw upon the state treasury, upon a warrant from the state comptroller, for bounty payments to persons who furnish proper certificates from officers authorized to grant them.
- Sec. 3: Every three weeks the bounty boards shall report to the state comptroller the amounts disbursed and the names of persons paid.
- Sec. 4: A state defence loan is authorized.
- Sec. 5: County commissioners and BC Mayor and City Council are hereby authorized to raise by loan or otherwise sums to pay additional bounties of \$200.
- Sec. 8: County commissioners and BC Mayor and City Council may pay no larger sums.

### **Acts of 1865, Ch. 49**

An act to amend Acts of 1864, Ch. 15, passed 3-15-1865

Some persons enlisting as part of the Maryland quota were improperly credited upon the muster rolls of their company or regiment to a congressional district or the state at large instead of to a county or BC, and thus deprived of a bounty. Payments of bounties to slaves and their owners have been delayed for lack of proper evidence that they were duly enlisted and credited to the state quota.

- Sec. 1: Persons who enlisted as part of the Maryland quota and improperly credited upon the muster rolls of their company or regiment to a congressional district or the state at large instead of to a county or BC shall be entitled to receive a bounty.
- Sec. 2: Upon receipt of lists of such soldiers from the Assistant Provost Marshall for Maryland or other authorized U.S. officers and, in the case of negroes, from the U.S. Board of Claims, the state treasury shall pay the bounties due.
- Sec. 4: If a deceased soldier has no wife or children, his parents and/or brothers and sisters shall be entitled to the bounty payments.

### **Acts of 1865, Ch. 106**

An act to amend Acts of 1865, Ch. 33, passed 3-14-1865

- Sec. 2: Whenever under a proclamation of a U.S. President a draft shall take place in Maryland to fill the state quota, a bounty of \$300 shall paid to each draftee, volunteer, or person furnishing a substitute for the U.S. Army or Navy.
- Sec. 3: Governor shall appoint a state bounty commissioner in each county and each legislative district in BC. Each commissioner shall give bond and be entitled to draw upon the state treasury, upon a warrant from the state comptroller, for bounty payments to persons who furnish proper certificates from officers authorized to grant them. The roll of persons to whom payments are paid shall be retained by the state comptroller.

### **Acts of 1866, Ch. 108**

An act to repeal and reenact Sec. 2 of Acts of 1865, Ch. 49, passed 2-8-1866

U.S. Board of Claims has been dissolved.

- Sec. 2: Upon receipt of lists of soldiers specified in Sec. 1 of Acts of 1865, Ch. 49 from the Assistant Provost Marshall for Maryland or other authorized U.S. officers, the state treasury shall pay the bounties due.

### **Acts of 1867, Ch. 156**

An act to repeal Secs. 5 and 8 of Acts of 1864, Ch. 15 and Secs. 4-5 of Acts of 1865, Ch. 33, passed 3-21-1867

- Sec. 1: Secs. 5 and 8 of Acts of 1864, Ch. 15, re defence loan and special tax, are repealed.
- Sec. 2: Secs. 4-5 of Acts of 1865, Ch. 33, re defence loan and special tax, are repealed.
- Sec. 3: Comptroller of the Treasury shall examine and adjust all unpaid bounties and issue warrants to the State Treasurer for payments.

### **Acts of 1867, Ch. 167**

An act to secure settlements re bounties, passed 3-21-1867

- Sec. 1: By June 1, 1867 the county commissioners, BC Register, and state bounty commissioners shall report to the state comptroller the amounts of money received for bounties, amounts disbursed, and names of the persons paid, and endorse vouchers and pay back balances remaining in their hands.

### **Acts of 1867, Ch. 372**

An act to extend Acts of 1864, Chs. 15 and 373, passed 3-22-1867

- Sec. 1: Provisions of these acts and their supplements are extended to embrace all volunteers and draftees who entered U.S. service from April 1, 1864 to December 18, 1864, provided they have been accredited to the state quota.

### **Acts of 1868, Ch. 235**

An act to amend 1865, Ch. 33 by reenacting Secs. 4-6 which were intended to be repealed by Acts of 1867, Ch. 156, passed 3-28-1868

- Sec. 4: Defence loan is created.
- Sec. 5: A special tax for the defence loan is levied.
- Sec. 9: All persons having claims for bounties shall present them to the Comptroller of Treasury by September 1, 1868.

## BUILDING PERMITS

### **Acts of 1924, Ch. 563**

An act to add a section to Art. 17, Public Local Laws, re building permits in PG, approved 4-9-1924, effective 6-1-1924

- Sec. 91A: Before constructing or remodeling any building in PG where the cost exceeds \$500, application shall be made to the clerk of the county commissioners for a permit. The application shall show the location of the land and size and estimated cost of the building. County assessor shall receive a copy of the permit. Where incorporated towns require building permits and have officials to issue them, permits specified in this act shall be issued by the municipal officials on forms provided by the clerk of the county commissioners. One copy shall be sent to the clerk and one to the county assessor.

### **Acts of 1927, Ch. 383**

An act to repeal and reenact Sec. 91A of Art. 17, Public Local Laws, re building permits in PG, approved 4-5-1927, effective 6-1-1927

- Sec. 91A: Before constructing a new building at a cost over \$200 or remodeling any building at a cost over \$500 in PG, application shall be made to the clerk of the county commissioners for a permit. The application shall show the location of the land and size and estimated cost of the building. County assessor shall receive a copy of the permit. Where incorporated towns require building permits and have officials to issue them, permits specified in this act shall be issued by the municipal officials on forms provided by the clerk of the county commissioners. One copy shall be sent to the clerk and one to the supervisor of assessments.

### **Acts of 1951, Ch. 616**

An act to add a section to Art. 81, Annotated Code, re building permits, approved 4-50-1951, effective 6-1-1951

- Sec. 180B: In every county and municipality where building permits are required, the agency responsible for their issuance shall furnish a copy to the local supervisors of assessments.

[See also [Zoning](#)]

[Laws on this topic for counties other than PG not abstracted.]

## CEMETERIES

### **Acts of 1878. Ch. 360**

An act to add sections to Art. 14, Public Local Laws, re cemeteries in KE, approved 4-1-1878

- Sec. 221: A cemetery in Chestertown, adjoining the public square next to the courthouse, is hereby placed under the control of the KE Board of County Commissioners who may arrange to remove the graves.
- Sec. 222: This act shall take effect when the vestry of Chester Parish certifies its acceptance which shall be recorded among the land records.

### **Acts of 1904, Ch. 443**

An act to add sections to Art. 21, Public Local Laws, re plats in TA, approved 4-8-1904

- Sec. 40A: Clerk of TA Circuit Court shall record and index plats of cemeteries owned by any town, corporation, or church.
- Sec. 40B: Clerk shall record in the same book the sale and transfer of any cemetery lot.



## CHATTELS AND LIENS

### **Acts of 1729, Ch. 8**

An act for the relief of creditors, passed 1729

- Sec. 5: Hereafter no goods or chattels where the vendor, mortgagor, or donor retains possession shall be transferred to any purchaser, mortgagee, or donee unless done in writing and recorded within twenty days in the records of the county.

### **Acts of 1763, Ch. 13**

An act supplemental to Acts of 1729, Ch. 8, passed 11-21-1763

- Sec. 2: Hereafter no slave where the donor retains possession shall be transferred to any donee unless done per provisions of Acts of 1729, Ch. 8.

### **Acts of 1769, Ch. 18**

An act supplemental to Acts of 1715, Ch. 31, passed 12-20-1769

Acts of 1715, Ch. 31 provides that whenever any horse, mare, or gelding breaks into an enclosure and the owner is unknown, the party finding the animal shall take it to a magistrate who shall take an account of the marks which the finder shall post in public places. Until the owner is known, the finder may use the animal. This method is inconvenient for owners.

- Sec. 2: Hereafter, the party finding a horse, mare, or gelding shall post an account of the marks on the animal on the courthouse door and other public places within five days and have the marks recorded in the county court. Expenses shall be paid by the owner.

### **Acts of Nov. 1773, Ch. 10**

An act for the establishment of CA, passed 12-23-1773

- Sec. 1: This act shall take effect on the Monday after the second Tuesday in March 1774.
- Sec. 13: Land records and chattel records acknowledged before that day may be recorded in DO, QA, or CA.

### **Acts of 1804, Ch. 92**

An act re stray black cattle in AL, passed 1-19-1805, effective 9-1-1805

- Sec. 2: When black or horned cattle trespass or go astray, the land owner or occupier may procure from a justice of the peace or a justice of the levy court a warrant directing two persons to appraise the strays. The appraisers shall prepare a certificate of valuation that includes descriptions of the strays, and within fifteen days file it with the county court clerk for recording. Public notice of these certificates shall be given. Cattle belonging to people in the neighborhood and not more than seven miles from the owners dwelling place shall not be considered strays.

- Sec. 3: If the owner of a stray appears within one year and proves title by testimony of one witness before any magistrate, that person shall have restitution after paying necessary expenses incurred by the finder. If the owner and finder cannot agree on costs, a justice of the peace or justice of the levy court shall decide. If the owner does not appear within one year, the finder may keep the stray, but remain answerable for the valuation to the owner, after deducting allowable charges, for another three years.

### **Acts of 1831, Ch. 175**

An act re restoration of records in SM, passed 3-5-1832

- Sec. 5: Any person in SM possessing a bill of sale, mortgage, or other document re personal property, that appears to have been recorded and destroyed, may have it enrolled again.
- Sec. 6: Any person claiming a right to personal property by virtue of a record that has been destroyed may apply to the commissioners appointed to take testimony. After giving twenty days public notice, the commissioners shall take testimony to establish the existence and validity of the document and rights to the property. Commissioners shall return their proceedings to the county court clerk for recording.

### **Acts of 1833, Ch. 88**

An act re indexes, passed 2-19-1834

- Sec. 1: County court clerks shall prepare a general index of all deeds, mortgages, bills of sale, and other conveyances which shall include all parties and refer to book and page numbers of the record.

### **Acts of 1835, Ch. 279**

An act re restoration of records in WO, passed 4-1-1836

Many records were burned in a courthouse fire in 1834.

- Sec. 2: Persons in WO having bills of sale and other documents re personal property that were burned may have them enrolled again.
- Sec. 3: Any person claiming personal property by virtue of a record that was burned may apply to two justices of the peace to have testimony taken to establish title. Justices of the peace shall give twenty days public notice and return their proceedings to the county court clerk for recording.

### **Acts of 1838, Ch. 205**

An act re mechanics liens in BC, passed 3-2-1839

- Sec. 1: Every building erected in BC shall be subject to a lien for payment of debts contracted for work done or materials furnished.
- Sec. 2: The lien shall extend to the ground covered by the building and adjacent ground necessary for the purposes of the building.

- Sec. 3: BA court clerk shall maintain a mechanics lien docket for recording descriptions or designations of lots and all claims that may be filed which shall include the names of the landowner and contractor, architect, or builder and person claiming any lien.
- Sec. 4: Landowner may define the boundaries of the ground appurtenant to the building before construction begins and have it recorded.
- Sec. 5: If the owner does not so define the boundaries, the BC Commissioners may do it upon petition of the owner or anyone else having a lien on the property by mortgage, judgment, this act, or otherwise.
- Sec. 6: BC Commissioners shall examine the site, designate the boundaries, and report the findings to the county court clerk for recording.
- Sec. 9: Anyone intending to file a mechanics lien shall give thirty days notice to the landowner.
- Sec. 10: Mechanics lien claims shall be filed with the county court clerk.
- Sec. 11: The lien document shall contain the names of the claimant, landowner, and contractor, architect, or builder, if any; amount due and kind of work done or kind and amounts of materials furnished; and locality and description of the building.
- Sec. 13: The debt shall be lien for six months after the work is finished or materials furnished, unless a new claim is filed
- Sec. 14: Proceedings to recover a claim shall by by writ of scire facias.
- Sec. 23: Mechanics liens shall expire five years after the filing date unless revived by scire facias and then may continue for another five years unless the lien is satisfied or extinguished by a sheriffs sale or otherwise.
- Sec. 24: At the request of the owner when a claim is satisfied, the claimant shall have this information entered on the record.

## Acts of 1840, Ch. 35

An act re mechanics liens in HA, passed 2-28-1841, effective 4-6-1841

- Sec. 1: Acts of 1838, Ch. 205, re mechanics lien, are extended to HA.

## Acts of Dec. 1841, Ch. 76

An act re mechanics liens in AL, passed 1-27-1842, effective 5-1-1842

- Sec. 1: Every building constructed within the limits of a city or town in AL shall be subject to a lien for the payment of all debts contracted for work done or materials furnished.
- Sec. 2: The lien shall extend to the ground covered by the building and adjacent ground necessary for the purposes of the building.
- Sec. 3: Every person entitled to such a lien shall file a claim or statement of demand with the county court clerk who shall record it in a mechanics lien docket.
- Sec. 4: The lien shall be filed within six months from the time of performing the work or furnishing the materials.
- Sec. 5: The lien document shall contain the names of the claimant, landowner, and contractor, architect, or builder; amount due; kind of work done or materials furnished; time when done; locality and size of the building; and other descriptions, if necessary.

- Sec. 6: To remain in effect liens must be renewed every six months.
- Sec. 7: Proceedings to recover a claim shall by by writ of scire facias.
- Sec. 10: Upon return of a writ of sciore facias anyone else having filed a mechanics lien may have entered on the record of the suit a statement setting forth the amount and nature of that claim.
- Sec. 12: Execution on a judgment rendered by virtue of this act shall be by writ of fieri facias directing the sheriff to sell the house and lot mentioned in the proceedings.
- Sec. 13: If sale proceeds are insufficient to pay all liens, the debts shall be averaged and creditors paid in proportion to their demands.
- Sec. 15: A lien for which a claim has been filed shall expire three years after the filing date unless revived by scieri facias. Then it shall continue for another three years.
- Sec. 16: When a claim is paid, the claimant shall have the word "satisfied" entered on the record.

### **Acts of 1842, Ch. 111**

An act re mechanics liens in Howard District, passed 2-17-1843, effective 4-1-1843

- Acts of 1838, Ch. 205 and its supplements, re mechanics lien, are extended to Howard District.

### **Acts of 1842, Ch. 134**

An act supplemental to Acts of Dec. 1841, Ch. 76, re mechanics liens in AL, passed 2-15-1843

- Sec. 1: Provisions of Acts of 1841, Ch. 76, providing for mechanics liens in cities and town in AL, shall apply to all buildings in the county.

### **Acts of 1842, Ch. 147**

An act re mechanics liens in AA, passed 2-28-1843, effective 4-1-1843

- Sec. 1: Acts of 1838, Ch. 205 and its supplements, re mechanics lien, are extended to AA.

### **Acts of 1842, Ch. 183**

An act re mechanics liens in CE and WA, passed 2-17-1843, effective 4-1-1843

- Sec. 1: Every building erected in CE and WA shall be subject to a lien for the payment debts contracted for work done or materials furnished. No lien shall take effect where materials are furnished to the contractor for a specific sum.
- Sec. 2: The lien shall extend to the lot on which the building stands, not to exceed three acres.
- Sec. 3: Accounts and contracts shall be acknowledged before a justice of the peace and filed with the county county clerk for recording in a book to be kept for that purpose.
- Sec. 4: Liens shall not not take effect unless the lienees file claims with the county court clerk within sixty days after finishing the building. Where an express contract exists, no lien can take effect until the contract is fulfilled by the builder. Every claim shall set forth the names of the claimants and owners, amount due, kind of work done or materials furnished, date of

completion, and locality and size of the building.

- Sec. 5: Proceedings to recover a claim shall be by writ of scire facias.
- Sec. 7: Upon serving the writ the sheriff shall give public notice to other claimants and interested parties.
- Sec. 8: Upon return of the writ any other claimant may have entered on the record of the suit a statement showing the amount and nature of the demand.
- Sec. 9: Execution of a judgment shall be by writ of fieri facias.
- Sec. 10: If the proceeds from the sale of the lot and building are insufficient to pay all amounts due after deducting prior liens, the debts shall be averaged and creditors paid in proportion to their demands.
- Sec. 12: All liens shall be in force for four years.
- Sec. 13: When an owner produces a receipt acknowledged by the claimant before a justice of the peace, the county court clerk shall record it, thus discharging the lien.

### **Acts of 1845, Ch. 176**

An act supplemental to Acts of 1838, Ch. 205, re mechanics liens, passed 2-29-1846

- Sec. 1: After April 1, 1846 mechanics liens shall only be preferred to other liens and encumbrances incurred after passage of Acts of 1838, Ch. 205.
- Sec. 2: Mechanics liens on buildings shall be applicable and claimable when at least one fourth of the work has been done.
- Sec. 4: Machines built or repaired shall also be subject to liens as are buildings.
- Sec. 6: Mechanics lien laws are made applicable in BA, CR, and HA.

### **Acts of 1845, Ch. 193**

An act supplemental to Acts of 1844, Ch. 280 that imposed duties on promissory notes, bills of exchange, and other instruments of writing, passed 3-3-1846, effective 5-1-1846

- Sec. 2: Stamp duties shall be levied, collected, and paid on mortgages, deeds, bills of sale, and releases of mortgages based on sums secured and values conveyed.

### **Acts of 1845, Ch. 287**

An act supplemental to Acts of 1838, Ch. 305, re mechanics liens, passed 3-7-1846

- Sec. 2: Acts of 1838, Ch. 305 and its supplements shall extend to all work done or materials furnished. When a claim or lien is filed by a contractor or builder, it shall be necessary to state no more than in general terms the nature and character of the contract and amount due.
- Sec. 6: If the boundaries of the part of a parcel needed for a building is located outside BC and needs to be defined per Sec. 4 of Acts of 1838, Ch. 305, the county court may appoint commissioners to determine them in the same manner as do the BC Commissioners.

### **Acts of 1845, Ch. 346**

An act re mechanics liens in PG, passed 3-10-1846

- Acts of 1838, Ch. 205 and its supplements, re mechanics lien, are extended to PG.

### **Acts of 1846, Ch. 41**

An act supplemental to Acts of 1838, Ch. 205, re mechanics in Howard District, passed 2-5-1847

- Sec. 1: When a scire facias is issued from the Howard District Court to enforce a lien on a building and no designation of the boundaries of the building has been made, per Sec. 4 of Acts of 1838, Ch. 205, the court shall upon motion of the plaintiff direct the district surveyor to mark the necessary boundaries.
- Sec. 2: Surveyor shall file a report with the court, which, if approved, shall be conclusive upon all persons concerned.

### **Acts of 1846, Ch. 61**

An act supplemental to Acts of 1844, Ch. 280, that imposed duties on promissory notes, bills of exchange, and other instruments of writing, passed 2-17-1847

- Sec. 1: County court clerks shall record receipts for document stamp duties specified in Acts of 1845, Ch. 193 with the instrument itself and shall account with the State Treasurer for all such sums.

### **Acts of 1846, Ch. 164**

An act supplemental to Acts of 1833, Ch. 88, re chattel record indexes in AA, passed 2-27-1847

- Sec. 1: AA Court clerk shall complete the alphabetical index of chattel records for 1831-1841, left uncompleted by his predecessor.

### **Acts of 1846, Ch. 200**

An act supplemental to Acts of 1842, Ch. 183, re mechanics liens in WA, passed 3-10-1847

- Sec. 2: A mechanics lien in WA shall extend to any lot or land attached to the building at the time of construction.
- Sec. 3: Acts of 1842, Ch. 183 shall extend to all work done or materials furnished.
- Sec. 4: Liens shall not take effect unless the lienees file claims with the county court clerk within ninety days after finishing the building. Where an express contract exists, no lien can take effect until the contract is fulfilled by the builder. Every claim shall set forth the names of the claimants and owners, amount due, kind of work done or materials furnished, date of completion, and locality and size of the building.
- Sec. 5: On unfinished buildings the liens shall extend to the extent of the work done or materials furnished.

## **Acts of 1846, Ch. 296**

An act supplemental to Acts of 1841, Ch. 76, re mechanics liens in AL, passed 3-8-1847

- Sec. 1: Provisions of Acts of 1841, Ch. 76 and its supplements, re mechanics liens in AL, shall extend to repairs to buildings, machinery placed or used in any building already standing, and materials furnished for such repairs and machinery.
- Sec. 2: Claims or statements shall be filed with the county clerk within nine months of performing the work or furnishing the materials or machinery.

## **Acts of 1846, Ch. 312**

An act re mechanics liens in FR, passed 3-8-1847

- Provisions of Acts of 1838, Ch. 205 and its supplements, re mechanics liens, are extended to FR.

## **Acts of 1847, Ch. 181**

An act supplemental to Acts of 1841, Ch. 76, re mechanics liens in AL, passed 3-2-1848, effective 5-1-1848

- Sec. 3: When a building is not finished, the liens in AL shall attach to the extent of the work done or materials furnished.
- Sec. 5: If there is no designation of the boundaries of the lot for the building against which a lien is filed, the county court may appoint three commissioners to determine them. Commissioners shall file a report with the county court clerk for recording in the mechanics lien record. If approved by the court, the report shall be conclusive on all persons concerned. The same shall be true if the owner of the land, before building begins, defines the boundaries and has it recorded.
- Sec. 6: Mortgages, encumbrances, and liens, other than leases, that have attached prior to the start of a building and which by law must be recorded, shall not be preferred, but postponed, unless recorded prior to the commencement of construction.
- Sec. 9: If a sale of the land will not yield enough to satisfy all liens and encumbrances, the county court may pass an order, to be entered in the mechanics lien record, appointing a trustee to make the sale and to pay first all prior recorded claims if any, second all legal costs, and third all claims and liens filed under the mechanics lien laws. If necessary, proceeds may be divided proportionally among lien creditors.

## **Acts of 1849, Ch. 449**

An act re mechanics liens in CR, passed 3-8-1850, effective 4-1-1850

- Sec. 1: Provisions of Acts of 1841, Ch. 76 and its supplements, re mechanics liens in AL, are extended to CR.

## **Acts of 1853, Ch. 445**

An act re mechanics liens in DO and TA, passed 5-30-1853

- Mechanics lien laws are made applicable in DO and TA.

### **Acts of 1856, Ch. 154**

An act to provide for rules and forms of conveyances, passed 6-8-1856

- Sec. 123: No personal property where the vendor, mortgagor, or donor retains possession shall pass to or be charged to any purchaser, mortgagee, or donee except by bill of sale or mortgage, acknowledged and recorded as are deeds for real property. This provision shall be construed to apply to any sale or gift where the personal property is accompanied by delivery.
- Sec. 131: Bills of sale shall be recorded in the county or BC where the vendor or donor resides within twenty days after the date of execution.
- Sec. 133: This act specifies the form for a bill of sale for a slave for a term of years.
- Sec. 141: Mortgages of personal property may be assigned and released as are mortgages of real property.
- Sec. 142: Mortgages of personal property shall be acknowledged and recorded in the same manner as bills of sale.
- Sec. 143: Mortgages of personal property shall be valid and take effect only from the date of recording.

### **Acts of 1856, Ch. 251**

An act re indexes in FR, passed 3-10-1856

- Sec. 1: FR circuit court clerk shall make a general index of land records and chattel records for documents recorded prior to November 4, 1835.

### **Acts of 1856, Ch. 294**

An act re boat liens, passed 3-10-1856

- Sec. 1: Boats or vessels used or intended to be used as carriers of freight or passengers on the C&O Canal shall be subject to a lien for all debts due for materials furnished or work done in the construction, repair, or equipping of them; provided that within twenty days of accruing the debt, an account or statement setting forth the names of the claimant and debtor, name or description of the vessel, place where the work was done, and particulars of the claim or debt shall be delivered to the circuit court clerk of the county or BC where the work was done. The clerk shall docket the case in a boat lien docket.
- Sec. 2: The lien shall remain in effect for one year after the filing date.
- Sec. 3: Boat liens shall have preference over mortgages or bills of sale.
- Sec. 4: Within the one year a claimant may file suit in the court where the lien is docketed.

### **Acts of 1856, Ch. 352**

An act to repeal Acts of 1845, Ch. 193, re document stamp taxes, passed 3-10-1856



- Acts of 1845, Ch. 193, re document stamp taxes, is repealed.

### **Acts of 1860, Ch. 63**

An act re chattel indexes in KE, passed 1-23-1860

- Sec. 1: KE circuit court clerk shall transcribe the index in chattel record JNG 1.

### **Acts of 1860, Ch. 155**

An act re indexes in FR, passed 2-29-1860

- Sec. 1: FR circuit court clerk shall make a general index of land records and chattel records from the beginning of the term of William B. Tyler and the end of the term of Edward Shriver.

### **Public General Laws of 1860, Art. 61**

Mechanics liens

- Sec. 24: Proceedings to recover the amount of any lien shall be by bill in equity or scire facias. [Found no law prior to 1860 on recovery in equity.]

[Mechanics lien laws are made applicable in MO before 1860; legislation not found]

### **Acts of 1864, Ch. 142**

An act re indexes in FR, passed 2-19-1864

- Sec. 1: FR circuit court clerk shall make a general index of land records and chattel records recorded during the term of Benjamin G. Fitzhugh.

### **Acts of 1865, Ch. 27**

An act re indexes in BA, passed 1-24-1865

- Sec. 1: BA circuit court clerk shall make a new index for deeds, mortgages, and chattel records for documents filed from December 1, 1851 through June 1, 1853 and shall transcribe the general index for June 30, 1853 to 1861.

### **Acts of 1865, Ch. 190**

An act to repeal and reenact Secs. 44-47 of Art. 61, Public General Laws, re boat liens, passed 3-24-1865

- Sec. 45: No person shall be entitled to a lien under Sec. 44 unless within six months from the commencement of building, repairing, equipping, or refitting a boat or vessel the required account or statement is filed the clerk of the county circuit court or BC Superior Court.

### **Acts of 1867, Ch. 277**

An act re mechanics liens in SO and WO, passed 3-18-1867

- Mechanics lien laws are made applicable in SO and WO.

### **Acts of 1868, Ch. 23**

An act to repeal and reenact Secs. 22 and 24 of Art. 61, Public General Laws, re liens, approved 2-18-1868

- Sec. 22: Wharves and bridges are added to the items subject to the provisions of lien laws.
- Sec. 24: Wharves and bridges are added to the legal recovery provisions of the lien laws.

### **Acts of 1870, Ch. 92**

An act re mechanics liens in QA, approved 3-23-1870

- Mechanics lien laws are made applicable in QA.

### **Acts of 1870, Ch. 108**

An act re indexes in PG, approved 3-23-1870

- Sec. 1: PG circuit court clerk shall make general indexes of land records and chattel records, beginning with 1840.
- Sec. 2: The clerk shall continue to maintain the indexes.

### **Acts of 1874, Ch. 246**

An act re indexes in BA, approved 4-11-1874

- Sec. 1: BA circuit court clerk shall adopt the Campbell system to prepare a general index to land records and chattel records.

### **Acts of 1882, Ch. 152**

An act re indexes in SM, approved 3-30-1882

- Sec. 1: SM circuit court clerk shall make general indexes to land records and chattel records, beginning with 1827.
- Sec. 2: Clerk shall maintain such indexes as new conveyances are recorded.

### **Acts of 1882, Ch. 215**

An act to authorize conditional sales of railroad equipment and rolling stock, approved 4-3-1882

- Sec. 1: Railroad equipment and rolling stock or other personal property to be used in the

operation of a railroad may be paid for in installments or may be leased, rented, hired, or delivered on condition that the title will remain with the vendor until the agreed on price is paid, provided the terms of the installments or rents do not exceed ten years.

- Sec. 2: Such contracts shall be in writing, acknowledged, and recorded, as are deeds, in the county or BC where the corporation has its main office.

### **Acts of 1882, Ch. 462**

An act re mechanics liens in CH, passed 5-3-1882

- Mechanics lien laws are made applicable in CH.

### **Acts of 1884, Ch. 345**

An act re mechanics liens in CH and KE, approved 4-10-1884

- Mechanics lien laws are made applicable in KE, but are no longer applicable in CH.

### **Acts of 1886, Ch. 52**

An act re mechanics liens in CV and KE, approved 3-18-1886

- Mechanics lien laws are made applicable in CV, but are no longer applicable in KE.

### **Acts of 1886, Ch. 228**

An act to repeal and reenact Secs. 35 and 37 of Art. 61, Public General Laws, re liens, approved 4-7-1886

- Sec. 35: A judgment entered on a scire facias on a mechanics lien shall be noted on the record of the claim.

### **Acts of 1886, Ch. 368**

An act to add a section to Art. 24, Public General Laws, re chattel mortgages, approved 4-7-1886

- Sec. 51A: When bills of sale taken on personal property are intended as chattel mortgages and the vendor pays or discharges the debt, the vendee shall release the bill of sale or retransfer the property. This release or retransfer may be made on the original bill of sale, returned to the court clerk, and entered at the end of the recorded bill of sale. Or, the release or retransfer may be made in the presence of the court clerk at the end of the recorded bill of sale.

### **Acts of 1888, Ch. 64**

An act re mechanics liens in KE and SM, approved 3-8-1888

- Mechanics lien laws are made applicable in KE and SM.

### **Acts of 1888, Ch. 133**

An act re stallion liens in FR, approved 3-23-1888

- Sec. 1: The owner of a stallion in FR may enter into a contract with the owner of a mare to pledge the progeny for the amount of the service fee of the stallion. The contract shall be recorded with the circuit court clerk within six months. For one year after the foaling, the owner of the stallion shall have a lien on the progeny.
- Sec. 2: If the service fee is not paid, the stallion owner shall apply to a justice of the peace for a writ of fieri facias upon the progeny which shall be sold at public sale.

### **Acts of 1888, Ch. 464**

An act to repeal and reenact Sec. 46 of Art. 24, Public General Laws, re bills of sale, approved 4-5-1888

- Sec. 46: Bills of sale shall be recorded in the county or BC where the vendor or donor resides within twenty days. If the vendor or donor resides out of state, the bill of sale shall be recorded in the county or BC where the property is located within twenty days.

### **Acts of 1888, Ch. 516**

An act re stallion liens in AA, CA, SM, WI, and WO, approved 4-5-1888

- Sec. 1: The owner of a stallion may enter into a contract with the owner of a mare to pledge the progeny for the amount of the service fee of the stallion. The contract shall be recorded with the circuit court clerk among the bills of sale within twenty days, based on where the mare is located. For one year after the foaling, the owner of the stallion shall have a lien on the progeny. Provisions of this act shall apply only in AA, CA, SM, WI, and WO.
- Sec. 2: If the service fee is not paid, the stallion owner shall apply to a justice of the peace for a writ of fieri facias upon the progeny which shall be sold under execution.

### **Acts of 1890, Ch. 172**

An act re mechanics liens in CH, approved 3-8-1888

- Mechanics lien laws are made applicable in CH.

### **Acts of 1890, Ch. 329**

An act re indexes in GA, approved 3-3-1890

- Sec. 2: GA circuit court clerk shall index all mortgages and bills of sale in a separate index.

### **Acts of 1892, Ch. 419**

An act re stallion liens, approved 4-7-1892

- Sec. 1: Every owner or agent who charges a fee for the services of a stallion shall file with the circuit court clerk or clerk of the BC Court of Common Pleas, based on where the person resides or the stallion is kept, a statement showing the name, age, pedigree, and record of the stallion and terms upon which it will serve.
- Sec. 2: Services of such stallions shall be liens on the mares and foals. Such liens must be filed within six months after the service and will terminate one year after the filing date.

### **Acts of 1898, Ch. 95**

An act re chattel indexes in SM, approved 3-29-1898

- Sec. 1: SM circuit court clerk shall make general indexes to chattel records, beginning with 1878.
- Sec. 2: Clerk shall maintain such indexes as new conveyances are recorded.

### **Acts of 1900, Ch. 461**

An act re chattel indexes in KE, approved 4-7-1900

- Sec. 1: KE circuit court clerk shall make a general index of chattel mortgages and bills of sale for 1880-1900.

### **Acts of 1904, Ch. 54**

An act to repeal and reenact Sec. 3 of and add sections to Acts of 1892, Ch. 419, re stallion liens, approved 3-9-1904

- Sec. 3: Services of such stallions shall be liens on the mares and foals.
- Sec. 3A: Any person entitled to a stallion lien shall file a claim with the circuit court clerk or clerk of BC Superior Court, based on where the owner of the mare resides. The claim must be filed within twelve months of the service of the mare, and will terminate six months after the filing date. The liens shall be recorded in a stallion lien docket.
- Sec. 3B: Proceedings to recover the amount of these liens shall be by writ of scire facias which may be issued by a justice of the peace if under \$100.

### **Acts of 1906, Ch. 159**

An act re indexes in GA, approved 3-23-1906

- Sec. 2: GA circuit court clerk shall index all assignments of mortgages and bills of sale in the names of the assignors and assignees in a separate book.

### **Acts of 1906, Ch. 799**

An act re chattel indexes in HA, approved 4-5-1906

- Sec. 3: HA circuit court clerk shall prepare an index of chattel mortgages, bills of sale, and releases.

## **Acts of 1908, Ch. 46**

An act to repeal and reenact Secs. 177-180 of Art. 27, Public General Laws, re stallion and jackass liens, approved 3-3-1908

- Sec. 177: Every owner or agent who charges a fee for the services of a stallion or jackass shall file with the circuit court clerk or clerk of the BC Court of Common Pleas, based on where the person resides or the stallion or jackass is kept, a statement showing the name, age, pedigree, and record of the stallion or jackass and terms upon which it will serve.
- Sec. 179: Services of such stallions and jackasses shall be liens on the mares and foals.
- Sec. 180: Any person entitled to a stallion or jackass lien shall file a claim with the circuit court clerk or clerk of BC Superior Court, based on where the owner of the mare resides. The claim must be filed within twelve months of the service of the mare, and will terminate six months after the filing date. The liens shall be recorded in a stallion or jackass lien docket.

## **Acts of 1910, Ch. 312**

An act re chattel indexes in KE, approved 4-7-1910

- Sec. 1: KE circuit court clerk shall make a general index of chattel mortgages and bills of sale for 1890-1910.

## **Acts of 1914, Ch. 502**

An act to add a section to Art. 17, Public General Laws, tax liens, approved 4-16-1914

- Sec. 7B: Clerks of the county circuit courts and BC Superior Court are authorized to file among the judgment records notices of liens for payment of U.S. internal revenue taxes and to index them.

## **Acts of 1914, Ch. 514**

An act re threshers liens in FR, approved 4-10-1914

- Sec. 1: An owner or lessee of a threshing machine who threshes grain for another person may have a lien on the grain for the value of the services.
- Sec. 2: Within ten days after completion of the job, the owner or lessee shall file with the circuit court clerk a statement showing the amount of grain threshed, price agreed upon, name of the person for whom the work was done, and description of the land.
- Sec. 3: This act shall apply only in FR.

## **Acts of 1916, Ch. 107**

An act re chattel indexes in KE, approved 3-31-1916, effective 6-1-1916

- Sec. 1: KE circuit court clerk shall make a general index of chattel mortgages and bills of sale for

1900-1916.

### **Acts of 1916, Ch. 327**

An act to add a section to Art. 17, Public General Laws, re conditional contracts of sale, approved 4-18-1916, effective 6-1-1916

- Sec. 2B: The clerks of the courts where bills of sale are filed shall provide conditional contracts of sale records for recording notes, sales, or contracts for the sale of goods and chattels wherein the title thereto, or a lien thereon, is reserved until the amount is paid or the transfer of title is dependent upon a condition. The record shall contain a description of the goods and chattels, date, amount due, when and how payable, and names of vendors and vendees. Clerks shall index the names of all parties.

### **Acts of 1929, Ch. 466**

An act to repeal Sec. 9 of and add sections to Art. 17, Public General Laws, re federal tax liens, approved 4-11-1929

- Sec. 9: Notices of liens for taxes payable to the U.S. and certificates discharging them shall be filed with the clerk of the county circuit court or BC Superior Court, where the property subject to the lien is located.
- Sec. 9A: Court clerk shall record such tax liens in an alphabetical federal tax lien index, showing for each the name and address of the taxpayer, collectors serial number, date and time of filing, and amount of the tax with interest, penalties, and costs. Clerk shall keep all original notices in numerical order, designated as federal tax lien notices.
- Sec. 9B: When a certificate of discharge of a tax lien is filed, the clerk shall enter it in the federal tax lien index and attach it to the original notice.
- Sec. 9F: This act shall be cited as the Uniform Federal Tax Lien Registration Act.

### **Acts of 1931, Ch. 142**

An act to repeal and reenact Sec. 760 of Art. 11, Public Local Laws, re threshers liens in FR, approved 4-17-1931, effective 6-1-1931

- Sec. 760: Within sixty days after completion of the threshing job in FR, the owner or lessee of the machine shall file with the circuit court clerk a statement showing the amount of grain threshed, price agreed upon, name of the person for whom the work was done, and description of the land.

### **Acts of 1933, Ch. 185**

An act to add a section to Art. 53, Public General Laws, re crop liens, approved 4-4-1933

- Sec. 24A: Any U.S. agency authorized to lend money to agricultural producers, any bank, trust company, loan company or cooperative entitled to rediscount privileges by federal law, or any person or company advancing money or supplies to anyone engaged in agriculture shall have a

lien on the affected crop during the time the advances remain unpaid. To be legally effective the lien agreement must be in writing, signed by both parties, and specify the amount advanced or upper limits of the future advances. The agreement must also contain a description of the land cultivated and shall be acknowledged as are chattel mortgages. It shall be recorded in the circuit court of the county where the land is located. If the land is located in more than one county, the document may be recorded in each of the jurisdictions. The court clerks shall record these crop liens and index them in separate books. The release of a crop lien shall be recorded by the court clerk where the agreement is recorded. Liens now allowed landlords under Sec. 24 shall not be affected by these provisions.

### **Acts of 1933, Ch. 346**

An act to repeal and reenact Secs. 59 and 62 of Art. 17, Public General Laws, re chattel records, approved 4-21-1933, effective 6-1-1933

- Sec. 59: Clerks of the county circuit courts and BC Superior Court shall record all deeds, mortgages, and other instruments affecting title to and interest in land in land records and record all bills of sale, chattel mortgages, and other instruments affecting title to and interest in personal property in chattel records. Each book shall contain an alphabetical index of names of all parties.
- Sec. 62: The clerks shall also maintain separate alphabetical indexes.

### **Acts of 1935, Ch. 130**

An act to repeal and reenact Sec. 24 of Art. 53, Public General Laws, re re crop liens in CH, approved 4-29-1935, effective 6-1-1935

- Sec. 24: In cases of renting land wherein a share of the crops is reserved as rent or wherein the landlord makes advances on the crops to be grown, then shall be a lien on the crops provided a contract is written and signed. In addition, before such an advance can be a lien in CH, the contract must be recorded by the circuit court clerk as are other liens.

### **Acts of 1935, Ch. 281**

An act to add new sections to Art. 21, Public General Laws, re chattel mortgages, approved 4-29-1935, effective 6-1-1935

- Sec. 54A: Anyone may enter into an agreement with and borrow funds from a production credit association or bank for cooperatives organized under the federal farm credit act of 1933 or from other authorized agencies and institutions and may secure repayment by chattel mortgages on personal property or any crop maturing in one year. Such a mortgage shall be a lien on the property from the time it is recorded.
- Sec. 54C: A chattel mortgage may also be used to secure future advances made by the mortgagee within a five year period, but shall not exceed an aggregate amount stated in the document.
- Sec. 54G: A chattel mortgage pursuant to this act shall be filed with the clerk of the circuit court or BC Superior Court, based on where the chattels are located. Clerks shall record the documents



in a federal farm credit lien book and index them. The record shall show the date, names of the parties, amount advanced and limits thereof, description of the chattels and/or crops, and land on which they are located. Clerks shall enter each assignment on the margin of the page where the original instrument is recorded, showing the names and addresses, date, amount of debt at that time, and filing date.

- Sec. 54I: Any such chattel mortgage shall expire five years after being recorded, unless it is extended it for five more years. Court clerks shall enter this renewal in the lien record.
- Sec. 54K: Court clerks shall record releases where the original mortgages are recorded and shall index them.
- Sec. 54M: Upon default of a chattel mortgage, the mortgagee shall have the right without process of law to take possession of the mortgaged property and preserve it.
- Sec. 54N: Chattel mortgages may be foreclosed under Maryland laws or in the manner specified in the mortgage, provided all sales are made at public auction.

### **Acts of 1937, p. 259**

An act re chattel indexes in AA, approved in 4-26-1937

Because thousands of conditional contracts of sale, chattel mortgages, bills of sale, etc. are filed annually with the AA circuit court clerk, workable indexes are needed.

- Sec. 1: AA Circuit Court shall appoint a committee of three persons from the AA bar association to select a suitable indexing system for conditional contracts of sale, chattel mortgages, bills of sale, etc.

### **Acts of 1937, Ch. 491**

An act to add sections to Art. 63, Public General Laws, re hospital liens, approved 5-18-1937, effective 6-1-1937

- Sec. 59: Any organization maintaining a hospital that furnishes medical services to a patient injured by an accident not covered by workmens compensation shall, if the patient can assert a claim against another for damages on account of such injuries, have a lien upon 50% of any sum recovered by the patient or the heirs or personal representative. Lien shall not exceed charges allowed by the state Industrial Accident Commission.
- Sec. 60: No such lien shall be effective unless a written notice is filed, prior to the payment of any claims, with the clerk of the county circuit court or BC Superior Court where the services were rendered. The document shall contain the name and address of the injured person, date of the accident, name and location of the hospital, amount claimed, and name of the liable party. The hospital shall send a copy of the notice to the liable party.
- Sec. 63: Court clerks shall record these notices in a Hospital Lien Docket and index the name of the injured party. Clerks shall also note releases on these records.

### **Acts of 1939, Ch. 754**

An act to repeal and reenact Secs. 5-6, 12, 17-18, 24, 38-39, 44-45, 48, 55, and 60 of Art. 63, Public

General Laws; to add a section to same; and to repeal Secs. 25-35, 37, and 49-52 of same, re liens, approved 5-24-1939, effective 6-1-1939

[only significant changes are noted]

- Sec. 24: Proceedings to recover the amount of a lien, whether upon a house, machine, wharf, bridge, boat, or vessel, shall be by bill in equity. The court shall decree a sale and appoint a trustee to make the sale and apportion the proceeds among persons entitled to the liens.
- Sec. 38: The lien of every such debt shall expire two years after the claim is filed. During this time the claimant may bring suit in equity to enforce the lien and the owner of the property subject to the lien and other interested parties may bring proceedings in equity to compel the claimant to prove the validity of the lien or have it declared void.
- Sec. 38A: The owner of the property subject to a lien or an interested party may file with the court a bond in an amount 50% greater than the sum for which the lien was filed. If the bond is approved by the circuit court or the clerk, the property shall be released from the lien. The bond shall remain subject to the final disposition of the claim. No such bond shall be approved until the claimant is given a chance to object, but only on the grounds of insufficiency of the bond.
- [Repealed sections pertain to enforcement of mechanics liens through equity or civil proceedings. By this act only equity proceedings remain applicable.]
- Liens in BC shall be filed and recorded in the Circuit Court instead of the Superior Court.

## CIVIL

### **Acts of 1715, Ch. 33**

An act re stay of execution, passed 1715, effective 5-10-1715

- Sec. 1: A person may supersede executions by appearing before two county justices and with two other persons confess judgment with a stay of execution for six months. The records shall be recorded by the clerk of the county court where the judgment was obtained.

### **Acts of Jun. 1773, Ch. 1**

An act re jurisdiction of county courts and Provincial Court, passed 6-23-1773

- Sec. 1: Common recoveries are now used as a means to convey estate tail, an expensive and inconvenient procedure.
- Sec. 2: Hereafter, persons seized of estates tail may sell and convey them in the same manner as those seized of estates in fee simple.
- Sec. 4: Hereafter civil cases that could be heard in the county courts or the Provincial Court will be handled only by the county courts.
- Sec. 5: Hereafter the county courts and the Provincial Court shall hold concurrent jurisdiction where the Provincial Court now has original jurisdiction - recover of debt or damages, recovery of possession of land, and writs of replevin. Once an action is begun in a county court, a plaintiff cannot remove the case to the Provincial Court before judgment.
- Sec. 6: Defendants shall retain the same powers re the removal of civil actions from the county court to the Provincial Court.
- Sec. 7: Decisions of the county courts may be appealed to the Provincial Court.

### **Acts of Feb. 1777, Ch. 15**

An act to open the courts, passed 2-1777, effective 7-1-1777

- Sec. 1: Conventions of 1775 adopted resolutions providing for the settlement of uncontested civil actions and for the suspension of contested civil actions in certain instances until future resolutions or laws are enacted. It is now time to cease these resolutions because produce is providing higher income and thus state residents are better able to pay their debts.
- Secs. 2-11: Pending civil suits may be resumed and new ones instituted.

### **Acts of Jun. 1777, Ch. 12**

An act re jurisdiction of justices of the peace, passed 6-28-1777, effective 8-1-1777

- Sec. 2: A single justice of the peace may decide cases not exceeding £3 sterling, £5 common money, or 800 lbs. of tobacco.
- Sec. 5: Decisions may be appealed to the county court where the amount exceeds 25 shillings sterling, 41 shillings and 8 pence common money, or 336 lbs. of tobacco.

## **Acts of 1785, Ch. 87**

An act re jurisdiction of county courts and General Court, passed 3-11-1786

- Sec. 1: County courts shall have full power and authority to hear and determine any civil suit for recovery of debt or damages, recovery of right to or possession of land, tenements or hereditaments, or recovery of goods and chattel by writ of replevin.
- Sec. 2: General Court of the Western Shore and General Court of the Eastern Shore may hear cases for recovery of debt or damages only where the amount is over £100.
- Sec. 3: General Court may hear actions for trespass done or committed on real property.
- Sec. 5: With suits begun in a county court the plaintiff may not remove the case to the General Court unless originally the action could have been sued in the latter. Defendants shall continue to possess the right to remove a case to the General Court.
- Sec. 6: Decisions of the county courts may be appealed to the General Court.

## **Acts of Apr. 1787, Ch. 16**

An act re jurisdiction of justices of the peace, passed 5-21-1787, effective 5-21-1787

- Sec. 2: A single justice of the peace may decide cases not exceeding £10 common money or 800 lbs. of tobacco.
- Sec. 5: Decisions may be appealed to the county court where the amount exceeds 40 shillings or 200 lbs. of tobacco.

## **Acts of 1791, Ch. 67**

An act re executions, passed 12-30-1791, 5-10-1792

- Sec. 2: No execution against the body or goods of any person shall issue on any judgment or decree obtained in a county court, whenever that person goes before a county justice or two justices of the peace and, with two sureties, confesses judgment for the debt and court costs. The stay of execution will remain in effect for six months. A certificate from the county justice or justices of the peace shall be a sufficient supersedeas to the sheriff to forbear serving execution.
- Sec. 3: A defendant may obtain a stay of execution on a judgment rendered by a single magistrate by going with security before a justice of the peace and confessing judgment for the debt and court costs. A certificate of the confessed judgment shall be sufficient supersedeas for the sheriff.
- Sec. 4: The confessed judgment and stay of execution shall be recorded by the court clerk in the county where the judgment was obtained.

## **Acts of 1791, Ch. 68**

An act re jurisdiction of justices of the peace, passed 12-29-1791

- Sec. 1: A single justice of the peace may decide cases not exceeding £10 common money or 800 lbs. of tobacco. The case shall be heard in the county where the debtor resides. The justice shall determine the case, render judgment, and, if necessary, charge the constable with the body of the

debtor in execution. Constable shall have the authority to commit the person to the sheriff. If the debt is not satisfied within one year, the justice shall award execution directed to the sheriff. If the debtor cannot be found and the debt is over 10 shillings or 50 lbs. of tobacco, the creditor may file proceedings in the county court to obtain an attachment against goods, chattels, or credits.

- Sec. 4: Decisions may be appealed to the county court where the amount exceeds 20 shillings or 100 lbs. of tobacco.
- Sec. 10: This act shall apply only to debts due on contract or damages for the non delivery of grain or other articles contracted to be delivered.
- Sec. 17: Acts of Jun. 1777, Ch. 12 and Acts of Apr. 1787, Ch. 16 are repealed.

### **Acts of 1793, Ch. 43**

An act re ejectments, passed 12-28-1793

- A landowner wanting to repossess land, tenements, or messuages after the expiration of the term or estate for which they were demised, let, or leased shall give written notice to the tenant in possession to remove from the land. If the tenant refuses to comply within one month, the owner may apply to any two justices of the peace. They shall issue a warrant to the sheriff to summon a jury and the tenant. If the tenant asserts that the title to the land is disputed or is claimed by someone else, the case shall be heard by the county court.

### **Acts of 1801, Ch. 62**

An act re supersedeas and executions, passed 12-31-1801, effective 3-20-1802

- Sec. 1: A justice of peace taking supersedeas on a judgment rendered by a single magistrate shall not file it with the county court.
- Sec. 2: At the request of the plaintiff, a justice of the peace may issue execution by way of capias ad satisfaciendum or fieri facias against the debtor and the securities, after expiration of the time limit of the supersedeas.
- Sec. 3: Hereafter constables may serve and levy executions issued by a justice of the peace, provided they give bond, to be approved and recorded by the levy court. If an execution from a justice is given to the sheriff, that official shall execute it.

### **Acts of 1801, Ch. 74**

An act re jurisdiction of county courts and General Court, passed 12-31-1801, effective 3-1-1802

- Sec. 35: Only suits for recovery of debts and damages over £400 may be brought to the General Court.
- Sec. 36: Sec. 2 of Acts of 1785, Ch. 87, providing for the original jurisdiction of the General Court, is repealed.
- Sec. 37: Plaintiffs may remove cases to the General Court before judgment only if the amount is over £400. Defendants may remove cases to the General Court at any time only if the amount is

over £200.

### **Acts of 1804, Ch. 55**

An act re General Court, passed 1-12-1805, confirmed by Acts of 1805, Ch. 16

- Sec. 6: General Court of the Western Shore and General Court of the Eastern Shore are abolished.

### **Acts of 1805, Ch. 65**

An act re General Court cases, passed 1-25-1806

- Sec. 23: All causes, pleas, processes, and proceedings pending in the General Court shall be continued and transferred to the appropriate county court.
- Sec. 30: Original papers and copies of docket entries for cases pending in the General Court shall be sent to the appropriate county courts where the clerks shall file the papers and docket the suits.

### **Acts of 1806, Ch. 90**

An act re General Court cases, passed 1-4-1807

- Sec. 10: County court clerks in actions transferred from the General Court shall record the full proceedings when a judgment is rendered.

### **Acts of 1809, Ch. 76**

An act re jurisdiction and records of justices of the peace, passed 1-6-1810

- Sec. 1: Jurisdiction of justices of the peace is extended to debts and damages not exceeding \$50.
- Sec. 2: Judgments over £10 may be superseded for twelve months.
- Sec. 3: The justice, if living and in office, who rendered the judgment shall take the supersedeas.
- Sec. 4: Justices of the peace shall keep a docket of their proceedings.

### **Acts of 1813, Ch. 162**

An act re jurisdiction of justices of the peace, passed 1-31-1814, effective 5-1-1814

- Sec. 1: In cases of damages for cutting, destroying, or carrying away timber or wood where the amount does not exceed \$50, a justice of the peace where the trespasser resides shall hear and determine the suit and give judgment. If the case is decided against the trespasser, the justice shall appoint two or three freeholders to assess the damages.
- Sec. 2: These judgments may be superseded.
- Sec. 3: Appeals may be taken to the county court, as in cases of similar amounts.

### **Acts of 1814, Ch. 82**

An act re records of justices of the peace, passed 1-17-1815

- Sec. 1: Upon leaving office a justice of the peace shall deliver dockets, notes, bonds, accounts, and papers to the county court clerk who shall maintain them.

### **Acts of 1816, Ch. 139**

An act re cases in BA Court, passed 1-23-1817

- Judges of BA Court shall apportion part of each court term for the trial of causes and the hearing of appeals where defendants are residents of the county outside the limits of BC. Hereafter, when a suit is instituted, the defendants residence shall be make known to the court clerk. Jurors for those cases shall also be from BA outside the BC limits.

### **Acts of 1817, Ch. 119**

An act re records of judgments and judicial proceedings, passed 2-4-1818

- Sec. 3: Some judgments, decrees, and other final proceedings of the county courts have not been recorded, although by law they should have been. For anyone wishing to read the records or have copies, the county court clerks for the time being shall use the court minutes, docket entries, and original papers.
- Sec. 5: Former clerks or their executors, administrators, or securities and current clerks shall record or have recorded the following judgments and judicial proceedings:
  - ejectments, trespasses quare clausum fregit, dowers, partitions, replevins where avowry has been pleaded or rent recovered
  - judgments in debt or damages under which land or tenement has been seized in execution
  - decrees, petitions, commissions, returns, deeds, papers, and proceedings re real property
- Sec. 6: County court judges shall direct the process of bringing the records up to date by specifying times for the work and examining the records.
- Sec. 7: Records pertaining to land shall be recorded within twelve months and court proceedings involving land shall be recorded twelve months after the final judgment is rendered.
- Sec. 8: County court clerks will not be required to record any other judgments, decrees, or judicial proceedings unless required in writing by a party interested in the case. Information and copies of unrecorded cases can be obtained from the court minutes, docket entries, and original papers.
- Sec. 9: With the records mentioned in Sec. 8 the county court clerks shall transcribe in a separate book at the end of each court term from the court minutes and docket entries of those civil, criminal, and equity cases that have been terminated. Each record shall show the names of the parties, nature of the case, other memoranda deemed important, judgment, decree, order or agreement, and court costs. The books shall have numbered pages and be alphabetized.

### **Acts of 1818, Ch. 209**

An act re justices of the peace and jurisdiction in BC, passed 2-19-1819, effective 5-1-1819

- Sec. 1: Each ward in BC shall have one or two justices of the peace who shall keep an office in

their respective wards and maintain dockets.

- Sec. 2: Justices may issue a warrant for recovery of a debt only upon application of the creditor or an agent or attorney.
- Sec. 3: Only the justice that rendered the judgment may issue an execution thereon. If that justice is no longer in office, another one in the ward may issue it.

### **Acts of 1819, Ch. 167**

An act re jurisdiction of justices of the peace, passed 2-14-1820

- Sec. 1: Jurisdiction of justices of the peace is extended to cases where an executor or administrator is one of the parties, except that a justice cannot issue a warrant against such persons within twelve months after letters testamentary or letters of administration are granted.
- Sec. 2: If an executor or administrator alleges in writing that the estate is insufficient to pay the debts of the decedent, the justice shall transmit the case to the county court.

### **Acts of 1821, Ch. 249**

An act re justices of the peace and jurisdiction in BC, passed 2-19-1822

- Sec. 1: Governor and council shall appoint thirty-six justices of the peace for BC.
- Sec. 3: Justices may issue a warrant for recovery of a debt only upon application of the creditor or an agent or attorney.
- Sec. 4: Only the justice that rendered the judgment may issue an execution thereon.
- Sec. 5: No person residing in BA outside the limits of BC shall be liable to arrest for debt on a warrant or other process from a justice of the peace in BC except when the debts were contracted in BC. No person residing in BC shall be liable to arrest for debt on a warrant or other process from a justice of the peace in BA except when the debts were contracted in BA.
- Sec. 6: No justices of the peace except those appointed by this act shall exercise functions in BC except in the preservation of peace and in matters of a criminal nature. No justice appointed by this act shall exercise functions outside of BC except as provided for in Sec. 5. Acknowledgment of deeds and other instruments of writing shall not be subject to the same jurisdictional division.

### **Acts of 1824, Ch. 65**

An act supplemental to Acts of 1816, Ch. 139, re cases in BA, passed 2-1-1825

- Sec. 1: Judges of the BA Court shall assign the first part of each court term for the trial of causes and the hearing of appeals in which the defendants are residents of BA outside the BC limits.
- Sec. 2: Sheriff shall summon for county business at each court term persons for the grand jury and petit jury, residents of BA outside the BC limits.
- Sec. 4: Sheriff shall also summon every three weeks during a court session jurors from BC for city business.
- Sec. 5: BA court clerk shall keep separate dockets for cases originating with BC and BA residents.



**Acts of 1824, Ch. 138**

An act re jurisdiction of justices of the peace, passed 2-22-1825, effective 5-1-1825

- Sec. 1: Jurisdiction of justices of the peace is extended to cases where claims for damages to real property for which an action of trespass or quare clausum fregit might be maintained do not exceed \$50.
- Sec. 2: Decisions may be appealed to the county court, as now allowed by law for small debt cases.
- Sec. 3: These judgments may be superseded.

**Acts of 1824, Ch. 189**

An act supplemental to Acts of 1821, Ch. 249, re jurisdiction of justices of the peace in BC, passed 2-24-1825, effective 4-1825

- Sec. 1: Justices of the peace in BC may hear and determine cases where the debt or damages claimed do not exceed \$100.
- Sec. 2: When a judgment rendered by a justice of the peace exceeds £10, the defendant may supersede it before that justice within sixty days which will stay execution for twelve months.
- Sec. 3: Additional jurisdiction for justices shall include claims for taking, destroying, or harming personal property; claims for damaging or taking farm or garden crops or fences; claims against tenants of houses by the landowner for misuse or damages; claims of tenants against landlords for not making repairs where there is a contract for them and the amount of the claim does not exceed \$50; and claims of tenants against trespassers for damages not over \$50.
- Sec. 4: Justices shall hear and determine claims on appeal bonds and constables bonds where the amount does not exceed \$100.
- Sec. 5: Justices shall hear and determine cases of replevin where the value of the goods and chattels do not exceed \$50.
- Sec. 7: Judgments rendered by justices of the peace may be appealed to the BA Court and be superseded.

**Acts of 1825, Ch. 51**

An act re jurisdiction of justices of the peace, passed 2-2-1826, effective 5-1-1826

- Sec. 1: Jurisdiction of justices of the peace is extended to cases where claims for damages to real property or personal property do not exceed \$50.
- Sec. 2: Provision of Acts of 1824, Ch. 138 shall apply to this act.

**Acts of 1825, Ch. 189**

An act re jurisdiction of justices of the peace in BC and BA, passed 3-6-1826

- Governor and council may appoint four justices of the peace for BA who reside in BC who shall exercise their powers and duties in both BC and BA, except for issuing process for the recovery

of small debts and conducting trials of civil actions.

### **Acts of 1825, Ch. 223**

An act re supersedeas, passed 3-9-1826

Many justices of the peace have been entering a short form of supersedeas in their dockets, instead of full length entries.

- Sec. 1: The short form entries of supersedeas made by the justices of the peace in their dockets are made valid.
- Sec. 2: Hereafter justices shall use the short form.

### **Acts of 1826, Ch. 75**

An act re justices of the peace in AA, passed 1-19-1827

- Sec. 1: Justices of the peace and constables in Annapolis shall have no jurisdiction over residents of AA in the recovery of small debts.
- Sec. 2: Justices of the peace and constables in AA shall have no jurisdiction over residents of Annapolis in the recovery of small debts.

### **Acts of 1826, Ch. 247**

An act re records of judgments and judicial proceedings, passed 3-13-1827, effective 6-1-1827

- Sec. 10: County court clerks shall not record at full length the proceedings in civil, equity, and criminal actions or any verdict, judgment, or decree nor transcribe the minutes and short docket entries of any such action wherein the proceedings were not required to be so recorded as heretofore prescribed by law. An exception will be made when an interested party shall in writing require the case to be recorded or transcribed.
- Secs. 8-9 of Acts 1817, Ch. 119, re cases not subject to full recording, are repealed.

### **Acts of 1827, Ch. 183**

An act re BC ordinances, passed 3-13-1828

- Sec. 3: Justices of the peace in BC shall report quarterly to the BC Register on the number of informations laid before them for violations of city ordinances, names of informers, persons informed against, number of judgments rendered in favor of the city, for what amounts, and whether the judgments were appealed, superseded, or satisfied.

### **Acts of 1828, Ch. 161**

An act re cases in BA Court, passed 3-3-1829

- Sec. 1: Beginning on April 1, 1829 the BA Court shall be held on the first day of every month except for March and August.

- Sec. 2: April and November sittings shall be called the county terms and shall be set aside for the trial of causes and the hearing of appeals in which the defendants are residents of BA outside the BC limits and for all criminal cases. Jurors shall be summoned from the county.
- Sec. 3: The remaining sessions shall be called city terms. Jurors shall be summoned from BC.
- Sec. 5: During the first three weeks of each city court term one judge must sit daily for hearing appeals from magistrates except where jury trials are demanded, granting discharges to insolvent debtors except where a jury is necessary, taking special bail, naturalizing applicants for citizenship, and dispatching other business not herein specifically assigned.
- Sec. 6: In April 1829 and thereafter annually in January the judges shall apportion among themselves the business of the court. Court clerk shall file this information.
- Sec. 11: A defendant against whom a judgment is rendered in the BA Court may within sixty days afterwards appear before the court clerk with two other persons and confess judgment to the plaintiff for the amount of the debt or damages and costs on condition of release to be paid in two installments with interest within twelve months. Clerk shall enter this record in a separate docket and index the names of each party.

### **Acts of 1828, Ch. 165**

An act re testimony in civil cases, passed 3-11-1829

- Sec. 1: County courts may appoint one to three persons as commissioners to take testimony in civil actions.
- Sec. 2: Either party after notice to the other and agreeable to court rules may take the deposition of a witness before a commissioner, but only if the witness is unable to be present at the trial. The other party may cross examine the witness. All depositions and examinations shall be certified and returned by the commissioners to the county court clerk.
- Sec. 5: Each commissioner shall take an oath, a certificate of which shall be recorded.

### **Acts of 1829, Ch. 200**

An act supplemental to Acts of 1828, Ch. 161, re cases in BA Court, passed 2-25-1830

- Sec. 1: All demurrers filed in the BA Court may be decided by one judge.
- Sec. 2: BA sheriff at each city term shall summon a jury from BC for the trial of cases remaining on the old trial docket and of all such cases as remain undivided that were instituted in the September 1828 and March 1829 terms.
- Sec. 3: If a jury case is not ended and determined at the close of a court term, the judge may proceed with the trial anyway.
- Sec. 7: Special bail shall be required for appeals from magistrates judgments.

### **Acts of 1830, Ch. 159**

An act supplemental to Acts of 1828, Ch. 161, re cases in BA Court, passed 2-22-1831, effective 4-13-1831

- Sec. 1: Annually there shall be four city terms of the BA Court, instead of eight.
- Sec. 2: The city terms shall be May, September, December, and January.

### **Acts of 1831, Ch. 290**

An act re executions, passed 3-13-1832

- Sec. 1: Constables shall give twenty days public notice for the sale of real property and slaves and ten days notice for all other goods and chattels.
- Sec. 2: Hereafter it shall be lawful for a constable or sheriff by writ of fieri facias or venditioni exponas on a judgment rendered by a justice of the peace to sell personal property or real property. Returns and proceedings of the sale shall be returned to the justice of the peace who shall deliver the records to the county court clerk for recording.
- Sec. 3: No sale of real property under a judgment rendered by a justice of the peace shall be valid unless and until ratified by the county court.
- Sec. 6: Magistrates judgments shall not be a lien on real property until, after appeal, confirmed by the county court.

### **Acts of 1831, Ch. 294**

An act re judgments and decrees, passed 3-13-1832

- Upon full or partial payment of a judgment or decree the plaintiff shall execute a receipt to the defendant and file it with the clerk of the county court where the case took place. Clerk shall note the payment and date on the docket and for full payment shall enter the judgment or decree as satisfied.

### **Acts of 1831, Ch. 302**

An act supplemental to Acts of 1817, Ch. 119, re judgment records, passed 3-13-1832

Acts of 1817, Ch. 119 has been construed to require the recording of all judgments and writs of execution under which any one sale of land may occur.

- Sec. 1: Hereafter when land is sold by virtue of two or more writs of execution and the amount of the sale is under \$1000, it will be necessary to record on the elder of the judgments and the writs of execution thereon and the sale of land under the writs. The other judgments and writs will be noted in the docket entries, unless an interested party wants a full record made.

### **Acts of 1831, Ch. 306**

An act re jurisdiction of justices of the peace in BA, passed 3-13-1832

- Sec. 1: Provisions of Acts of 1824, Ch. 189, re jurisdiction of justices of the peace in BC, are extended to justices of the peace in BA, outside the BC limits.

### **Acts of 1832, Ch. 203**

An act supplemental to Acts of 1828, Ch. 161, re cases in BA Court, passed 3-15-1833

- Sec. 1: Hereafter BA Court shall hold three city terms - January, May, and September.

### **Acts of 1832, Ch. 307**

An act re attachments and executions, passed 3-22-1833

- Sec. 1: A person who has sued out of a civil or equity case a writ of fieri facias or writ of attachment against the goods and chattels of a defendant may instruct the sheriff or other officer to lay upon an interest in the capital, joint stock, or debt of a corporation.
- Sec. 15: When the sale of such stocks or bonds exceeds \$100, the county court clerk shall record the proceedings in the case in the same manner as done when real property is sold.

### **Acts of 1834, Ch. 289**

An act re justices of the peace in BC, passed 3-20-1835

- Governor and council may appoint as many justices of the peace as necessary for BA who reside in BC and shall exercise their powers and duties in both BC and BA, except for issuing process for the recovery of small debts, conducting trials of civil actions, and acknowledging deeds.

### **Acts of 1834, Ch. 296**

An act re jurisdiction of justices of the peace, passed 3-20-1835

- Sec. 1: Hereafter justices of the peace shall have jurisdiction over all cases where the debts or damages claimed do not exceed \$50 except in actions of slander, assault and battery, and cases involving the title to land. Appeals may be taken to the county court, as now allowed by law.

### **Acts of 1835, Ch. 201**

An act re district courts, passed 3-18-1836, effective 5-1-1836

- Sec. 1: Justices of the peace shall be appointed by the governor so that there are at least three resident in each election district in the counties. They shall be called district justices. Each justice out of court shall exercise throughout the county all powers and duties of other justices of the peace.
- Sec. 2: District justices shall constitute a District Court. They shall designate places and times for holding courts, at least once a month. Jurisdiction of the district courts shall include:
  - cases where the debt or damages claimed do not exceed \$100
  - cases of debt or contract where the amount does not exceed \$100
  - actions of replevin where the value of the property in dispute when appraised does not exceed \$100; besides adjudging a return of the property, the court may award damages
  - actions of trespass where the title to land is not involved and damages claimed do not exceed \$100

- actions of trover where damages claimed do not exceed \$100
- actions of assault and battery where damages claimed do not exceed \$100
- Sec. 3: Decisions may be appealed to the county court.
- Sec. 4: County courts shall not hear any case coming under the jurisdiction of the district courts.
- Sec. 6: The justice named first in the commission shall be the chief justice of that district court. Any two justices may hold court. Any one justice upon application out of court may issue process to compel appearance of parties or witnesses, in the same manner as do justices of the peace now.
- Sec. 7: District courts shall maintain dockets of all cases, suits, actions, complaints, pleas, and subpoenas, attachments, and final judgments.
- Sec. 8: Criminal jurisdiction shall include assault and battery except where committed with intent to kill. The accused party shall have the option to have the case heard by the district court or county court. The attorney general or a deputy may dissent from the district courts exercising this jurisdiction.
- Sec. 9: The openings, closings, and adjournments of the district courts shall be entered in minute books.
- Sec. 10: A judgment rendered by a district court shall be a lien on the real property of the defendant, as if the judgment had been obtained in the county court, provided a short copy is filed with the county court clerk who shall record and index it in a separate book. On application of the plaintiff, the county court clerk may issue execution on these judgments, directed to the sheriff and returnable to the county court in the same manner as if the judgments had been obtained in that court.
- Sec. 11: A judgment rendered by a district court may be stayed and superseded before any one district justice where the judgment was obtained. Supersedeas shall be entered on the docket. From the supersedeas a district justice may issue an execution to the sheriff or a constable in the district, that shall be returnable to the district court.
- Sec. 14: A district justice may issue an attachment, returnable to the district court, against goods and chattels, rights and credits, or lands and tenements of absent or absconding defendants where the debt does not exceed \$100.
- Sec. 15: District justices shall hold proceedings to satisfy judgments they have rendered, to be executed by the sheriff or a constable in the district.
- Sec. 16: District justices may act as justices of the peace out of court within their county. When doing so, they shall keep separate dockets as now required of justices of the peace. Constables shall pay collected fines to the district courts.
- Sec. 17: Executions for recovery and collections of judgments from fines, penalties, and forfeitures shall be issued to the sheriff or a constable and returnable to the district court. Annually the districts courts shall send a list of fines, forfeitures, and penalties recovered or imposed in the courts to the clerk of levy court in their county.
- Sec. 18: Districts justices shall qualify and take an oath.
- Sec. 22: Laws pertaining to proceedings by or against executors and administrators before justices of the peace shall be extended to the district courts.
- Sec. 24: By June 1, 1837 and annually thereafter the chief district court justices shall prepare a statement showing the number of days each justice attended in court and fees received by them and file it with the levy court in their county.

- Sec. 26: Governor shall fill vacancies among the district court justices.

### **Acts of 1835, Ch. 202**

An act supplemental to Acts of 1835, Ch. 201, re district courts, passed 3-22-1836

- Governor is not obligated to meet the May 1, 1836 deadline to appoint district court justices. It may be done at any time.

### **Acts of 1835, Ch. 279**

An act re records in WO, passed 4-1-1836

Many records were burned in a courthouse fire in 1834.

- Sec. 5: In cases where the judgment or equity records and original papers have been destroyed, the docket entries and short copies of the judgments and decrees taken from the dockets shall be received in evidence in any court of law or equity.

### **Acts of 1835, Ch. 397**

An act supplemental to Acts of 1835, Ch. 201, re district courts, passed 6-4-1836

- Sec. 1: Where the district courts are not yet organized, the county courts shall exercise the jurisdiction given them.
- Sec. 2: Qualifications of the district court justices shall be filed with the county court clerks.
- Sec. 3: If a justice does not file a certificate of qualification within thirty days of the appointment, the appointment shall be void. Annually the county court clerks shall send lists of qualified justices to the governor.
- Sec. 4: An additional court shall be organized in Port Deposit in CE with the power to take recognizance of cases brought with the village limits, together with suits in Election Districts 3 and 4 as parties wish to be heard by this court. Governor shall appoint three justices to this court.
- Sec. 5: Criminal jurisdiction shall exclude assault and battery with intent to commit rape.

### **Acts of 1836, Ch. 305**

An act supplemental to Acts of 1835, Ch. 201, re district courts, passed 3-21-1837

- Sec. 3: Hereafter in all cases tried before a single justice of the peace either party may appeal to the county court or district court.
- Sec. 7: In cases where real property may have been or will be sold by virtue of a process issued by the district courts, the district justices shall send the judgment, execution and all papers and proceedings within six months after the return of the sale to the county court clerk for recording.

### **Acts of 1838, Ch. 6**

An act re jurisdiction of justices of the peace in AL, passed 3-29-1839

Citizens of AL in one part of the county have been arrested and brought to trial elsewhere far from their

papers that could be used as exhibits and far from friends who could post bail.

- Hereafter it shall not be lawful to arrest for debt under a warrant issued by a justice of the peace any citizen of AL beyond the limits of the election district where the defendant resides. The trial shall be held in that election district only.

### **Acts of 1838, Ch. 157**

An act re district courts in CA, passed 2-23-1839

- Sec. 1: Acts of 1835, Ch. 201, establishing the district courts, and its supplements are repealed as far as they relate to CA.
- Sec. 2: Pending cases involving amounts not over \$50 shall be heard by a justice of the peace.
- Sec. 3: Chief justices of the district courts shall file their dockets and papers with the county court clerk. Upon application of a plaintiff where the amount does not exceed \$50 the court clerk shall prepare a copy of the judgment upon which a justice of the peace may issue execution. When the amount exceeds \$50, the clerk may issue execution.
- Sec. 4: Pending cases involving amounts over \$50 shall be heard by the county court.

### **Acts of 1838, Ch. 222**

An act re district courts in CE, passed 2-26-1839

- Sec. 1: Acts of 1835, Ch. 201, establishing the district courts, and its supplements are repealed as far as they relate to CE.
- Sec. 2: Pending cases involving amounts not over \$50 shall be heard by a justice of the peace.
- Sec. 3: Chief justices of the district courts shall file their dockets and papers with the county court clerk. Upon application of a plaintiff where the amount does not exceed \$50 the court clerk shall prepare a copy of the judgment upon which a justice of the peace may issue execution. When the amount exceeds \$50, the clerk may issue execution.
- Sec. 4: Pending cases involving amounts over \$50 shall be heard by the county court.

### **Acts of 1838, Ch. 278**

An act supplemental to Acts of 1835, Ch. 201, re district courts in MO, passed 3-28-1839, effective 5-1-1839

- District court for Election District 3 in MO shall be held at least once a month in Poolesville and Barnesville, alternately.

### **Acts of 1838, Ch. 380**

An act supplemental to Acts of 1835, Ch. 201, re district courts, passed 4-5-1839

- Sec. 1: District courts may issue attachment by way of execution on all judgments obtained before them or any justice of the peace, in the same manner as now done by the county courts.



- Sec. 2: This act shall not apply in DO.

## **Acts of 1839, Ch. 71**

An act re judgments in MO, passed 2-28-1840

- Sec. 1: MO Court clerk shall keep a short record or index of all judgments rendered in the court and those rendered by the district courts or single justices of the peace that may be liens on land.

## **Acts of 1839, Ch. 77**

An act re district courts in AL, passed 3-3-1840, effective 5-1-1840

- Sec. 1: Acts of 1835, Ch. 201, establishing the districts courts, and its supplements, are repealed as far as they relate to AL.
- Sec. 2: A single justice of the peace in AL shall have original jurisdiction in all cases where they now have such authority, when the debt or damages claimed do not exceed \$100. Decisions may be appealed to the county court.
- Sec. 3: A single justice of the peace shall have jurisdiction in assault and battery cases where the damages claimed do not exceed \$20.
- Sec. 5: Chief justices of the district courts shall deliver their dockets to the county court clerk.
- Sec. 7: Cases pending in the district courts that are within the jurisdiction of a single justice of the peace under this act shall be sent to that official, and all others to the county court.

## **Acts of 1839, Ch. 78**

An act re district courts in AA and Howard District, passed 3-3-1840

- Sec. 1: Acts of 1835, Ch. 201, establishing the districts courts, and its supplements, are repealed as far as they relate to AA and Howard District.
- Sec. 2: Chief justices of the district courts shall transfer pending cases involving amounts not over \$50 to a justice of the peace.
- Sec. 3: Chief justices of the district courts shall transfer pending cases involving amounts over \$50 to the AA Court or Howard District Court.
- Sec. 4: Chief justices of the district courts in Election Districts 1-4 and 7 shall file their dockets and papers with the AA Court clerk. Upon application of a plaintiff where the amount does not exceed \$50 the court clerk shall prepare a copy of the judgment upon which a justice of the peace may issue execution. When the amount exceeds \$50, the clerk may issue execution.
- Sec. 5: Chief justices of the district courts in Election Districts 5-6 shall file their dockets and papers with the Howard District Court clerk. Upon application of a plaintiff where the amount does not exceed \$50 the court clerk shall prepare a copy of the judgment upon which a justice of the peace may issue execution. When the amount exceeds \$50, the clerk may issue execution.

## **Acts of 1839, Ch. 81**

An act supplemental to Acts of 1835, Ch. 201, re district courts in KE, passed 1-22-1840

- Sec. 1: Sec. 8 of Acts of 1835, Ch. 201, re assault and battery cases in the district courts, is repealed as far as it relates to KE.
- Sec. 2: District courts in KE shall recognize parties and witnesses of pending assault and battery cases to appear at the next county court and file the recognizances with the county court clerk.

### **Acts of 1839, Ch. 86**

An act re jurisdiction of justices of the peace in CE, passed 3-5-1840

- Sec. 1: Justices of the peace in CE shall have jurisdiction over cases where the debt or damages claimed do not exceed \$100. Decisions may be appealed to the county court.
- Sec. 2: Justices shall have jurisdiction over cases of replevin where the value of the property in dispute does not exceed \$100. Justices may adjudge a return of the property and award damages. Whenever a writ of replevin is requested, the justice shall demand from the person a bond to the person holding the property, conditioned that the plaintiff shall return the property in case the justice decides against the plaintiff and pay costs and damages. Upon service of a writ of replevin, the property shall be appraised by two appraisers. If the appraisal exceeds \$100, further proceedings shall cease and the plaintiff shall be liable for costs and charges. The officer serving the writ shall return it to the justice, certifying the excess value, with the schedule and appraisal annexed.
- Sec. 3: Justices shall have jurisdiction over cases of attachment where the amount claimed does not exceed \$100, the same as district courts in CE had under Acts of 1835, Ch. 201.

### **Acts of 1840, Ch. 96**

An act re judgments, passed 1-29-1841

- Sec. 1: County court clerks may enter any judgment satisfied upon the order in writing of the plaintiff or attorney and file the document among the court papers.
- Sec. 2: County courts shall prescribe by court rule the manner in which suits may be dismissed by parties or their attorneys during the recess of the court.

### **Acts of 1840, Ch. 202**

An act supplemental to Acts of 1835, Ch. 201, re districts courts, passed 3-6-1841

- Where the district courts are not yet organized, the county courts shall exercise the jurisdiction given them, except for the cases excluded from their authority before passage of Acts of 1835, Ch. 201.

### **Acts of Mar. 1841, Ch. 29**

An act re district courts in PG, passed 4-5-1841, effective 8-1-1841

- Sec. 1: Acts of 1835, Ch. 201, establishing districts courts, and its supplements are repealed as far

as they relate to PG.

- Sec. 3: Jurisdiction of the justices of the peace shall be the same as before passage of Acts of 1835, Ch. 201.

### **Acts of Mar. 1841, Ch. 33**

An act re district courts in MO, passed 4-5-1841, effective 7-1-1841

- Sec. 1: Acts of 1835, Ch. 201, establishing districts courts, and its supplements are repealed as far as they relate to MO.
- Sec. 2: Justices of the peace shall have jurisdiction where the debt or damages claimed do not exceed \$100. For amounts over \$50 appeals may be taken to the county court.
- Sec. 4: Pending cases shall be transferred to the justices of the peace or county court, depending on their respective jurisdictions.
- Sec. 5: Chief justices of the district courts shall file their dockets and papers with the county court clerk.
- Sec. 6: Justices of peace may issue execution on judgments rendered by the district courts.

### **Acts of Mar. 1841, Ch. 64**

An act re district courts in CA and WA, passed 4-6-1841, effective 5-1-1841

- Sec. 1: Acts of 1835, Ch. 201, establishing the districts courts, and its supplements are repealed as far as they relate to CA and WA.
- Sec. 2: Justices of the peace in CA and WA shall have concurrent jurisdiction with the county courts where the amount of the debt or damages claimed is between \$50 and \$100. Justices shall also have jurisdiction in cases of attachment and replevin where the property claimed is not valued over \$100.
- Sec. 3: Any justice of the peace may issue execution on all judgments rendered by a justice.
- Sec. 4: No judgment of a justice of the peace shall be a lien on lands, tenements, or hereditaments unless recorded by the county court clerk.
- Sec. 5: Decisions of the justices may be appealed to the county court.
- Sec. 6: Chief justices of the district courts shall file their dockets and papers with the county court clerk.
- Sec. 8: Pending cases in the district courts shall be transferred to a justice of the peace or the county court, depending upon which has jurisdiction.

### **Acts of Dec. 1841, Ch. 35**

An act re jurisdiction in SO, passed 1-24-1842

- SO Court and district courts shall have concurrent jurisdiction where the debt or damages claimed exceeds \$50.

### **Acts of Dec. 1841, Ch. 59**

An act re district courts in KE, passed 2-2-1842

- Sec. 1: Acts of 1835, Ch. 201, establishing districts courts, and its supplements are repealed as far as they relate to KE.
- Sec. 2: Pending cases shall be transferred to justices of the peace.
- Sec. 3: Chief justices of the district courts shall file their dockets and papers with the county court clerk. Upon application of a plaintiff upon a judgment therein, the county court clerk or a justice of the peace shall issue execution.
- Sec. 5: Justices of the peace shall have jurisdiction where the debt or damages claimed do not exceed \$100. Appeals may be taken to the county court.
- Sec. 6: Justices shall have jurisdiction over cases of replevin where the value of the property, when appraised, does not exceed \$100. Upon service of a writ of replevin the goods and property shall be appraised by two appraisers. If the appraisal is over \$100, further proceedings by the justice shall cease.
- Sec. 7: Justices shall have jurisdiction in cases of attachment where the amount claimed does not exceed \$100.

### **Acts of Dec. 1841, Ch. 95**

An act re district courts in SM, passed 2-11-1842, effective 3-1-1842

- Sec. 1: Acts of 1835, Ch. 201, establishing districts courts, and its supplements are repealed as far as they relate to SM.
- Sec. 3: A single justice of the peace shall have jurisdiction in all cases where the debt does not exceed \$100 and in cases of assault and battery where damages claimed do not exceed \$50.
- Sec. 4: Chief justices of the district courts shall file their dockets and papers with the county court clerk.
- Sec. 5: Decisions of justices of the peace may be appealed to the county court.

### **Acts of Dec. 1841, Ch. 127**

An act re district courts in DO, passed 2-23-1842, effective 4-1-1842

- Sec. 1: Acts of 1835, Ch. 201, establishing districts courts, and its supplements are repealed as far as they relate to DO.
- Sec. 2: Pending cases involving amounts not over \$100 shall be heard by a justice of the peace.
- Sec. 3: A single justice of the peace shall have jurisdiction in all cases where the debt does not exceed \$100 and in cases of assault and battery where damages claimed do not exceed \$50.
- Sec. 4: Chief justices of the district courts shall file their dockets and papers with the county court clerk.
- Sec. 5: Decisions of justices of the peace may be appealed to the county court.

### **Acts of Dec. 1841, Ch. 193**

An act re jurisdiction in CH, passed 3-3-1842

- Sec. 1: CH Court shall have concurrent jurisdiction with the district courts in all actions of replevin, trespass, trover, and assault and battery.

### **Acts of Dec. 1841, Ch. 199**

An act re district courts in PG, passed 3-3-1842, effective 5-1-1842

- Sec. 1: Acts of 1835, Ch. 201, establishing district courts, and its supplements are revived for PG and shall have the same effect as if Acts of Mar. 1841, Ch. 29, repealing them, had not passed. PG Court shall have concurrent jurisdiction with the district courts in cases that before the 1835 legislation did not fall within the jurisdiction of a justice of the peace.

### **Acts of Dec. 1841, Ch. 295**

An act re districts courts in CR, passed 3-9-1842

- Sec. 2: The parts of Acts of 1835, Ch. 201 and its supplements giving exclusive jurisdiction to the districts courts in certain cases is repealed as far they relate to CR. Hereafter in CR the county court and district courts shall have concurrent jurisdiction.

### **Acts of 1842, Ch. 47**

An act re cases in BA Court, passed 1-31-1843

- BA Court, if necessary, may assign a judge and summon a jury for hearing cases on the city docket during the county terms.

### **Acts of 1842, Ch. 88**

An act supplemental to Acts of 1835, Ch. 201, re district courts in HA, passed 2-14-1843

- Sec. 2: An additional court shall be organized in Havre de Grace in HA. Governor shall appoint three justices for the court.
- Sec. 3: HA Court and district courts shall have concurrent jurisdiction in cases of attachment, replevin, trover, and unliquidated damages. The right of appeal from a decision of a justice of the peace to the district court is hereby repealed.

### **Acts of 1842, Ch. 98**

An act supplemental to Acts of 1839, Ch. 77, re judgments in AL, passed 1-14-1843

Acts of 1839, Ch. 77 made no provision for the closing of judgments rendered by the AL district courts and recorded by the county court clerk.

- On application of a plaintiff in a judgment rendered by a AL district court and recorded in the county court, the court clerk shall issue the appropriate writ for closing the judgment.

## Acts of 1842, Ch. 263

An act supplemental to Acts of Dec. 1841, Ch. 199, re district courts in PG, passed 3-7-1843

- Sec. 3: The part of Acts of Dec. 1841, Ch. 199 giving concurrent jurisdiction to the PG Court and the district courts in certain cases is repealed.
- Sec. 4: Reports required by Sec. 24 of Acts of 1835, Ch. 201 is repealed as far as it relates to PG.

## Acts of 1842, Ch. 285

An act re district courts in TA, passed 3-8-1843, 11-1-1843

- Sec. 1: Acts of 1835, Ch. 201, re establishing district courts, and its supplements are repealed as far as they relate to TA.
- Sec. 2: Justices of the peace and TA Court shall have concurrent jurisdiction where the amount of the debt or damages claimed is between \$50 and \$100.
- Sec. 3: Judgments rendered by a justice of the peace shall be a lien on real property of defendants from the time a short copy of the judgment is recorded by the county court clerk. The clerk shall record them in a separate book and index the names of the plaintiffs and defendants. On application of the plaintiff the clerk may issue execution, returnable to the county court.
- Sec. 4: Decisions of justices of the peace may be appealed to the county court.
- Sec. 5: District courts shall determine and close all cases by November 1. Those still pending will be handled by the county court or justices of the peace.
- Sec. 9: At the next general election the voters of TA shall vote for or against this act. Election judges shall election returns with the county commissioners. [result unknown]

## Acts of 1843, Ch. 52

An act re attachments in AL, passed 1-26-1844

Many parts of AL are remote from Cumberland, making it difficult to obtain writs of attachment out of the county court in cases of small debts.

- Sec. 1: When a debt does not exceed \$50, the creditor shall affirm before any justice of the peace in AL that the debtor is indebted in a sum not over \$50 and that the debtor does not reside in the state or has absconded from the residence. The creditor shall also produce evidence of the debt. The justice may then issue an attachment against the goods and chattels, rights and credits, or land and tenements of the defendant that are in AL. Plaintiff shall give public notice of these actions. If the defendant, or garnishee in whose hands the property may be, fails to show cause to the contrary within twenty to thirty days, the justice may condemn the property and award execution.
- Sec. 2: Plaintiff shall give bond, conditioned to make restitution of the property or its value and to pay damages that a justice may award, if the defendant within twelve months and one day after issuance of the attachment appears before the justice and proves that the debt had been paid, ought not to have been paid, or did not exist.
- Sec. 3: Any sale of land and tenements shall be confirmed by the AL Court.

- Sec. 6: Decisions of the justice may be appealed to the county court.
- Sec. 7: AL Court shall have concurrent jurisdiction.

### **Acts of 1843, Ch. 222**

An act re jurisdiction in QA, passed 2-24-1843

- Sec. 1: When a district court in QA is not organized or may be suspended, the justices of the court shall file their dockets and papers with the county court clerk, except for unsettled cases for sums not exceeding \$50. Those records shall be returned before a justice of the peace who shall handle the proceedings. Justices of the peace may issue execution on judgments rendered by the district courts for amounts not exceeding \$50. For those over \$50 the county court clerk may issue execution. Undecided cases for amounts exceeding \$50 shall be heard by the county court.
- Sec. 2: QA Court and district courts shall hold concurrent jurisdiction where the debt or damages claimed exceeds \$50.

### **Acts of 1845, Ch. 151**

An act re jurisdiction in CR, passed 2-24-1846

- Sec. 1: The part of Acts of Dec. 1841, Ch. 295 re concurrent jurisdiction is repealed.
- Sec. 2: CR Court and district courts shall have concurrent jurisdiction when the debt or damages claimed exceeds \$50.

### **Acts of 1845, Ch. 222**

An act re indexes of justice of the peace dockets, passed 3-2-1846

- Hereafter justices of the peace shall keep indexes to their dockets.

### **Acts of 1845, Ch. 254**

An act re judgments and judicial proceedings, passed 2-24-1846

- Sec. 1: County court clerks shall transcribe in a separate book at the end of each court term from the docket entries those civil and equity cases that have been terminated. Each record shall show the names of the parties, nature of the case, docket entries, any names of superseders, other memoranda, judgment, decree, order or agreement, and court costs. The books shall have numbered pages and be indexed.
- Sec. 2: County court clerks shall also transcribe the following in separate books with numbered pages and indexed:
  - docket entries of every execution which shall be entered satisfied or otherwise settled
  - docket entries of every fieri facias or other final process under which personal property was seized, with a copy of the accompanying schedule
  - sheriffs returns on such executions or fieri facias

### **Acts of 1845, Ch. 317**

An act re judgment indexes in WA Court, passed 3-5-1846

Currently in WA judgments are indexed only in the name of first named defendant and superseded judgments are not indexed against the superseders.

- Sec. 1: When a judgment is rendered, the WA Court clerk shall index the names of all defendants.
- Sec. 2: When a judgment is superseded, the clerk shall index the names of superseders.
- Sec. 3: Clerk shall index the names of all defendants in judgments standing open on the docket for the past twelve years.

### **Acts of 1845, Ch. 378**

An act re jurisdiction of justices of the peace in Howard District, passed 3-10-1846

- Sec. 1: Justices of the peace in Howard District shall have jurisdiction where the amount of the debt or damages claimed does not exceed \$100.

### **Acts of 1846, Ch. 75**

An act re jurisdiction in WO, passed 2-18-1847

- WO Court and district courts shall have concurrent jurisdiction in cases where the debt or damages claimed exceeds \$50.

### **Acts of 1846, Ch. 267**

An act re district courts in SO, passed 3-5-1847, effective 6-1-1847

- Sec. 1: Acts of 1835, Ch. 201, reestablishing districts courts, and its supplements are repealed as far as they relate to SO.
- Sec. 2: Justices of the peace shall assume the jurisdictions of the district courts. Decisions may be appealed to the county court.
- Sec. 3: Pending cases shall be heard by a justice of the peace in the appropriate election district.
- Sec. 4: Chief justices of the district courts shall file their dockets and papers with the county court clerk. When a plaintiff produces a certified copy of a judgment that was rendered by a district court and remains unsatisfied, a justice of the peace shall issue execution.

### **Acts of 1846, Ch. 292**

An act re judgments, passed 3-9-1847

- Clerks of the county courts, BC Court, and Howard District may enter satisfied any judgment standing open on dockets of the justices of the peace, that have been returned to the clerks, provided the party applying produce the receipt of the plaintiff, attested to by a justice of the peace.



### **Acts of 1847, Ch. 221**

An act supplemental to Acts of 1825, Ch. 189, re jurisdiction of justices of the peace in BC and BA, passed 3-8-1848

- Sec. 1: Hereafter justices of the peace appointed for BA, but residing in BC, may not take acknowledgments of deeds and other instruments.

### **Acts of 1847, Ch. 228**

An act re mining and manufacturing companies in AL, passed 3-8-1848

- Sec. 1: If a person or corporation engaged in mining or manufacturing in AL shall not pay employees and suppliers of raw material for ninety days, the county court upon petition may appoint a receiver to take charge of the operation with a view to liquidation and settlement under the authority of the court. The petition shall show the names of the persons seeking relief, nature and duration thereof, and amount due, which must be at least \$500.
- Sec. 2: The receiver shall take charge of all property of the firm, except real property, along with open or book accounts against which there is no legal effect. The receiver shall sell the personal property and collect the debts and accounts and use the proceeds to pay the petitioners. If the proceeds are insufficient to pay all claims, the petitioners shall be paid pro rata. No attachment or execution, mortgage, bond, bill of sale, deed of trust, or other lien, except mechanics, shall operate as a prior lien on personal property of the firm.
- Sec. 4: The individual or firm may file an answer to the petition and deny or controvert any of the facts. County court shall try these issues.
- Sec. 5: The receiver shall give bond, to be approved by the county court.

### **Acts of 1847, Ch. 320**

An act re jurisdiction in KE, passed 3-10-1848

- Sec. 1: The powers and authorities re attachments conferred by Acts of 1838, Ch. 380 on districts courts are hereby extended to justices of the peace in KE.
- Sec. 5: Provisions of Sec. 2 of Acts of 1843, Ch. 222, re concurrent jurisdiction of the county court and justices in QA, shall be extended to KE.

### **Acts of 1849, Ch. 102**

An act re jurisdiction in KE, passed 2-19-1850, effective 6-1-1850

- Sec. 5: Acts of 1847, Ch. 320, re attachments and concurrent jurisdiction in KE is repealed.
- [effective date imposed by Acts of 1847, Ch. 354]

### **Acts of 1849, Ch. 330**

An act re district courts in CH, passed 3-7-1850, 6-1-1850

- Sec. 1: Acts of 1835, Ch. 201, establishing districts courts, and its supplements are repealed as far as they relate to CH.
- Sec. 2: Chief justices of the district courts shall file their dockets and papers with the county court clerk.
- Sec. 4: District court justices shall complete those cases of judgment on which executions have been issued and upon judgments under \$50. On judgments for amounts over \$50, the county court clerk shall issue execution upon application of the plaintiff. On judgments for lesser amounts, justices of the peace shall issue executions.

### **Acts of 1849, Ch. 369**

An act re attachments, passed 3-2-1850

- Sec. 1: Jurisdiction of justices of the peace is extended to cases of attachment not exceeding \$50.
- Sec. 7: Justices of the peace may issue attachments by execution on all judgments obtained before such a justice, as now done by the county court, provided the judgments do not exceed \$50.

### **Acts of 1849, Ch. 415**

An act supplemental to Acts of 1846, Ch. 267, re jurisdiction in SO, passed 3-8-1850

- Judgments for \$50-\$100 rendered by justices of the peace in SO shall be liens on the real property of the defendants from the time a short copy of the judgment is filed with and recorded by the county court clerk in a separate book. The clerk shall index the names of the plaintiffs and defendants. On application of the plaintiff the county court clerk may issue execution, directed to the sheriff and returnable to the county court.

### **Constitution of 1851, Art. IV**

- Sec. 10: BC shall have a court of law called the Court of Common Pleas which shall have civil jurisdiction where the debt or damages claimed is between \$100 and \$500, hear appeals from judgments of justices of the peace, and handle applications for the benefit of insolvent laws.
- Sec. 11: BC shall have another court of law called the Superior Court which shall have jurisdiction where the debt or damages claimed exceeds \$500 and handle all other civil cases not assigned to the Court of Common Pleas. Superior Court shall also have equity jurisdiction.
- Sec. 19: Civil judgments of justices of the peace may be appealed to the circuit courts and may be a jury trial.

### **Acts of 1852, Ch. 136**

An act re district courts, passed and effective 5-10-1852

- Sec. 1: Judgments rendered by the district courts since the adoption of the constitution are hereby made valid.

- Sec. 2: Dockets and papers in possession of the district courts shall be delivered to the circuit court clerks. Justices of the peace shall complete the unfinished cases.

### **Acts of 1852, Ch. 159**

An act re civil cases in BC, passed 5-10-1852

- Sec. 1: Unfinished civil cases of the BA Court sitting for city business that are pending at the time of qualifications of the BC judges shall be transferred to the BC Court of Common Pleas and BC Superior Court according to their respective jurisdictions. All proceedings already held by these two courts are hereby confirmed.

### **Acts of 1852, Ch. 229**

An act to amend Acts of 1847, Ch. 228, re mining and manufacturing companies in AL, passed 5-20-1852

- Sec. 1: If a person or corporation engaged in mining or manufacturing in AL shall not pay employees and suppliers of raw material for ninety days, the county court upon petition may appoint a receiver to take charge of the operation with a view to liquidation and settlement under the authority of the court. The petition shall show the names of the persons seeking relief, nature and duration thereof, and amount due, which must be at least \$500. Provisions of Acts of 1847, Ch. 228 shall also apply when an operator neglects or refuses to pay employees for thirty days and the amount due is at least \$25.

### **Acts of 1852, Ch. 239**

An act re jurisdiction, passed and effective 5-31-1852

- Sec. 1: Jurisdiction of justices of the peace shall extend to cases for enforcement of contracts or obtaining redress for wrongs where the debts or damages claimed is not over \$100, to suits on bonds not over \$100, to actions of replevin where the claims do not exceed \$100, and to attachments against nonresidents or absconding debtors where the debt does not exceed \$100. No justice shall have jurisdiction where the title to land is involved, in actions for slander or breach of promise, or to enforce a mechanics lien.
- Sec. 3: Judgments of the justices may be appealed to the circuit courts. No appeal shall stay execution unless an appeal bond is filed with the justice who shall note the date of the appeal on the docket and send the papers to the circuit court clerk.
- Sec. 4: Where the debts or damages claimed exceed \$50 the justices of the peace and circuit courts shall have concurrent jurisdiction.

### **Acts of 1852, Ch. 251**

An act re civil cases in BC, passed 5-27-1852

- Sec. 1: A plaintiff may remove an action wherein the debt or damages is between \$100 and \$500

from the BC Superior Court to the BC Court of Common Pleas.

## **Acts of 1852, Ch. 322**

An act re condemnations, passed 5-28-1852

- Sec. 21: A railroad company may agree with owners for land, earth, timber, stone, or other materials. If they cannot agree or an owner is under a legal disability, application may be made to a justice of the peace who shall direct the sheriff to summon twelve persons to act as a jury of inquest to determine damages that the owner will sustain by use or occupation by the company. Sheriff shall return the inquisition to the clerk of the county circuit court or BC Superior Court. If no sufficient cause to the contrary is shown, the court shall confirm the inquisition and the clerk shall record it. The court may set aside the inquisition and order another one. The inquisition shall describe the property taken or the bounds of the land to be condemned, quantity or duration of the interest in the property, and amount of damages to be paid the owner.

## **Acts of 1852, Ch. 369**

An act re easements, passed 5-31-1852

- Sec. 6: A telegraph company shall obtain written consent of owners over whose lands lines will pass or where posts, piers, or abutments will be placed. If consent cannot be obtained, the company may apply to a justice of the peace who shall direct the sheriff to summon twelve persons to act as a jury of inquest to determine damages sustained by the owner. Sheriff shall return the inquisition to the clerk of the county circuit court or BC Superior Court. If no sufficient cause to the contrary is shown, the court shall confirm the inquisition and the clerk shall record it.

## **Acts of 1853, Ch. 412**

An act re auditors reports, passed 5-30-1853

- Sec. 1: County circuit court and BC court clerks shall have concurrent powers with judges to pass orders nisi for ratification of auditors reports and accounts, but not final orders.

## **Acts of 1854, Ch. 64**

An act re judgment and decree indexes in AA, passed 2-24-1854

Presently in AA judgments and decrees are indexed by only the first named defendant and superseded judgments not at all.

- Sec. 1: Hereafter when judgments are rendered in the AA Circuit Court, the names of all defendants shall be indexed.
- Sec. 2: In addition, the names of all persons superseding a judgment shall be indexed.
- Sec. 3: Court clerk shall also index all judgments standing open on the docket for the past twelve years.
- Sec. 4: These provisions shall also extend to decrees and decretal orders passed in equity cases.

## **Acts of 1856, Ch. 100**

An act re records and jurisdiction of justices of the peace in AL, CA, CE, HA, and SO, passed 3-6-1856

- Sec. 1: Justices of the peace in AL, CA, CE, HA, and SO shall deliver their dockets and papers to their successors instead of to the circuit court clerks.
- Sec. 2: Justices shall issue executions and conduct other proceedings upon judgments rendered by their predecessors.

## **Acts of 1858, Ch. 18**

An act re judgment indexes in SO, passed 2-11-1858

- Sec. 1: SO Circuit Court clerk shall prepare an index of all judgments dating from January 1, 1845 and maintain it for future records. It shall include the names of all plaintiffs and defendants.

## **Acts of 1858, Ch. 83**

An act re judgment indexes in TA, passed 2-23-1858

Judgments in TA are indexed by the names of plaintiffs only.

- Sec. 1: TA Circuit Court clerk shall prepare an index of all judgments rendered in the past twelve years in the names of the defendants.
- Sec. 2: Hereafter the clerk shall index the names of all defendants against whom judgments are rendered.

## **Acts of 1858, Ch. 97**

An act re judgment indexes in CA, passed 2-23-1858

Present system of indexing judgments, decrees, and supersedeas does not include all defendants.

- Sec. 1: CA Circuit Court clerk shall index all judgments, decrees, and supersedeas, including those rendered in the past twelve years, in the names of all defendants and plaintiffs.

## **Acts of 1858, Ch. 112**

An act re rules and forms for pleadings and practices, passed 3-6-1858, effective 11-1-1858

- Sec. 1: All personal actions, except replevin, brought in any court of law shall be commenced by a writ of summons to be issued by the court clerk.
- Sec. 2: The writ of summons does not have to mention the form or cause of action.
- Sec. 3: The summons shall include the names of the plaintiffs and defendants, date and place for the defendants appearance to answer, and date of issuance.
- Sec. 6: Writs of summons may be renewed and returnable to succeeding court terms.
- Sec. 7: Sheriff or other person serving the writ shall endorse on it the fact of delivery or cannot be found or deceased.

- Sec. 13: An action of replevin shall be brought for specific recovery of personal property and damages for retention of the property or for damages only.
- Sec. 14: A writ of replevin shall specify the personal property, names of plaintiffs and defendants, summons for defendants to appear at a specific time and place, and date of issuance.
- Sec. 16: Court clerks shall issue a writ of replevin when the proper bond is delivered and other legal prerequisites are met.
- Sec. 26: Before a trial a judge may add a plaintiff not originally a party or strike off a plaintiff, as long as the cause is not adversely affected.
- Sec. 30: Before a trial in a case of joinder with too many or inappropriate defendants, a judge may strike out some names.
- Sec. 33: Except for replevin and ejectment, cases by and against the same parties and in the same rights may be combined into one suit.
- Sec. 35: Plaintiff shall first state the cause of action in a declaration. Afterwards at each stage, the parties shall demur or plead by way of traverse or by way of confession or avoidance.
- Sec. 36: Either party may object by demurrer to a pleading, setting forth insufficient grounds of action, defense, or reply.
- Sec. 44: There shall be two types of traverse - direct and indirect.
- Sec. 45: Direct traverse is the direct denial of alleged facts.
- Sec. 48: Indirect traverse sets forth special facts which imply denial.
- Sec. 50: Any ground of defense that admits facts in the declaration or in any other pleading, but avoids their legal effect by some matter of justification or excuse or of discharge or release, shall be specially pleaded.
- Sec. 124: Any number of facts constituting one cause of action or defense or reply may be combined, but each shall be stated in a separate paragraph.
- Sec. 137: Forms of pleadings:
  - commencement of declaration
  - conclusion of declaration
  - statement of causes of action on contracts
  - wrongs independent of contract
  - commencement of pleas
  - pleas in actions on contract
  - pleas in actions for wrongs independent of contract
  - replications
  - new assignment
  - pleas in abatement
  - affidavit to pleas in abatement
  - commencement of declarations by persons suing in special character, such as relationship, trustee, guardian, executor, or surviving partner
  - commencement of declarations by executors or administrators
  - conclusion of declarations by executors or administrators
  - statement of causes of actions on contract by executors or administrators
- Sec. 138: This act shall not affect suits now pending.

### **Acts of 1858, Ch. 196**

An act re judgment indexes in KE, passed 3-6-1858

- Sec. 2: KE Circuit Court clerk shall index all judgments and decrees entered since January 1, 1845. This index and later ones shall include the names of all plaintiffs and defendants.

### **Acts of 1858, Ch. 285**

An act re mandamus, passed 3-8-1858

- Sec. 1: Hereafter all applications for writs of mandamus shall be made to the circuit courts and shall be commenced by petition verified by affidavit of the applicant, which shall set forth the grounds for the application.

### **Acts of 1858, Ch. 323**

An act re judgments in BC, passed 3-10-1858

- Sec. 7: In the BC Superior Court and BC Court of Common Pleas every suit for recovery of money where the sum is ascertainable by contract or the measure of damages is fixed by law shall stand for judgment on the first day of the stated term or rule day of the court after entry of the defendants appearance, unless the time is extended by special rule.
- Sec. 9: A plaintiff shall not be entitled to a judgment unless filing with the declaration the evidence on which the claim is founded.

### **Acts of 1858, Ch. 363**

An act re docket entries, passed and effective 3-9-1858

- Sec. 1: In the absence of any judge at a regular or adjourned court term, the court clerk shall call over the civil appearance docket, take returns of the sheriff, and enter appearances of defendants.
- Sec. 2: In addition, the court clerk with the consent of the parties may enter up judgment on the trial, appeal, reference, and appearance dockets.

### **Acts of 1860, Ch. 132**

An act to amend Art. 18, Public General Laws, re supersedeas, passed 3-5-1860

- Sec. 1: Clerks of the county circuit courts and BC civil courts are authorized to take supersedeas of judgments and decrees rendered in their respective courts, as a justice of the peace now does by law.
- Sec. 3: BC justices of the peace may not take supersedeas of judgments rendered by the BC Court of Common Pleas or BC Superior Court.

### **Acts of 1860, Ch. 269**

An act re judgment indexes in QA, passed 3-5-1860

- Sec. 1: QA Circuit Court clerk shall index all judgments and decrees for the past twelve years in the names of all parties.

### **Acts of 1861, Ch. 96**

An act to repeal and reenact Sec. 890 of Art. 4, Public Local Laws, re jurisdiction of justices of the peace in BC, passed 8-7-1861

- Sec. 890: One justice of the peace in BC shall have the powers conferred upon two justices by Public General Laws re landlords and tenants, subject to appeal.

### **Acts of 1862, Ch. 74**

An act to add a section to Art. 19, Public Local Laws, re jurisdiction of justices of the peace in SO, passed 2-27-1862

- Sec. 1: Justices of the peace in SO shall have jurisdiction over actions of assault and battery where the damages do not exceed \$100.

### **Acts of 1862, Ch. 267**

An act re judgments, passed 3-10-1862, effective 5-10-1862

- Sec. 3: Judgments rendered by justices of the peace shall be liens on real property of a defendant upon recordation by the circuit court clerk where the defendant resides.

### **Acts of 1864, Ch. 2**

An act re judgments in HO, passed 1-15-1864

- Sec. 1: HO Circuit Court clerk shall transcribe Judgment Record EPH 2.

### **Acts of 1864, Ch. 74**

An act re records of BC Court of Common Pleas, passed 2-11-1864

- Sec. 1: Clerk of the BC Court of Common Pleas may recopy, rebind, and reindex such records as directed by the judge.
- Sec. 2: The clerk shall compile a general index to judgments that have been entered since December 1, 1852 for both plaintiffs and defendants, and shall continue to maintain such indexing.

### **Acts of 1864, Ch. 135**

An act to add a section to Art. 17, Public General Laws, re justices of the peace in QA, passed 3-1-1864

- Sec. 2: When a justice of the peace in QA issues a summons for a defendant residing in a



different election district, the justice shall send the case papers to a justice in that district for trial.

### **Acts of 1864, Ch. 268**

An act re judgments, passed 3-10-1864

- Sec. 9: Judgments rendered by justices of the peace shall be liens on real property of a defendant upon recordation by the circuit court clerk where the defendant resides. This section shall apply only in AA, CV, CH, PG, and SM.

### **Acts of 1864, Ch. 306**

An act to add sections to Art. 10, Public General Laws, re attachments, passed 3-9-1864

- Sec. 38: Before a writ of attachment is issued the plaintiff shall make an affidavit before the court clerk stating the amount of the debt and that the plaintiff believes the debtor is about to abscond from the state, has or is about to assign, dispose of or conceal the property with an intent to defraud creditors, fraudulently contracted the debt, or is about to remove the property from the state with the intent to defraud creditors.
- Sec. 39: The bond, account, or evidence of debt shall be filed among the case papers.
- Sec. 41: Plaintiff shall give bond for satisfying any costs or damages awarded the defendant. The bond shall be filed with the court clerk.
- Sec. 44: Proceedings shall be the same as under writs of attachment against nonresident and absconding debtors.

### **Acts of 1864, Ch. 385**

An act to add a section to Art. 18, Public General Laws, re judgment and decree indexes in BC Superior Court, passed 3-10-1864

- Sec. 70: Clerk of the BC Superior Court shall prepare an index of all judgments and decrees rendered since its organization, and shall continue to maintain such indexing.

### **Constitution of 1864, Art. IV**

- Sec. 31: The 13th circuit shall consist of four courts: BC Superior Court, BC Court of Common Pleas, BC Circuit Court, and BC Criminal Court. Each court shall have one judge, elected for a fifteen year term.
- Sec. 33: The jurisdiction of the BC Superior Court shall include cases where the debt or damages claimed exceeds \$1000, equity concurrent with the BC Circuit Court, all other civil cases not assigned to the BC Court of Common Pleas, and appeals from commissioners for opening streets.
- Sec. 34: The jurisdiction of the BC Court of Common Pleas shall include cases where the debt or damages claimed are between \$100 and \$1000, appeals from judgments of justices of the peace, and insolvencies.

## **Acts of 1867, Ch. 401**

An act to establish another BC court per Sec. 41 of Art. 4 of the Constitution, passed 3-22-1867

- Sec. 1: The BC Court is established.
- Sec. 2: BC Court shall have concurrent jurisdiction with the BC Court of Common Pleas in all civil cases, habeas corpus, and appeals from justices of the peace.
- Sec. 8: The judge and clerk shall be elected on the first Wednesday in May 1867.

## **Constitution of 1867, Art. IV**

- Sec. 27: The 8th circuit shall consist of six courts: BC Supreme Bench, BC Superior Court, BC Court of Common Pleas, BC Court, BC Circuit Court, and BC Criminal Court.
- Sec. 28: BC Superior Court, BC Court of Common Pleas, and BC Circuit Court shall have concurrent jurisdiction in civil cases, with the following exceptions. BC Court shall have exclusive jurisdiction in cases of appeals from civil and criminal judgments of justices of the peace and arising under ordinances of the BC Mayor and City Council. BC Court of Common Pleas shall have exclusive jurisdiction in insolvency cases.
- Sec. 33: The powers and duties of the BC Supreme Bench shall include providing for the general court terms to be held by at least three judges, making rules and regulations for the conduct of court business, and hearing and determining motions for new trials and motions in arrest of judgment.
- Sec. 34: No appeal shall be taken to the BC Supreme Bench from a decision of the BC Court in cases of appeal from justices of the peace.

## **Acts of 1868, Ch. 129**

An act re docket indexes in BA, approved 3-17-1868

- Sec. 1: BA Circuit Court clerk shall make general indexes to the civil and equity dockets for 1851 to the present.
- Sec. 3: Hereafter the clerk shall continue to maintain the indexes.

## **Acts of 1868, Ch. 378**

An act to repeal and reenact Sec. 50 of Art. 5, Public General Laws, re judgments, approved 3-30-1868

- Sec. 50: Judgments rendered by justices of the peace may be appealed to the county circuit court or BC Court within sixty days.

## **Acts of 1868, Ch. 443**

An act to add sections to Art. 51, Public General Laws, re executions, approved 3-30-1868

- Sec. 66: No execution issued on a judgment rendered by a justice of the peace and levied on real estate or leasehold property shall be a lien upon that property unless at or before the time of the

execution the plaintiff files the judgment with the clerk of the county circuit court or BC Superior Court where the defendant resides.

- Sec. 67: The clerk shall record the judgment.
- Sec. 68: No sale of real or leasehold property made by a constable shall be valid unless the provisions of the above sections are complied with.

### **Acts of 1868, Ch. 471**

An act to repeal and reenact Art. 26, to repeal Secs. 22 and 99-103 of Art. 16, and to repeal Secs. 33-43 of Art. 88, Public General Laws, re corporations and condemnations, approved 3-30-1868

- Sec. 170: If a corporation authorized to acquire land, earth, or stone by condemnation cannot agree with the owners or any of them are under legal disability, it may apply to the county circuit court or BC Supreme Bench. Judge shall direct the sheriff to summon a jury.
- Sec. 172: Jury shall determine the damages the owners will sustain and find whether condemnation is necessary.
- Sec. 173: Sheriff shall return the inquisition to the clerk of the county circuit court or BC Superior Court. If the court confirms the findings, the court clerk shall record the inquisition. If it is set aside or the jury cannot agree, the court may order another inquisition.
- Sec. 174: Each inquisition shall include a description of the property taken or the bounds of the land condemned, quantity or duration of interest in the land, and valuation to be paid by the corporation. After payment of the valuation, the corporation shall be entitled to the land or interest therein.

### **Acts of 1870, Ch. 10**

An act re judgment indexes in QA, approved 2-19-1870

- Sec. 1: QA Circuit Court clerk shall continue the index to judgments and decrees from 1867.

### **Acts of 1870, Ch. 39**

An act to amend Sec. 10 of Art. 51, Public General Laws, re records of justices of the peace in BC, approved 2-19-1870

- Sec. 10: When a justices of the peace in BC dies, resigns, or is removed, the dockets and papers shall be delivered to the clerk of the BC Court. The clerk of the BC Court of Common Pleas shall transfer the dockets of justices of the peace now in that office to the the clerk of the BC Court.

### **Acts of 1870, Ch. 108**

An act re docket indexes in PG, approved 3-23-1870

- Sec. 1: PG Circuit Court clerk shall make general indexes to the civil dockets, beginning with 1858.
- Sec. 2: Clerk shall continue the index.

### **Acts of 1872, Ch. 448**

An act to add a subsection to Sec. 21 of Art. 7, Public Local Laws, re judgments in CR, approved 4-1-1872

- Sec. 21-1: CR Circuit Court clerk shall record judgments rendered by justices of the peace when requested by plaintiffs and index them in the names of all parties. Such a judgment shall be a line on real property and leasehold property, where the lease is for more than five years and renewable, and may be collected by execution or attachment directed to the sheriff or renewed by scire facias. This act shall not apply to judgments in which appeals may be entered.

### **Acts of 1874, Ch. 55**

An act re jurisdiction of justices of the peace in CR, approved 2-21-1878

- Sec. 1: Residents of CR shall be sued before a justice of the peace in the election district of their residence. However, a resident may be sued where the contract was made and cause of action originated.

### **Acts of 1874, Ch. 320**

An act to repeal and reenact Sec. 16 of Art. 29, Public General Laws, re judgments, approved 4-11-1874

- Sec. 16: On all judgments in any court of law an execution or attachment may be issued by the court at any time within twelve years.

### **Acts of 1876, Ch. 114**

An act re judgment indexes in KE, approved 3-23-1876

- Sec. 2: KE Circuit Court clerk shall continue the index of judgments and decrees dating from 1864.

### **Acts of 1878, Ch. 108**

An act to add Art. 12, Public Local Laws, re jurisdiction of justices of the peace in GA, approved 3-20-1878

- Sec. 49: A defendant shall be sued before a justice of the peace only in the election district of residency.

### **Acts of 1878, Ch. 156**

An act re jurisdiction of justices of the peace in TA and WA, approved 3-27-1878

- Sec. 1: Persons in TA and WA may be sued before a justice of the peace only in the election district where they reside or where the contract was made.

### **Acts of 1880, Ch. 50**

An act re judgment indexes in WA, approved 3-25-1880

- Sec. 2: WA Circuit Court clerk shall make an index of judgments recovered in the past twelve years. It shall contain the names of all plaintiffs and defendants, amount of judgment, date obtained, court term, and whether satisfied or discharged. Clerk shall maintain the index for future judgments.

### **Acts of 1880, Ch. 113**

An act to repeal and reenact Sec. 66 of Art. 19, Public Local Laws, re jurisdiction of justices of the peace in SO, passed 4-10-1880

- Sec. 66: Any judgment rendered by a justice of the peace in SO may be recorded by the circuit court clerk and then shall be a lien on the real property of the defendant. On application of the plaintiff the circuit court clerk may issue execution, directed to the sheriff.

### **Acts of 1880, Ch. 166**

An act re judgment indexes in PG, approved 4-10-1880

- Sec. 1: PG Circuit Court clerk shall use the Campbell system to prepare a general index to judgments dating from June term 1871 in the names of all defendants. Clerk shall continue to use the index for future judgments.

### **Acts of 1880, Ch. 400**

An act to repeal and reenact Secs. 66-67 of Art. 51, Public General Laws, re executions, approved 4-10-1880

- Sec. 66: No execution issued on a judgment rendered by a justice of the peace and levied on real estate or leasehold property shall be a lien upon that property unless at or before the time of the execution the plaintiff files the judgment with the clerk of the county circuit court or BC Superior Court where the defendant resides. Leases from year to year and those under five years are exempt from execution.
- Sec. 67: The clerk shall record and index the judgments. They shall be liens from the date of recording.

### **Acts of 1882, Ch. 389**

An act re docket and judgment indexes in HO, approved 5-3-1882

- Sec. 1: HO Circuit Court clerk shall make general indexes of civil and equity dockets since their beginning.
- Sec. 2: Clerk shall enter all judgments in the general index on the day they are rendered.

### **Acts of 1882, Ch. 405**

An act re jurisdiction of justices of the peace in TA, approved 5-3-1882

- Sec. 1: Acts of 1878, Ch. 156, re residency of defendants, is repealed as far as it relates to TA.

### **Acts of 1884, Ch. 53**

An act re judgment indexes in WA, approved 3-7-1884

- Sec. 2: WA Circuit Court clerk shall make an index of judgments dating from 1870. It shall contain the names of all plaintiffs and defendants, amount of judgment, date obtained, court term, and whether satisfied or discharged. Clerk shall maintain the index for future judgments.

### **Acts of 1884, Ch. 167**

An act re jurisdiction in TA and WA, approved 4-8-1884

- Sec. 1: Acts of 1878, Ch. 156, re residency of defendants in TA and WA, is repealed.

### **Acts of 1884, Ch. 178**

An act to amend Sec. 16 of Art. 29, Public General Laws, re judgments, approved 4-8-1884

- Sec. 16: On all judgments of justices of the peace recorded in a court clerks office an attachment or execution may be issued by the court clerk at any time within twelve years.

### **Acts of 1884, Ch. 364**

An act to repeal and reenact Sec. 15 of Art. 28, Public General Laws, re condemnations, approved 4-8-1884

- Sec. 15: When boards of county commissioners decide to open a road, they may contract with the owners of the lands needed for the right of way. They shall have a plat of the road made and filed and recorded with the circuit court clerk. County commissioners may also contract for public wharves, drains for county roads, and other public uses. If necessary, the county commissioners may appoint three examiners to view the land proposed for the road. County commissioners shall condemn lands for public uses per provisions of Acts of 1868, Ch. 471.

### **Acts of 1884, Ch. 371**

An act re judgments in CV, approved 4-8-1884

- Sec. 1: All judgments and mortgages recorded among CV records prior to the courthouse fire in March 1882 shall be re-recorded among the land records within one year from passage of this act. Otherwise claims made under them shall not be recognized.

### **Acts of 1886, Ch. 18**

An act to repeal and reenact Sec. 32 of Art. 15, Public Local Laws, re judgment indexes in MO

- Sec. 32: MO Circuit Court clerk shall use the Campbell system to index judgments recovered in court. It shall include the names of defendants and plaintiffs, amount of judgment, date obtained, case number, and whether satisfied or discharged. Clerk shall also index judgments rendered by justices of the peace, that are liens on real property.

### **Acts of 1886, Ch. 137**

An act re jurisdiction of justices of the peace in WA, approved 4-1-1886

- Sec. 1: Persons in WA may be sued before a justice of the peace only in the election district where they reside or where the contract was made.
- Sec. 2: For purposes of this act Election Districts 3 and 21-22, comprising Hagerstown and vicinity, shall be regarded as one district.

### **Acts of 1886, Ch. 184**

An act to repeal and reenact Sec. 170 of Art. 4, Public Local Laws, re judgments in BC, approved 4-7-1886

- Sec. 170: In BC in any suit where the cause of action is a contract the plaintiff shall be entitled to a judgment at any time after fifteen days from the return day to which the defendant shall have been summoned, unless the defendants plea contains a good defense.

### **Acts of 1886, Ch. 282**

An act re judicial indexes in WI, approved 4-7-1886

- Sec. 1: WI Circuit Court clerk shall make a general index of judicial and equity records and dockets.

### **Acts of 1886, Ch. 345**

An act re jurisdiction of justices of the peace in CA, approved 4-7-1886

- Sec. 1: Civil suits brought before a justice of the peace in CA shall be heard in the election district where the defendant resides.

### **Acts of 1886, Ch. 355**

An act re jurisdiction of justices of the peace in TA, approved 4-7-1886

- Sec. 1: A defendant may be sued before a justice of the peace in TA only in the election district of residence unless the contract was made or the cause of action originated in another election district.

### **Acts of 1888, Ch. 180**

An act re jurisdiction of justices of the peace in CA, approved 3-29-1888

- Sec. 1: Acts of 1886, Ch. 345, re residency and civil suits in CA, is repealed.

### **Acts of 1888, Ch. 508**

An act re judgment indexes in BA, approved 4-5-1888

- Sec. 1: BA Circuit Court clerk is authorized to formulate a plan for preparing a general index of judgments and decrees affecting the title to real property and submit it to the court for approval.

### **Acts of 1890, Ch. 64**

An act to repeal and reenact Sec. 30 of Art. 16, Public General Laws, re equity, approved 2-28-1890

- Sec. 30: No declaratory suit can be brought or decree passed to establish facts that are without legal consequences. Whenever such questions are involved, which parties may be entitled to have submitted to a jury, the court shall direct an issue or issues to be made up and sent to a court of law. Nothing herein shall prevent the BC equity courts from summoning a jury to try such issues per Sec. 174 of Art. 4, Public Local Laws. Orders granting or denying such issues may be appealed.

### **Acts of 1890, Ch. 383**

An act to add a section to Art. 17, Public General Laws, re auditors reports, approved 4-3-1890

- Sec. 2A: When ratified by a court, the auditors report of distribution of proceeds of a sale of real property or personal property shall be recorded by the court clerk in a book for that purpose. This act shall not apply to BA, CV, and SO.

### **Acts of 1890, Ch. 402**

An act to repeal and reenact Sec. 37 of Art. 52, Public General Laws, re judgment records, approved 4-3-1890

- Sec. 37: Circuit court and BC clerks shall record and index judgments rendered by justices of the peace and filed for recording. The judgments shall be liens from the date of recording. The clerks shall enter judgments satisfied upon an order in writing from the plaintiff or attorney.

### **Acts of 1890, Ch. 411**

An act to repeal and reenact Sec. 6 of Art. 26, Public General Laws, re judgments, approved 4-8-1890

- Sec. 6: Court clerk during the recess of the court may enter a judgment by confession with the assent of the parties or attorneys in writing.



**Acts of 1890, Ch. 427**

An act re judgment indexes in TA, approved 4-8-1890

- Sec. 1: TA Circuit Court clerk shall make general indexes of judgments recovered since 1877 in the names of all plaintiffs and defendants.
- Sec. 3: Clerk shall maintain the index for future judgments and make entries when they are satisfied and ended.

**Acts of 1892, Ch. 74**

An act to add a section to Art. 11, Public Local Laws, re police justice in FR, approved 3-9-1892

- Sec. 289A: Governor shall designate one of the five justices of the peace for Election District 2 in FR as a police justice who shall be paid a salary by the county commissioners and shall have the same jurisdiction as other justices in the county.

**Acts of 1892, Ch. 307**

An act to add a section to Art. 4, Public Local Laws, re condemnation in BC, approved 4-4-1892

- Sec. 148A: BC Mayor and City Council shall have the power to acquire by purchase or condemnation property for schoolhouses, engine houses, courthouses, markets, bridges, parks, squares, or other public places under such procedures as they adopt. Condemnation proceedings may be appealed to the BC Court.

**Acts of 1892, Ch. 334**

An act to repeal and reenact Secs. 171-173 and 176 of and to add sections to Art. 2, Public Local Laws, re justices of the peace in AA, approved 4-7-1892, effective 5-1-1892

- Sec. 171B: Justices of the peace in the Election District 6 in AA shall have their offices in Annapolis.
- Sec. 173: No justice appointed for any other election district shall have any jurisdiction in Annapolis.

**Acts of 1894, Ch. 301**

An act to add sections to Art. 2, Public Local Laws, re police justice in AA, approved 4-6-1894

- Sec. 171C: Governor shall designate one of the justices of the peace for Election District 5 in AA as a police justice.
- Sec. 171D: The police justice shall have an office in Brooklyn and South Baltimore.
- Sec. 172A: The police justice shall retain civil jurisdiction, but have exclusive jurisdiction in hearing criminal offenses or handling the recovery of fines, penalties, and forfeitures within Precinct 1 of Election District 5.

- Governor shall designate one of the current justices of the peace in Election District 5 as the police justice.

### **Acts of 1894, Ch. 513**

An act to add a section to Art. 17, Public General Laws, re records, approved 4-6-1894

- Sec. 20A: When requested in writing and recording costs are paid, the court clerks shall record court papers even when title to land is not involved.

### **Acts of 1894, Ch. 658**

An act re judgment indexes in CA, approved 4-6-1894

- Sec. 1: CA Circuit Court clerk shall make a general index, using the Campbell system, of the names of all plaintiffs and defendants for judgments recovered in the court and now standing open and unsatisfied since 1882.
- Sec. 3: Hereafter all judgments shall be entered in this index. The clerk shall also enter satisfactions.

### **Acts of 1896, Ch. 68**

An act to repeal and reenact Sec. 289A of Art. 11, Public Local Laws, re justices of the peace in FR, approved 3-23-1896, effective 5-1-1896

- Sec. 289A: The three justices of the peace in Election District 2 in FR shall paid a salary by the county commissioners for hearing criminal cases and for issuing warrants for arrests of persons violating state laws.

### **Acts of 1898, Ch. 123**

An act to repeal and reenact Art. 4, Public Local Laws, re justices of the peace in BC, approved 3-30-1892

- Sec. 648: When a justice of the peace in BC dies, resigns, or is removed, the dockets and papers shall be delivered to the clerk of the BC Court.

### **Acts of 1898, Ch. 167**

An act to repeal and reenact Sec. 6 of Art. 52, Public General Laws, re jurisdiction of justices of the peace in BC, approved 4-2-1898

- Sec. 6: Jurisdiction of justices of the peace in BC shall extend to cases for enforcement of contracts and to obtain redress for wrongs where the debts or damages claimed does not exceed \$200, suits on bonds where the sum due and claimed does not exceed \$200, actions of replevin where the value of the item in controversy does not exceed \$200 and which value shall be ascertained by appraisers summoned by the sheriff, cases of attachment against nonresident or

absconding debtors where the sum claimed does not exceed \$200, and cases of attachment per the provisions of Sec. 35 of Art. 9, Public General Laws, where the sum does not exceed \$200.

### **Acts of 1898, Ch. 316**

An act to add a section to Art. 11, Public Local Laws, re police justice in FR, approved 4-7-1898

- Sec. 289B: Governor shall designate the justice of the peace at Brunswick in Election District 12 in FR as a police justice who shall retain civil and criminal jurisdiction.

### **Acts of 1900, Ch. 38**

An act re justices of the peace in MO and PG, approved 3-13-1900

- Sec. 1: Governor shall appoint a justice of the peace for Takoma Park, situated in MO and PG, whose jurisdiction shall be confined to that town.

### **Acts of 1900, Ch. 302**

An act to repeal and reenact Sec. 6 of Art. 52, Public General Laws, re jurisdiction of justices of the peace, approved 4-2-1898

- Sec. 6: Jurisdiction of justices of the peace shall extend to cases for enforcement of contracts and to obtain redress for wrongs where the debts or damages claimed does not exceed \$100, to suits on bonds where the sum due and claimed does not exceed \$100, actions of replevin where the value of the item in controversy does not exceed \$100 and which value shall be ascertained by appraisers summoned by the sheriff, cases of attachment against nonresident or absconding debtors where the sum claimed does not exceed \$100, and cases of attachment per the provisions of Sec. 35 of Art. 9, Public General Laws, where the sum does not exceed \$100.

### **Acts of 1900, Ch. 461**

An act re judgment indexes in KE, approved 4-7-1900

- Sec. 1: KE Circuit Court clerk shall make a general index of magistrates judgments for 1885-1900.

### **Acts of 1900, Ch. 517**

An act to add sections to Art. 21, Public Local Laws, re police justice in TA, approved 4-7-1900

- Sec. 117A: Governor shall designate one of the justices of the peace from Easton District in TA as a police justice who shall have criminal, but not civil, jurisdiction.

### **Acts of 1902, Ch. 516**

An act to add a section to Art. 17, Public General Laws, re bonds, approved 4-11-1902

- Sec. 51A: Clerks of law and equity courts shall record all bonds filed, given, or taken in proceedings at law and in equity. Each book shall contain an index of all parties to the bond.

### **Acts of 1902, Ch. 568**

An act to add a section to Art. 19, Public Local Laws, re jurisdiction of justices of the peace in SM, approved 4-11-1902

- Sec. 187: When a justice of the peace in SM issues a summons for a defendant residing in a different election district, the official shall upon request transmit the case papers to a justice in the election district where the defendant resides.

### **Acts of 1906, Ch. 52**

An act re indexes in HA, approved 3-13-1906

- Sec. 1: HA Circuit Court clerk shall prepare indexes to all proceedings affecting title to land by way of commissioners appointed under various legislative acts, through condemnations or writs of inquisition, and writs of execution or otherwise. In addition, the clerk shall record all civil and equity proceedings affecting title to land not done by the former clerk.

### **Acts of 1908, Ch. 524**

An act to add sections to Art. 2, Public Local Laws, re police justice in AA, approved 4-13-1908

- Sec. 171E: Governor shall designate one of the justices of the peace for Election District 2 in AA as a police justice.
- Sec. 171F: The police justice shall have an office in Germantown.
- Sec. 172C: The police justice shall retain civil jurisdiction, but have exclusive jurisdiction in hearing criminal offenses and handling the recovery of fines, penalties, and forfeitures within Precinct 1 of Election District 2.
- There shall be two justices of the peace for Election District 2, one in each precinct. Until the next appointment cycle, the Governor shall designate one of the current justices of the peace in Election District 2 as the police justice.

### **Acts of 1910, Ch. 3**

An act to repeal and reenact Sec. 187 of Art. 18, Public Local Laws, re jurisdiction of justices of the peace in QA, approved 3-1-1910

- Sec. 187: When a justice of the peace in QA issues a summons for a defendant residing in a different election district, the official shall upon written demand transmit the case papers to a justice in the election district where the defendant resides.

### **Acts of 1910, Ch. 87**

An act re indexes and proceedings in PG, approved 4-5-1910

- Sec. 3: PG Circuit Court clerk shall make a general index of all judgments rendered by justices of the peace that have been and may be hereafter recorded in the circuit court. It shall include the names of all parties, date of recovery, and whether settled and satisfied.
- Sec. 4: Court clerk shall continue to maintain this index.
- Sec. 5: Court clerk shall maintain a docket and general index of all proceedings affecting title to land by way of condemnations, writs of inquisition, and sales under writs of execution. Clerk shall also record the proceedings affecting title to land and proper to be recorded.

### **Acts of 1910, Ch. 180**

An act to establish a Public Service Commission, approved 4-5-1910

- Sec. 3: Jurisdiction of the Public Service Commission shall extend to railroads, street railroads, common carriers, manufacture, sale and distribution of gas and electricity, telephone lines, telegraph lines, and water companies.
- Sec. 43: Any corporation or person dissatisfied with an order of the commission may file suit in a county circuit court or before the BC Supreme Bench having the appropriate jurisdiction. It shall be tried and determined as are other civil actions.
- Sec. 45: Either party may appeal the court decision to the Court of Appeals.

### **Acts of 1910, Ch. 312**

An act re judgment indexes in KE, approved 4-7-1910

- Sec. 1: KE Circuit Court clerk shall make a general index of magistrates judgments for 1890-1910.

### **Acts of 1912, Ch. 117**

An act to add Art. 33A, Public General Laws, re eminent domain, approved 4-8-1912

- Sec. 1: This article provides the proceedings for the acquisition of private property for public use.
- Sec. 2: The state, municipality, corporation, commission, board, body, or person shall file a petition in the county circuit court or BC civil court, where the property is located, against the land owners. The petition shall include a description of the property, purpose for which it is sought, and statement that the petitioner and owners cannot agree or one or more owners are under legal disabilities, unknown, or nonresident.
- Sec. 4: In default of an answer or the filing of an answer not denying the right of the petitioner to have the property, the court shall enter judgment that the property be condemned. If any question of fact is involved, either party may elect to have a jury trial.
- Sec. 5: If the judgment is not appealed or is affirmed on appeal, the court shall appoint three appraisers to assess the value of the property or the interest therein and apportion it among the owners, and return this award to the court. If they cannot agree, new appraisers shall be appointed. Exceptions to the award may be filed and may be heard by a jury. Upon paying the

awards, the petitioner shall be vested with title to the property.

- Sec. 7: This article shall not apply to the present procedure for opening, closing, or altering roads.

### **Acts of 1912, Ch. 823**

An act to repeal and reenact Secs. 206, 623, 625, 627, and 648 of and to add sections to Art. 4, Public Local Laws, re BC Peoples Court and justices of the peace in BC, approved 4-11-1912, effective 5-2-1912

- Sec. 206: Mayor shall appoint one constable from each ward in BC for a two year term. One shall be designated the chief constable who shall have custody of dockets and papers of the justices of the BC Peoples Court and collect and account for fees and costs payable to justices of the peace and constables, except those in criminal cases. Five constables shall act as clerks for the BC Peoples Court. Eleven constables shall serve process for the court.
- Sec. 623: Governor shall appoint for each legislative district in BC twelve justices of the peace, one from each ward and six at large. Governor shall also appoint fifty-three justices at large.
- Sec. 625: Governor shall select one justice of the peace as the presiding justice of the BC Peoples Court and four as associate justices. They shall receive a salary.
- Sec. 627: Every process issued by a justice of the peace shall be made returnable before that justice or the presiding justice of the BC Peoples Court. Any plaintiff or defendant may have a case removed to the BC Peoples Court.
- Sec. 648: When a justice of the peace in BC dies, resigns, or is removed, the dockets and papers shall be delivered to the clerk of the BC Court. Records of the BC Peoples Court shall be retained in the custody of the chief constable.
- Sec. 625C: Jurisdiction of the justices of the peace shall be as established by law.

### **Acts of 1914, Ch. 254**

An act to add a section to Art. 17, Public General Laws, re federal judgments, approved 4-1-1914

- Sec. 24A: Clerks of the county circuit courts and BC Superior Court shall record, docket, and index all judgments and decrees of the U.S. courts in the same manner as those of the state courts.

### **Acts of 1914, Ch. 287**

An act re judgment indexes in AL, approved 4-4-1914

- Sec. 1: AL Circuit Court clerk is authorized to make a general index of judgment records for 1900-1915.

### **Acts of 1914, Ch. 502**

An act to add a section to Art. 17, Public General Laws, tax liens, approved 4-16-1914

- Sec. 7B: Clerks of the county circuit courts and BC Superior Court are authorized to file among the judgment records notices of liens for payment of U.S. internal revenue taxes and to index

them.

### **Acts of 1914, Ch. 771**

An act re judgment indexes in DO, approved 4-13-1914

Current indexes to DO judgment records are inconvenient for reference and examining titles.

- Sec. 1: DO Circuit Court clerk shall reindex the judgment record books for 1902 to the present, and continue to maintain the index.

### **Acts of 1916, Ch. 26**

An act re judgment indexes in WA, approved 5-17-1916

- Sec. 1: WA Circuit Court clerk shall make a general index of land records and judgment records dating from 1777, according to a modern system.

### **Acts of 1916, Ch. 107**

An act re judgment indexes in KE, approved 3-31-1916, effective 6-1-1916

- Sec. 1: KE Circuit Court clerk shall make a general index of magistrates judgments for 1904-1916.

### **Acts of 1916, Ch. 161**

An act re dockets and judgments in QA, approved 4-4-1916, effective 6-1-1916

- Sec. 1: QA Circuit Court clerk shall transcribe docket entries and judgments in the old appearance dockets for 1880-1905 into unused pages of the trial dockets for the same court terms.

### **Acts of 1917, Ch. 38**

An act re justices of the peace in AA, approved 6-27-1917

Federal government is establishing a military camp in Election District 4 in AA.

- Sec. 1: Governor shall appoint an additional justice of the peace for Election District 4 in AA as a police justice. The first appointee shall hold office until May 1, 1918 when the normal cycle of appointments is made.
- Sec. 2: The police justice shall have an office at or near Admiral.
- Sec. 3: The police justice shall retain civil jurisdiction, but have exclusive jurisdiction in hearing criminal offenses or handling the recovery of fines, penalties, and forfeitures within Election District 4.

### **Acts of 1918, Ch. 253**

An act re judgment indexes in QA, approved 4-18-1918, effective 6-1-1918

- Sec. 1: QA Circuit Court clerk shall prepare an index to judgments dating from 1894 in the names of the plaintiffs and defendants. An index of defendants already exists and shall be transcribed into the new index.

### **Acts of 1920, Ch. 50**

An act to repeal and reenact Sec. 6 of Art. 26, Public General Laws, approved 3-9-1920, effective 6-1-1920

- Sec. 6: Clerk of any Maryland court may at any time enter a judgment by confession with the assent of the parties, which shall be filed with other papers in the case. This shall have the same effect as if entered by court order.

### **Acts of 1920, Ch. 130**

An act re indexes in HO, approved 4-16-1920, effective 6-1-1920

- Sec. 1: HO Circuit Court clerk shall make a general index of land, mortgage, equity, judgment, and magistrate judgment records, dating from 1840, according to the most approved system now in vogue.

### **Acts of 1922, Ch. 220**

An act re judgment indexes in CE, approved 4-13-1927, effective 6-1-1927

- Sec. 2: CE Circuit Court clerk shall make a general index of Magistrates Judgment Record 3 and 4, according to the most approved system now in vogue.

### **Acts of 1922, Ch. 362**

An act re justices of the peace in MO and PG, approved 4-13-1922

- Sec. 1: Governor shall appoint a justice of the peace for Takoma Park, situated in MO and PG, whose jurisdiction shall be confined to that town. Takoma Park mayor and council shall recommend an appointee. In MO the justice shall have concurrent jurisdiction with the police justice in Rockville. In PG the justice shall have concurrent jurisdiction with other justices in the county.

### **Acts of 1924, Ch. 24**

An act re judgment indexes in HA, approved 5-3-1924

- Sec. 1: HA Circuit Court shall appoint a committee of three persons to select a system of general land and judgments indexes and to contract for implementing it.

### **Acts of 1927, Ch. 426**

An act re police justice in PG, approved 4-5-1927, effective 6-1-1927



- Sec. 1: Governor with consent of the Senate shall biennially appoint a justice of peace at large for PG, to be designated a police justice.
- Sec. 3: Police justice shall maintain offices in Upper Marlboro, Hyattsville, Laurel, and temporary locations as needed. The justice shall sit one day per week in each of the three towns and in Seat Pleasant Election District.
- Sec. 6: Police justice shall have civil jurisdiction for amounts and claims not exceeding \$250.

### **Acts of 1927, Ch. 613**

An act re indexes in MO, approved 4-26-1927, effective 6-1-1927

- Sec. 1: MO Circuit Court clerk is authorized to make a general index of land, mortgage, equity, judgment, magistrates judgment, and plat records according to an approved modern system.
- Sec. 2: Clerk may let out the work on contract.
- Sec. 3: Clerk is authorized to work with a committee of the county bar association to investigate indexing systems to determine the best method for MO.

### **Acts of 1927, Ch. 647**

An act re judgment indexes in CR, approved 4-26-1927, effective 6-1-1927

- Sec. 2: CR Circuit Court clerk shall make a general index of judgments dating from 1915, according to the most approved system now in vogue.
- Sec. 3: Clerk shall let the work on contract.

### **Acts of 1927, Ch. 695**

An act to add a section to Art. 14, Public General Laws, re judgments in PG, approved 4-26-1927

- Sec. 136A: An action taken or passed in a civil case by the PG Circuit Court in relation to any judgment rendered by it within forty days after entry of such judgments or upon a motion or application to the court shall have the same effect as if done under current practice during the term the judgment was entered. No sales upon execution shall take place during those forty days.

### **Acts of 1929, Ch. 69**

An act re police justice in QA, approved 4-11-1929, effective 5-1-1929

- Sec. 1: Governor shall appoint a justice of the peace at large for QA, to be designated a police justice.
- Sec. 4: Police justice shall have no civil jurisdiction and exclusive criminal jurisdiction over misdemeanors including town ordinances.
- Sec. 5: Justices of the peace shall have civil jurisdiction, but no criminal jurisdiction except for issuing warrants and summons and taking recognizances.

## **Acts of 1929, Ch. 291**

An act re justices of the peace in MO and PG, approved 4-11-1929, effective 6-1-1929

- Sec. 1: Governor shall appoint a justice of the peace for Takoma Park, situated in MO and PG, whose jurisdiction shall be confined to that town. Takoma Park mayor and council shall recommend an appointee. In MO the justice shall have concurrent jurisdiction with the police justice in Rockville. In PG the justice shall have concurrent jurisdiction with the police justice.

## **Acts of 1931, Ch. 457**

An act re judgment indexes in CA, approved 4-17-1931, effective 6-1-1931

- Sec. 1: CA Circuit Court clerk shall transcribe General Index of Judgments No. 1.

## **Acts of 1933, Ch. 433**

An act to add a section to Art. 17, Public Local Laws, re jurisdiction of justices of the peace in PG, approved 4-21-1933, effective 6-1-1933

- Sec. 570A: One of the justices of the peace in Election District 17 of PG shall have the additional power to hear cases in violation of ordinances of Takoma Park. Mayor and council may require the justice to give bond.

## **Acts of 1935, Ch. 265**

An act to add sections to Art. 3, Public Local Laws, re jurisdiction of justices of the peace in BA, approved 5-17-1935, effective 6-1-1935

- Sec. 399A: Civil actions before a justice of the peace in BA shall take place in the election district where the defendant or one of them resides or in a contiguous election district.
- Sec. 399B: Either party to a civil case, except between landlord and tenant, before a justice of the peace may request removal to another justice they agree upon. If they cannot agree, the justice of the peace shall select another justice.

## **Acts of 1935, Ch. 544**

An act to add sections to Art. 5, Public Local Laws, re justices of the peace and jurisdiction in CV, approved 4-29-1935, effective 6-1-1935

- Sec. 174A: Governor with consent of the Senate shall biennially appoint a justice of the peace at large for CV, designated as a police justice. Justice named in this act shall be the police justice until May 1, 1937.
- Sec. 174F: Police justice shall have civil jurisdiction where the amounts do not exceed \$250.
- Sec. 174O: The civil jurisdiction for the police justice represents an enlargement in amount.

## **Acts of 1937, Ch. 276**

An act to repeal and reenact Sec. 578-596 of Art. 17, Public Local Laws, re police justice in PG, approved 4-15-1937

- Sec. 578: Governor with consent of the Senate shall biennially appoint one to three justices of peace at large for PG.
- Sec. 579: One shall be designated a police justice.
- Sec. 580: Police justice shall maintain offices in Upper Marlboro, Hyattsville, Laurel, Capital Heights, and temporary locations as needed. The justice shall sit one day per week in each of the four towns and in Seat Pleasant Election District.
- Sec. 583: Police justice shall have civil jurisdiction.

### **Acts of 1937, Ch. 295**

An act to repeal and reenact Sec. 6 of Art. 52, Public General Laws, re jurisdiction in PG, approved 5-18-1937

- Sec. 6: Civil jurisdiction of justices of the peace shall extend to cases for enforcement of contracts, redress of wrongs, suits on bonds, actions of replevin, attachment against nonresidents or absconding debtors, and attachments per Sec. 36 of Art. 9, Public General Laws, where the amounts or claims do not exceed \$100. However, justices of the peace in PG shall have civil jurisdiction in cases involving amounts not over \$250.

### **Acts of 1937, Ch. 328**

An act to add a section to Art. 22, Public Local Laws, re attachment indexes in WA, approved 5-18-1937, effective 6-1-1937

- Sec. 109A: WA Circuit Court clerk shall make an index of writs of attachments issued in the name of a defendant. It shall include the names of the defendants and plaintiffs, amount of the attachment and costs, date of issuance, court term, docket number, and disposition.

### **Acts of 1937, Ch. 473**

An act to repeal and reenact Sec. 6 of Art. 52, Public General Laws, re jurisdiction of justices of the peace in QA and SO, approved 5-18-1937, effective 6-1-1937

- Sec. 6: Civil jurisdiction of justices of the peace shall extend to cases for enforcement of contracts, redress of wrongs, suits on bonds, actions of replevin, attachment against nonresidents or absconding debtors, and attachments per Sec. 36 of Art. 9, Public General Laws, where the amounts or claims do not exceed \$100. However, justices of the peace in QA and SO shall have civil jurisdiction in cases involving amounts not over \$200.

### **Acts of 1939, Ch. 137**

An act to repeal Secs. 716-717 and 719-720 of and to add sections to Art. 4, Public Local Laws, re BC Peoples Court, approved 5-3-1939, effective 6-1-1939

- Sec. 716: Governor shall appoint additional justices of the peace at large for BC - one to be the chief judge of the BC Peoples Court and two as associate judges. This section shall become inoperative if the constitutional amendment for a BC Peoples Court is adopted.
- Sec. 716B: Every process issued in any civil case by any justice of the peace or judge of the BC Peoples Court shall be returnable before the court. BC Peoples Court shall have civil jurisdiction as now exercised by justices of the peace in BC.
- Sec. 716K: Dockets and papers shall be in the custody of the chief constable of the BC Peoples Court.

### **Acts of 1939, Ch. 163**

An act to propose amendments to Art. IV of the Constitution under a new subtitle, Peoples Court, approved 4-26-1939, adopted by voters 11-1940

- Sec. 41A: BC Peoples Court is created. It shall consist of a chief judge and two associate judges, to first take office on the first Monday in May 1941. Governor shall appoint one associate judge for a term ending December 31, 1942, another for a term ending December 31, 1944, and a chief judge for a term ending December 31, 1946. Governor shall fill vacancies occurring during these original terms. After expiration of the original terms, the terms of office shall be eight years. An incumbent shall be eligible for reelection. Only incumbents shall be listed on the ballot. Vacancies shall be filled by the governor, and the appointee must be listed on the ballot at the next general election. Votes shall be for or against continuing a judge in office. BC Peoples Court shall not be a court of record. A chief constable shall act as clerk and be appointed by the judges. Hereafter no constable shall be appointed by the mayor and city council as provided under Secs. 42-43 of Art. IV of the Constitution.
- Sec. 41B: General Assembly shall have the power to establish a peoples court in any county or part thereof, excepting BC, to prescribe the number, qualifications, tenure, and method of selections of the judges, and to outline the jurisdiction of the court. After adoption of this section, the governor shall not be required to appoint a particular number of justices of the peace in any county or election district as now provided by Sec. 42 of the Constitution.

### **Acts of 1939, Ch. 770**

An act to add sections to Art. 52, Public General Laws, re trial magistrates, approved 5-17-1939, effective 6-1-1939

Retention of fees as compensation for justices of the peace is unsatisfactory. It is desirable to abolish this fee system, reduce the number of justices of the peace who actually perform judicial duties, and centralize magistrates in a few convenient centers.

- Sec. 91: Governor with consent of the Senate shall appoint for each election district in each county one justice of the peace, and additional justices of the peace at large, as specified in Sec. 98. They shall be called Trial Magistrates.
- Sec. 92: Authority, powers, and civil and criminal jurisdiction shall be the same as justices of the peace now have, except as herein modified. It shall not include juvenile cases which may now by

law be conferred upon a justice of the peace designated for that purpose. In cases of commitment to jail in default of payment of fines, the trial magistrates may order a prisoner released upon payment of the fine and costs, giving \$1 credit for each day served. Trial magistrates shall keep records of such releases and credits.

- Sec. 94: Fees, costs, fines, forfeitures, and penalties imposed and collected by the trial magistrates shall be paid to the county commissioners, except for violations of motor vehicle laws, which amounts shall be remitted to the Commissioner of Motor Vehicles. In AA and FR the county commissioners shall remit to incorporated towns 50% of the moneys arising from violations of ordinances; in AL, CV, CR, PG, SM, and WA 100%.
- Sec. 95: Trial magistrates and other justices of the peace shall be paid salaries by the county commissioners as specified in Sec. 98.
- Sec. 96: County commissioners may appoint one constable for each election district and such number at large as shall hereafter be specified.
- Sec. 100: Justices of the peace other than trial magistrates shall be paid by the county commissioners for actions in civil and criminal cases, but may retain fees charged for taking acknowledgments or affidavits unrelated to cases.
- Sec. 101: Except in BA the county commissioners may increase the salaries of the trial magistrates.
- Sec. 108: Governor with consent of the Senate shall appoint one justice of the peace at large for each county who shall be designated a substitute trial magistrate who shall also post bond. The substitute will replace a regular trial magistrate who temporarily cannot serve.
- Sec. 109: Each trial magistrate and other justices of the peace shall give bond, to be approved by the county commissioners and filed with the circuit court clerks.
- Sec. 110: Monthly each trial magistrate shall file with the county commissioners a report of all civil and criminal cases stating the names of the parties, nature of the case or charge, number of witnesses summoned, name of the officer serving the warrant summons, judgment rendered, amount of the fine, penalty or forfeiture, and fees and costs imposed and collected. The fees and costs shall be paid to the county commissioners.

## COMMISSION TAX

### Acts of 1823, Ch. 146

An act to tax certain officials, passed 2-13-1824, effective 3-1-1824

- Sec. 1: Clerks of state and county courts and registers of wills shall keep an account of all fees received by them or others in office for them. Fees earned before March 1, 1824 are excluded.
- Sec. 2: Semi-annually in October and April returns of these accounts shall be sent to the Treasurer of the Western Shore or Treasurer of the Eastern Shore.
- Sec. 3: When the amount exceeds \$1500 per year, the state treasurers shall charge 25% on the excess for the use of the state.
- Sec. 4: Officials shall pay the tax to the state treasurers semi-annually within sixty days of the returns.
- Sec. 5: Fees collected by successors shall be charged to the accounts of predecessors.
- Sec. 12: Attorney General shall prosecute officials not complying with this act.

### Acts of 1824, Ch. 190

An act supplemental to Acts of 1823, Ch. 146, re fee reports, passed 2-10-1825

- Sec. 1: Returns of officials accounts shall be filed annually in May so that the annual sum can be readily determined.

### Acts of 1826, Ch. 246

An act to repeal tax on officials, passed 3-13-1827

- Sec. 1: Acts of 1823, Ch. 146 and Acts of 1824, Ch. 190, re tax on officials, is repealed.
- Sec. 2: This act shall not affect moneys still due the state treasurers.

### Acts of 1843, Ch. 284

An act re officials, passed 3-7-1844

- Sec. 1: Separate commissions shall be issued for government officials, except for justices of the peace and coroners. Secretary of State shall send commissions to the county court clerks for delivery to the individuals.
- Sec. 2: Commissions pertain to state and local officials. County officials include judges of the county courts, county court clerks, registers of wills, sheriffs, county surveyors, tobacco inspectors, wood corders, and orphans court judges. Each official shall pay the county court clerk a specified sum when the commission is delivered.
- Sec. 3: County court clerks shall pay the sums to the state treasury within twenty days of collection.
- Sec. 4: Justices of the peace and justices of the district courts may be included in one or more commissions. When they pay the tax, the county court clerk shall issue a certificate of

appointment.

### **Acts of 1844, Ch. 184**

An act re executors and administrators, passed 2-22-1845, effective 6-1-1845

- Sec. 1: Commissions allowed executors and administrators by the orphans courts shall be subject to a state tax.
- Sec. 2: Executors and administrators shall pay the tax to the register of will upon passage of accounts.
- Sec. 3: Registers of wills shall pay the taxes quarterly to the state treasury.
- Sec. 4: Registers shall give receipts for the taxes and send them to the state treasury.
- Sec. 5: The taxes shall be paid out of the commissions earned by the executors and administrators, not out of the estates.

### **Acts of 1844, Ch. 187**

An act re trustees and receivers, passed 3-25-1845, effective 6-1-1845

- Sec. 1: Commissions allowed trustees and receivers by the Chancery Court or the county courts sitting in equity shall be subject to a state tax. The amount shall be determined by the auditor when auditing accounts.
- Sec. 2: Trustees and receivers shall pay the tax to the register of the Chancery Court or the county court clerks within thirty days after the auditors account has been ratified.
- Sec. 3: Register and clerks shall pay the taxes quarterly to the state treasury.
- Sec. 4: Register and clerks shall give receipts for the taxes and send one copy to the state treasury.
- Sec. 5: Trustees and receivers shall show their copies of the receipts to the collector of the state income tax who shall allow credit for the amounts.

### **Acts of 1844, Ch. 260**

An act re officials, passed 3-8-1845

- Sec. 1: Sec. 3 of Acts of 1843, Ch. 184, re payments, is repealed.
- Sec. 2: County court clerks shall pay the sums collected to the state treasury semi-annually in November and May.

### **Acts of 1844, Ch. 302**

An act re officials, passed 3-10-1845, effective 11-1845

- Sec. 1: This act specifies the taxes to be paid by the clerks of state and county courts and registers of wills to the state treasury semi-annually in May and November.
- Sec. 3: The bonds of these officials shall be liable for the taxes.

### **Acts of 1845, Ch. 166**

An act supplemental to Acts of 1844, Ch. 187, re trustees, passed 2-28-1846, 3-1-1846

- Sec. 1: Every trustee to whom any real property or personal property is limited or conveyed for the benefit of creditors or other purposes shall file a bond with the clerk of the county court where the instrument creating the trust is recorded. Court clerk shall record the bond.
- Sec. 2: If a bond is not filed within three months after the trust document is recorded, the court clerk shall notify the court or a judge who may after notice appoint another trustee.
- Sec. 3: For a trust estate administered and settled by a court of equity, the commission allowed the trustee shall be subject to a tax, to be determined by the auditor. For those not involving the court, the trustee within six months after giving bond shall report to the county court the amount of the trust estate and the amount of the commission which shall be taxed. Later commissions shall also be reported and taxed.
- Sec. 5: Commission taxes shall be paid to the county court clerks where the bond is filed or to the register of the Chancery Court, and by them paid to the state treasury.
- Sec. 6: Trustees shall pay the taxes within thirty days after they are determined.

### **Acts of 1845, Ch. 391**

An act supplemental to Acts of 1844, Ch. 184, re executors and administrators, passed 3-10-1846, effective 6-1-1845

- Sec. 1: Within twelve months after granting letters of administration, the orphans court shall determine the commission to be allowed the executor or administrator. Excluded are administrations granted prior to June 1, 1845.
- Sec. 3: Upon returns of inventories, accounts of sale, and other documents showing assets, the orphans court shall determine the amount of the tax due from the executor or administrator who shall pay it to the register of wills within sixty days.
- Sec. 4: Registers of wills shall notify the Attorney General or a deputy of a failure to pay.

### **Acts of 1847, Ch. 230**

An act supplemental to Acts of 1844, Ch. 184, re executors and administrators, passed 3-9-1848  
Doubts have arisen about whether executors and administrators claiming no commission are bound to pay any tax.

- Sec. 1: Orphans courts shall determine the amount of the commission to which executors and administrators are entitled by law. An legacy left to an executor for compensation shall be reckoned in the commission set by the court.
- Sec. 2: Secs. 2-4 of Acts of 1845, Ch. 391 are repealed.
- Sec. 4: Executors and administrators shall take an additional oath to pay the tax, to be recorded by the registers of wills.

### **Acts of 1853, Ch. 444**

An act re court clerks and registers of wills, passed 5-31-1853



- Sec. 7: Acts imposing taxes on court clerks and registers of wills are repealed.

### **Acts of 1874, Ch. 483**

An act to repeal and reenact Art. 81, Public General Laws, re executors, administrators, and officials, approved 4-11-1874

- Sec. 98: Commissions allowed to executors and administrators by the orphans courts shall be subject to a tax. An legacy left to an executor for compensation shall be reckoned in the commission set by the court.
- Sec. 100: Commission taxes shall be paid to the registers of will on passage of administration accounts.
- Sec. 101: Registers of the wills shall give duplicate receipts, sending one to the state treasury.
- Sec. 135: Registers shall pay amounts collected to the state treasury.
- Sec. 138: When commissions are delivered to them the following officials shall pay the specified sums to the clerks of the circuit courts or BC Superior Court: circuit court judges, judges of BC courts, sheriffs, orphans court judges, registers of wills, and clerks of BC Circuit Court, BC Court of Common Pleas, BC City Court, and BC Criminal Court.
- Sec. 140: Court clerks shall pay amounts collected to the state treasury.

### **Acts of 1929, Ch. 226**

An act to repeal and reenact Art. 81, Public General Laws, re officials and executors, approved 4-2-1929, effective 6-1-1929

- Sec. 98: When commissions are delivered to them the following officials shall pay the specified sums to the clerks of the circuit courts or BC Superior Court: circuit court judges, BC Supreme Bench judges, sheriffs, orphans court judges, justices of the peace, constables, tobacco inspectors, weighers of livestock, weighers of grain and hay and straw, notaries public, clerk of Court of Appeals, clerks of circuit courts and BC courts, and registers of wills.
- Sec. 100: Court clerks shall report annually to the Secretary of State on those officials who have taken oaths of office.
- Sec. 101: Commissions allowed to executors shall be subject to a tax.
- Sec. 102: Orphans courts shall set the commissions of executors.
- Sec. 103: Executors shall pay the tax to the registers of wills.

### **Acts of 1941, Ch. 36**

An act to repeal Secs. 101-103 of Art. 81, Public General Laws, re executors, approved 2-26-1941

- Secs. 101-103 of Art. 81, Public General Laws, re commission tax on executors, are repealed.

## CORPORATIONS

### **Acts of 1802, Ch. 111**

An act re churches, passed 1-8-1803

- Sec. 5: At the first meeting after passage of this act every church, society, or congregation shall draw up plans for electing trustees and keeping up succession and shall determine the name, style, or title of the corporation. The plan of the corporation shall be acknowledged by the trustees, certified by two justices of the peace or a judge of the General Court, and filed with the court clerk of the county where the church exists for recording in a separate book. The process shall be completed within six months. Changes in the original plan shall also be recorded.

### **Acts of 1839, Ch. 24**

An act re foreign corporations, passed 3-13-1840

- Sec. 1: Anyone acting as an agent in Maryland for a marine, fire, or life insurance company not incorporated by the state shall annually by January 1 file with the Treasurer of the Western Shore an account of premiums received or agreed to be paid and pay a specified sum based on the premiums.
- Sec. 2: An agent must give bond, to be approved by the Treasurer of the Western Shore.
- Sec. 4: Any such foreign corporation may invest up to \$75,000 in a loan of the state or BC. Upon certification of this action from the Commissioner of Loans or BC Register and giving the required bond, the corporation and its agent may make insurance contracts without making the payments required in Sec. 1.
- Sec. 5: The agent of a corporation making such an investment shall give bond, to be approved by any judge or the BC mayor, conditional for the continuance of the investment during the length of insurance policies in the state. Bonds shall be recorded by the BA Court clerk.

### **Acts of 1845, Ch. 167**

An act supplemental to Acts of 1839, Ch. 24, re foreign corporations, passed 2-27-1846, effective 5-1-1846

- Sec. 1: An agent of a foreign marine, fire, and life insurance companies must obtain a license.
- Sec. 2: Licenses shall be granted by the county court clerks for a twelve month period.
- Sec. 3: Court clerks shall semi-annually sent to the state treasury lists and accounts of the licenses and pay the money received.
- Sec. 6: Annually the court clerks shall publish the names of the licensed agents and the companies they represent.

### **Acts of 1846, Ch. 357**

An act re foreign corporations, passed 3-9-1847, effective 5-1-1847

- Sec. 1: An agent of a foreign marine, fire, and life insurance companies must obtain a license.
- Sec. 2: State Treasurer shall grant the licenses.
- Sec. 3: Acts of 1839, Ch. 24 and Acts of 1845, Ch. 167 are repealed.

### **Acts of 1846, Ch. 323**

An act re nonprofit corporations, passed 3-8-1847

- Sec. 1: Charters of lyceums, libraries, masonic and other lodges, fire companies, and associations for literary, dramatic, moral, social, charitable, or religious purposes or connected with the promotion of arts and sciences shall be filed with the county court clerks for recording.
- Sec. 2: This act shall not extend to companies formed for profit.
- Sec. 3: Capital stock or the value of personal property and real property cannot exceed \$10,000. If so, an application must be filed with the General Assembly.

### **Acts of 1847, Ch. 26**

An act supplemental to Acts of 1846, Ch. 323, re nonprofit corporations, passed 1-21-1848

- Acts of 1846, Ch. 323 is made applicable to associations for military purposes.

### **Constitution of 1851, Art. III**

- Sec. 47: Corporations may be formed under general laws, but not by special legislation except for municipal purposes and where the legislature adjudges that the object of the company cannot be attained under general laws.

### **Acts of 1852, Ch. 148**

An act re homestead and building associations, passed 4-30-1852

- Sec. 1: Persons may establish homestead and building associations provided they record a charter with the clerk of the circuit court or BC Superior Court where the main office is located.
- Sec. 2: Changes to the charter shall be recorded per provisions of Sec. 1.

### **Acts of 1852, Ch. 221**

An act re cemetery corporations, passed and effective 5-11-1852

- Sec. 1: Seven or more persons may form a cemetery company, provided they execute and record a charter that specifies the name of the company, number and names of the managers, amount of capital stock, number of acres to be held by the company, and location of the land. The charter shall be filed with and recorded by the clerk of the circuit court or BC Superior Court where the cemetery is located or principal business is transacted. The company may own 100 acres or less.
- Sec. 5: General Assembly may at any time amend, repeal, or annul a corporation formed under this act.

## **Acts of 1852, Ch. 231**

An act re nonprofit corporations, passed and effective 5-13-1852

- Sec. 1: Seven or more persons may form a corporation for moral, scientific, literary, dramatic, agricultural, or charitable purposes or may establish uniform volunteer companies, fire engine or hose companies, and benevolent, beneficial, and musical associations, provided they execute and record a charter that specifies the name, objectives, articles, and conditions of the company. The charter shall be filed with and recorded by the clerk of the circuit court or BC Superior Court where the corporation is located or principal business is transacted.
- Sec. 3: Amendments shall be recorded per provisions of Sec. 1.
- Sec. 6: General Assembly may at any time amend, repeal, or annul a corporation formed under this act.

## **Acts of 1852, Ch. 322**

An act re mining corporations, passed 5-28-1852

- Sec. 1: Five or more persons may form a corporation for mining, provided they execute and record a charter that specifies the name of the company, amount of capital stock, term of its existence, number of shares, number and names of trustees, directors, or managers, and places where mining shall occur. The charter shall be filed with and recorded by the clerk of the circuit court or BC Superior Court where the main office is located.
- Sec. 2: Certificates of the amount of capital stock shall be recorded in same office as the charter.
- Sec. 18: Amendments to the charter and increases or decreases in capital stock shall be recorded per provisions of Sec. 1.
- Sec. 19: General Assembly may repeal or annul a corporation formed under this act.

## **Acts of 1852, Ch. 338**

An act re manufacturing corporations, passed 5-29-1852

- Sec. 1: Five or more persons may form a corporation for manufacturing, provided they execute and record a charter that specifies the name of the company, amount of capital stock, term of its existence, number of shares, number and names of trustees, directors, or managers, and places where manufacturing shall occur. The charter shall be filed with and recorded by the clerk of the circuit court or BC Superior Court where the main office is located.
- Sec. 2: Certificates of the amount of capital stock shall be recorded in same office as the charter.
- Sec. 17: Amendments to the charter and increases or decreases in capital stock shall be recorded per provisions of Sec. 1.
- Sec. 18: General Assembly may repeal or annul a corporation formed under this act.

## **Acts of 1852, Ch. 369**

An act re telegraph corporations, passed and effective 5-31-1852

- Sec. 1: Seven or more persons may form a corporation to own or construct telegraph lines
- Sec. 2: The charter shall include the name of the company, general route and connecting points the lines, capital stock and number of shares, names and residences of stockholders and number of shares held by each, and times of commencement and termination. The charter shall be filed with and recorded by the clerk of the circuit court or BC Superior Court where the main office is located.
- Sec. 3: Certificates of the amount of capital stock shall be recorded in same office as the charter.

### **Acts of 1856, Ch. 298**

An act re railroads in SM, passed 3-10-1856

- Sec. 1: When seven or more persons want to build a railroad in SM, then shall prepare a document showing the object of the company, articles, conditions, and its name and file it with a judge of the circuit court who shall take an acknowledgment and certify it. The court clerk shall then record the instrument.
- Sec. 2: No corporation formed under this act may hold property exceeding a value of \$50,000.
- Sec. 3: Changes and amendments shall be handled per provisions of Sec. 1.
- Sec. 5: No corporation formed under this act shall have the power to condemn land.
- Sec. 6: General Assembly may annul a charter formed under this act.

### **Acts of 1860, Ch. 285**

An act to amend Sec. 19 of Art. 26, Public General Laws, re land corporations, passed 3-9-1860

- Sec. 19: Provisions of Secs. 10-18 of Art. 26, Public General Laws, shall extend to and authorize the incorporation of associations for the purchase, improvement, and sale or lease of lands in the counties or BC. [Previously applicable only to BC]

### **Acts of 1865, Ch. 144**

An act re banks, passed 3-24-1865

- Sec. 3: When a bank, savings institution, or savings bank in Maryland becomes a banking association under federal laws, it shall present to the clerk of the Court of Appeals a certificate showing that fact. Clerk shall record the certificate and send a copy to the governor who shall have it published.

### **Constitution of 1867, Art. III**

- Sec. 48: Corporations may be formed under general laws, but not by special legislation except for municipal purposes and where no general laws exist. After adoption of this constitution the governor shall appoint three persons to prepare drafts of general laws for the creation of corporations, which shall be submitted to the General Assembly.

**Acts of 1868, Ch. 471**

An act to repeal and reenact Art. 26 and to repeal Secs. 22 and 99-103 of Art. 16 and Secs. 33-43 of Art. 88, Public General Laws, re corporations, approved 3-30-1868

- Sec. 14: Corporations may be formed by five or more persons, and a majority must be Maryland citizens. Several classes of corporations are outlined. Class 1 shall encompass educational, moral, scientific, literary, dramatic, musical, and benevolent associations, and religious or charitable societies, fire engine and hose companies, uniform volunteer companies, universities, colleges, academies, hospitals, and asylums.
- Sec. 15: Class 2 shall encompass mechanic institutes, cooperatives, libraries, public reading or lecture rooms, public hotels, public baths, medical societies, agricultural societies, fairs or exhibitions, and fruit and vegetable packing.
- Sec. 16: Class 3 shall encompass buying, selling, mortgaging, leasing, improving, and dealing with land in the state and procuring and marketing lumber, timber, wood, or other products of land.
- Sec. 17: Class 4 shall encompass fire, life, marine, accident, livestock, and other insurance.
- Sec. 18: Class 5 shall encompass homestead or building associations, associations for the loan of money on real property or personal property, Odd Fellows and similar organizations, and cemeteries.
- Sec. 19: Class 6 shall encompass manufacturing, ship building, and mechanical, industrial, or chemical businesses along with the sale and transportation of such products.
- Sec. 20: Class 7 shall encompass mining businesses.
- Sec. 21: Class 8 shall encompass preparation for market and sale of metal ores.
- Sec. 22: Class 9 shall encompass quarries.
- Sec. 23: Class 10 shall encompass drilling and refining of petroleum, salt, and other mineral springs.
- Sec. 24: Class 11 shall encompass construction and operation of telegraph lines.
- Sec. 25: Class 12 shall encompass ocean navigation and transportation of goods and passengers.
- Sec. 26: Class 13 shall encompass inter-U.S. navigation and transportation of goods and passengers.
- Sec. 27: Class 14 shall encompass forwarding or warehouse business and any related construction, ownership, charter, or lease of steamboats, wharves, docks, roads, and vehicles.
- Sec. 28: Class 15 shall encompass acquisition, construction, maintenance, sale, or lease of bridges, piers, wharves, floating or dry docks, or marine railways.
- Sec. 29: Class 16 shall encompass savings institutions.
- Sec. 30: Class 17 shall encompass gaslight companies.
- Sec. 31: Class 18 shall encompass turnpike and plank road companies and passenger railway companies outside of BC and not over twelve miles long.
- Sec. 32: Class 19 shall encompass stage lines and coaches.
- Sec. 33: Class 20 shall encompass supplying a city with water.
- Sec. 34: Class 21 shall encompass associations to promote immigration into Maryland.
- Sec. 36: When corporations unite or consolidate, their agreement shall be recorded as are other certificates of incorporation.

- Sec. 37: Persons forming a corporation shall make, sign, and have acknowledged a certificate showing the following:
  - names and residences of the applicants
  - corporate name that shall include the county or city in which it is formed
  - purpose of the corporation and articles, conditions, and provisions under which it is formed and the time of its existence, not to exceed forty years
  - place(s) where operations shall be conducted and place of the main office
  - amount of capital stock, if any
  - number of shares of stock, if any, and amount of each share
  - number and names of trustees, directors, or managers who will operate the corporation for the first year.
- Sec. 38: This certificate of incorporation shall be submitted to a judge of a county circuit court or the BC Supreme Bench, wherever the main office is located. The judge will determine whether the charter conforms to the law.
- Sec. 39: After certification by the judge, the charter shall be recorded by the clerk of the county circuit court or BC Superior Court.
- Sec. 42: Amendments to the charter shall be handled per provisions of Secs. 38-39.
- Sec. 60: Within thirty days after payment of the last installment on capital stock, a certificate showing that all payments have been made, including any property received for such, shall be recorded where the charter was filed.
- Sec. 73: When stockholders agree to increase or decrease the amount of capital, a certificate of the proceedings, amount actually paid in, and amount of change shall be recorded where the charter was filed.
- Sec. 74: Any corporation hereto formed under general laws or special laws may have itself incorporated under this act, provided the stockholders agree and the charter is filed per provisions of Secs. 37-39.
- Sec. 94: Water companies shall have the power to lay pipes in cities and town with authorization from the municipalities.
- Sec. 102: An insurance company incorporated in another state or country may sell insurance in Maryland only if it actually possesses the capital required of such companies formed under this article of Public General Laws and its agents residing in Maryland file with the clerk of the BC Superior Court a copy of the vote or resolution of appointment. The clerk shall record the document.
- Sec. 103: Foreign insurance companies shall also have recorded in the same office a copy of its charter with a certificate showing the name of the company, location, amount of capital and amount actually paid in, assets and debts, amount of losses adjusted and unpaid, and amount incurred and being adjusted. Life insurance companies shall also show investments. This certificate shall be renewed annually in January. Existing foreign insurance companies shall file a certificate by July 1, 1868.
- [Sections on turnpike, plank road, and passenger railway companies abstracted under [Roads](#).]
- Sec. 129: No person or body politic shall be entitled to sue for damages caused by the construction of a telegraph line unless the corporation refuses after due notice to remove the fixtures or applies to a justice of the peace for a warrant to the sheriff to summon a jury.

- Sec. 130: Jury shall appraise the loss or damages sustained.
- Sec. 131: Sheriff shall return the inquisition to the county circuit court for ratification proceedings. If ratified, the inquisition shall be recorded. If the inquisition is set aside, the court may order another one. When the corporation pays the loss or damages, it shall be entitled to an easement on the land.
- Sec. 162: Every church, society, or congregation shall draw up plans for electing trustees and keeping up succession and shall determine the name, style, or title of the corporation.
- Sec. 163: The plan of the corporation shall be acknowledged by the trustees, certified by two justices of the peace or a judge of a county circuit court or BC Supreme Bench.
- Sec. 164: The charter shall be filed with and recorded by the clerk of the county circuit court or BC Superior Court where the church is located.
- Sec. 165: Amendments shall also be handled per provisions of Secs. 162-164.
- [Sections on condemnation abstracted under [Civil](#).]
- Sec. 176: Governor may authorize the Attorney General or a states attorney to file a petition against a corporation to ascertain whether it is guilty of misuse, abuse, or nonuse of its corporate powers and franchises.
- Sec. 179: The trial may be by jury. If the opinion is for the plaintiff, a decree of forfeiture shall be entered and the charter annulled. The court shall appoint a receiver in the same manner and with the same powers as outlined in Secs. 189-190.
- Sec. 181: If the court determines that legal cause of forfeiture has been shown, it may before issuing a forfeiture decree order the corporation to remedy the grievance within a specific period of time. If the grievance is remedied, the decree of forfeiture shall not pass.
- Sec. 182: Petitions for forfeiture shall be filed in the county circuit court or BC Superior Court, based on where the charter was filed, if such was required when the corporation was formed, where the main office was last located, or where the principal business was last conducted.
- Sec. 183: Either party may appeal to the Court of Appeals.
- Sec. 184: Governor may order the Attorney General or a states attorney to file a bill in a county circuit court or BC Circuit Court for restraining by injunction any corporation from the assumption of a franchise or transaction of business not allowed by its charter or by law. The bill shall be filed where the principal office or place of operation is located. Appeals may be taken to the Court of Appeals.
- Sec. 185: When declared insolvent by legal means, a corporation shall be deemed to have surrendered its corporate rights, privileges, and franchises. It may be adjudged dissolved after an equity hearing upon a bill filed for that purpose in a county circuit court or BC Circuit Court, based on where the principal office and place of operation is located or where the charter was recorded. Such a bill may be filed by a stockholder, shareholder, creditor, Attorney General, or states attorney. This section shall not apply to railroad companies.
- Sec. 186: Corporate officers may call a meeting of stockholders and shareholders to vote on dissolution. If a majority agree, a bill for dissolution shall be filed with the county circuit court or BC Circuit Court, based on where the principal office and place of operation is located or where the charter was recorded.
- Sec. 187: Such a bill shall outline the reasons for dissolution and include an inventory of assets and related books, securities, and vouchers; account of capital stock, list of stockholders, their



residences, number of shares held by each, amount paid on each share, and amount still due; and list of encumbrances on property along with a list of creditors, their residences, and amount due each.

- Sec. 188: Court shall pass an order requiring interested persons to show cause, if any, why the corporation should not be dissolved.
- Sec. 189: If the court agrees that the corporation is insolvent or that dissolution would be beneficial, it shall decree dissolution and appoint one or more receivers of the company estate and assets.
- Sec. 190: Receivers shall be trustees for the benefit of creditors and stockholders and shall wind up the affairs of the corporation under the direction of the court.

## **Acts of 1870, Ch. 206**

An act re banks, approved 4-4-1870

- Sec. 3: When the specified amount of capital stock in a banking institution has been paid and so certified to the State Treasurer and Comptroller of the Treasury, a certificate of that fact shall be filed with the clerk of the Court of Appeals for recording.
- [Continued by Acts of 1886, Ch. 501 and Acts of 1906, Ch. 483 until 1910.]

## **Acts of 1870, Ch. 476**

An act re railroads, approved 4-4-1870

- Sec. 2: A company for the construction of a railroad shall prepare a certificate of incorporation specifying the name of the corporation, places of termini, counties and cities through it will pass, and amount of capital stock needed. The charter shall be acknowledged before a justice of the peace and certified by the circuit court clerks of the counties through which the line will pass and then submitted to a judge of a county circuit court or BC Supreme Bench. The judge shall examine it for conformity to law and send it to the Secretary of State for recording.
- Sec. 10: If a corporation cannot agree with the owners or any of them are under legal disability, it may apply to a judge of the county circuit court or BC Supreme Bench. Judge shall direct the sheriff to summon a jury which shall value the damages the owners will sustain and find whether condemnation is necessary. Sheriff shall return the inquisition to the court clerk. If the court ratifies the findings, the court clerk shall record the inquisition. If it is set aside or the jury cannot agree, the court may order another inquisition. An inquisition shall include a description of the property taken or the bounds of the land condemned, quantity or duration of interest in the land, and valuation to be paid by the corporation. After payment of this valuation, the corporation shall be entitled to the land or interest therein.
- Sec. 12: If a railroad is planned to go through streets or roads, the corporation must reach an agreement with the public authorities. If they cannot agree, the procedure outlined in Sec. 10 shall be followed. No railroad shall be allowed to pass through BC without the consent of the municipal authorities.
- Sec. 19: Companies incorporated under this act shall annually in January report to the Comptroller of Treasury on the amount of capital stock, gross amount of tolls or receipts,

expenses, net profits, and dividends.

- Sec. 20: Before a bridge over a canal or navigable water can be built, the railroad must file a detailed plan with the Board of Public Works. If the board disapproves the plan or does not act within twenty days, the corporation may apply to a circuit court which shall appoint an engineer to examine the crossing and prescribe the plan and conditions. These shall be submitted to the court and subject to exceptions by either party. An order of confirmation shall give the corporation authority to build the bridge.
- Sec. 21: When railroads can use the same line, the corporations may consolidate. The directors may make an agreement prescribing the terms and conditions, name of the new corporation, number of directors, shares of capital stock, amount of each share, manner of converting present shares, and manner of compensating stockholders who refuse to convert stock. A majority of stockholders of each corporation must agree to the plan before it can take effect.
- Sec. 22: A copy of the agreement shall be filed with the Secretary of State.

## **Acts of 1872, Ch. 355**

An act to re telegraph companies, approved 4-1-1872, effective 5-1-1872

- Sec. 1: Agents of telegraph, express, and transportation companies must obtain a license.
- Sec. 2: An agent may obtain a license for one year from the Comptroller of the Treasury.
- Sec. 3: An agent must also file a copy of the charter with the comptroller.
- Sec. 11: Copies of the charter, license, sales, transfers, and assignments shall be recorded with the circuit court clerks in the counties where the telegraph lines are located.

## **Acts of 1876, Ch. 242**

An act to repeal and reenact Acts of 1870, Ch. 476, re railroads, approved 4-7-1876

- Sec. 3: A company for the construction of a railroad shall prepare a certificate of incorporation specifying the name of the corporation, places of termini, counties and cities through it will pass, and amount of capital stock needed. The charter shall be acknowledged before a justice of the peace and certified by the circuit court clerks of the counties through which the line will pass and then submitted to a judge of a county circuit court or BC Supreme Bench. Judge shall examine it for conformity to law and send it to the Secretary of State for recording.
- Sec. 11: If a corporation cannot agree with the owners or any of them are under legal disability, it may apply to a judge of the county circuit court or BC Supreme Bench. Judge shall direct the sheriff to summon a jury which shall value the damages the owners will sustain and find whether condemnation is necessary. Sheriff shall return the inquisition to the court clerk. If the court ratifies the findings, the court clerk shall record the inquisition. If it is set aside or the jury cannot agree, the court may order another inquisition. An inquisition shall include a description of the property taken or the bounds of the land condemned, quantity or duration of interest in the land, and valuation to be paid by the corporation. After payment of this valuation, the corporation shall be entitled to the land or interest therein.
- Sec. 13: If a railroad is planned to go through streets or roads, the corporation must reach an agreement with the public authorities. If they cannot agree, the procedure outlined in Sec. 11

shall be followed. No railroad shall be allowed to pass through BC without the consent of the municipal authorities.

- Sec. 20: Companies incorporated under this act shall annually in January report to the Comptroller of Treasury on the amount of capital stock, gross amount of tolls or receipts, expenses, net profits, and dividends.
- Sec. 21: Before a bridge over a canal or navigable water can be built, the railroad must file a detailed plan with the Board of Public Works. If the board disapproves the plan or does not act within twenty days, the corporation may apply to a circuit court which shall appoint an engineer to examine the crossing and prescribe the plan and conditions. These shall be submitted to the court and subject to exceptions by either party. An order of confirmation shall give the corporation authority to build the bridge.
- Sec. 22: Railroad companies may enter into consolidations agreements or sell or lease any of their lines only with authorization from the General Assembly.

### **Acts of 1876, Ch. 269**

An act to repeal and reenact Secs. 17 and 29 of Acts of 1868, Ch. 471, re corporations, approved 4-4-1876

- Sec. 17: Class 4 shall encompass fire, life, marine, accident, livestock, and other insurance. Also included shall be companies that weigh, shelter, feed, and sell cattle, sheep, and hogs, provided the yards and scales are in BC or not more than six miles from BC.
- Sec. 29: Class 16 shall encompass savings institutions, trust companies, and guarantee companies.

### **Acts of 1880, Ch. 292**

An act supplemental to Acts of 1876, Ch. 142, re railroads, approved 4-10-1880

- Acts of 1876, Ch. 142 shall not apply to the construction of elevated railroads which may be incorporated only by the General Assembly.

### **Acts of 1882, Ch. 456**

An act to repeal and reenact Sec. 31 of Art. 26, Public General Laws, re roads and railroads, approved 5-3-1882

- Sec. 31: Class 18 shall encompass turnpike and plank road companies and passenger railway companies outside of BC. The railways may not be over twelve miles long. Turnpikes and roads may be any length.

### **Acts of 1884, Ch. 267**

An act re trade unions, approved 4-8-1884

- Sec. 1: Any five or more persons engaged in the same or similar occupation may form a trade union as a beneficial society under provisions of Art. 26, Public General Laws.

### **Acts of 1884, Ch. 360**

An act to repeal and reenact Sec. 24 of and to add a section to Art. 26, Public General Laws, re telephone companies, approved 4-8-1884

- Sec. 24: Class 11 shall encompass construction and operation of telegraph lines and telephone lines.
- Sec. 136A: Secs. 127-136 of Art. 26, Public General Laws, that apply to telegraph companies shall also apply to telephone companies.

### **Acts of 1886, Ch. 134**

An act re railroads, approved 3-31-1886

- Sec. 1: When a railroad is sold by virtue of a mortgage, deed of trust, or judicial proceeding, the purchasers and associates may incorporate by filing with the Secretary of State a certificate showing the name and style of the corporation, number of directors, names of the first directors, amount of capital stock, number of shares, and par value of the shares.
- Sec. 4: Agreements for the sale, lease, assignment, transfer, or consolidation of railroads must be sanctioned by two-thirds of the stockholders and, if so approved, filed with the Secretary of State.

### **Acts of 1886, Ch. 161**

An act to repeal and reenact Sec. 24 of and to add sections to Art. 26, Public General Laws, re telegraph, telephone, and electric companies, approved 4-7-1886

- Sec. 24: Class 11 shall encompass construction and operation of telegraph lines and telephone lines. Class 11A shall encompass the transmission of electricity.
- Sec. 175A: Corporations formed under Classes 11 and 11A shall have the powers conferred on telegraph companies by 1868, Ch. 471, Sec. 129, may lay wires above or under ground, and may acquire easements and interests in land by condemnation.
- Sec. 175B: Corporations formed under Classes 11 and 11A, except those which have constructed lines in BC, shall before using streets and roads in BC obtain a special grant from the General Assembly and the assent of the mayor and city council.

### **Acts of 1890, Ch. 272**

An act to repeal and reenact Sec. 29 of Art. 23, Public General Laws, re trust and guarantee companies, approved 4-3-1890

Current law is insufficient to adequately form trust and guarantee corporations, resulting in the passage of special laws for their charters, a procedure that is actually more appropriate.

- Sec. 29: Class 16 shall encompass savings institutions.

### **Acts of 1890, Ch. 339**

An act to repeal and reenact subsection class 1 of Sec. 14, subsection 3 of Sec. 42, and Sec. 47 of Art. 23, Public General Laws, re time limits, approved 5-29-1890

- Sec. 14, subsection 3: Class 1 shall encompass educational, moral, scientific, literary, dramatic, musical, and benevolent associations, and religious or charitable societies, fire engine and hose companies, uniform volunteer companies, universities, colleges, academies, hospitals, and asylums.
- Sec. 42, subsection 3: The charter time limit of forty years shall not apply to gaslight companies, educational associations, universities, colleges, academies, hospitals, or asylums. Certificates of incorporation for them may contain provisions for perpetual existence.
- Sec. 47: Existing types of corporations named in Sec. 42, subsection 3, may amend their charters to provide for perpetual existence.

### **Acts of 1890, Ch. 553**

An act to repeal and reenact Sec. 178 of Art. 23, Public General Laws, re railroads, approved 4-8-1890

- Sec. 178: A railroad company may consolidate with another whose tracks form a continuous line. The agreement, if sanctioned by a majority of the stockholders, shall be filed with the Secretary of State.

### **Acts of 1892, Ch. 614**

An act to add a section to Art. 23, Public General Laws, re churches, approved 4-7-1892

Provisions of Secs. 205-217 of Art. 23 have been found to be inapplicable to the Roman Catholic church.

- Sec. 217A: Roman Catholic churches may draw up, have acknowledged, and recorded certificates of incorporation as do other churches.

### **Acts of 1894, Ch. 557**

An act to repeal and reenact Secs. 42 and 47 of Art. 23, Public General Laws, re time limits, approved 4-6-1894

- Sec. 42: The charter time limit of forty years shall not apply to gaslight companies, educational associations, universities, colleges, academies, hospitals, asylums, or cemeteries. Certificates of incorporation for them may contain provisions for perpetual existence.
- Sec. 47: Existing types of corporations named in Sec. 42, may amend their charters to provide for perpetual existence.

### **Acts of 1898, Ch. 199**

An act to repeal and reenact Sec. 246 of Art. 23, re water companies, approved 4-7-1898

- Sec. 246: Authorization for water company operations outside a town or city must be obtained from the county commissioners. Municipal officials and county commissioners may prescribe

rules and regulations for water companies. Water companies may not be incorporated in BC.

### **Acts of 1898, Ch. 270**

An act to add sections to Art. 23, Public General Laws, re foreign corporations, approved 4-9-1898

- Sec 109A: Every corporation incorporated under the laws of other states or territories, except telephone, banking, insurance, railroad, electric, and oil or pipe line companies, now doing business in Maryland or intending to do so shall before continuing or commencing business file with the Secretary of State a copy of its charter together with a statement showing the amount of authorized capital stock, amount of issued capital stock, amount of assets and liabilities, character of business, and principal office(s) and name(s) of agent(s) residing in Maryland. Secretary of State shall record these documents.
- Sec. 109B: Secretary of State shall issue a certificate showing compliance with this act.
- Sec. 109C: Foreign corporations already operating in Maryland must comply with this act by July 1, 1898.

### **Acts of 1900, Ch. 450**

An act to repeal Sec. 217A of Art. 23, Public General Laws, re churches, approved 4-7-1900

- Sec. 1: Sec. 217A of Art. 23, Public General Laws, re Roman Catholic churches, is repealed.

### **Acts of 1908, Ch. 240**

An act to revise corporation laws by repealing Secs. 1-92, 137-141, 226, 367-401, and 408-417 and substituting Secs. 1-79 in Art. 23, Public General Laws, approved 3-31-1908, effective 6-1-1908

- Sec. 3: Incorporators, being any three or more adults, shall sign and acknowledge a certificate containing the names and addresses of subscribers, name of the corporation, its purpose, business and objects to be conducted or promoted, location of the main office, amount of capital stock if any, number and par value of the shares, restrictions if any placed on the transfer of shares, classes and powers of the stock, number of trustees, directors, or managers, names of those for the first year, and provisions for defining and regulating the powers of the corporation and its directors and stockholders.
- Sec. 4: The certificate shall be submitted to a judge of a judicial circuit in which the main office will be located, who shall certify its execution in conformity with the law. Then the certificate shall be delivered to the Tax Commissioner who shall record it and sent the original or a copy to the clerk of the county circuit court or BC Superior Court, based on the location of the main office, who shall also record it.
- Sec. 25: Amendments, signed and acknowledged by the president and a majority of directors, managers, or trustees, accompanied by a statement of adoption by the stockholders or members, shall be filed with the Tax Commissioner. Procedures outlined in Sec. 4 shall be followed.
- Sec. 29: Any two or more corporations engaged wholly or partially in the same or similar business may consolidate. This section shall not repeal restrictions placed on the consolidation of

railroads. Agreement of consolidation shall contain the same information as provided in Sec. 3 and shall include the manner of converting the capital stock of the companies. After approval of all directors, the agreement shall be submitted to the stockholders. If approved by two-thirds of the stock, the agreement shall be executed as provided in Sec. 4.

- Sec. 36: Whenever the stock of any corporation is issued for services or property, a certificate signed by an officer and sworn to by the treasurer shall set forth the amount of stock issued, property or services involved, and nature and character of the property or services. The certificate shall be filed with the clerk of the county circuit court or BC Superior Court, based on the location of the main office.
- Sec. 51: Any corporation, except a public service one, may by vote of a majority of its members or stock close its affairs and authorize the filing of a bill of dissolution. The petition shall be filed in a court of equity where the main office is located.
- Sec. 52: Each petition for dissolution shall contain the reasons for the action and exhibits showing assets and liabilities, stockholders if any and their addresses and number of shares, encumbrances on property, and creditors, their addresses, and amount due each. Court shall pass an order requiring interested persons to show cause why the corporation should not be dissolved. After consideration of such evidence, the court may enter a decree of dissolution and appoint one or more receivers of its estate and effects, if any exist.
- Sec. 53: When any corporation, except a railroad, shall be determined by legal proceedings to be insolvent, it may be dissolved after a hearing in a court of equity where the main office is located. The bill of complaint may be filed by any stockholder or creditor.
- Sec. 54: When a corporation is dissolved by court decree, its property shall be vested in the appointed receivers who shall have the same powers as permanent trustees of insolvent debtors.
- Sec. 55: Upon dissolution of a corporation other than by judicial proceedings and until receivers are appointed by a court, the directors shall act as trustees for creditors, stockholders, and members.
- Sec. 57: When authorized by the governor, the Attorney General or a states attorney shall institute legal proceedings against a corporation to determine if it is guilty of misuse, abuse, or nonuse of its powers and franchises as would by law result in the forfeiture of its charter. A petition shall be filed outlining the alleged cause of forfeiture.
- Sec. 58: The case may be a trial by jury if either party so desires. A judgment of forfeiture may be entered, which shall annul and vacate the charter of the corporation. Court shall then appoint a receiver of the company estate and assets.
- Sec. 60: Before making a final judgment, the court may require the corporation to remedy the grievances and, if so done, refuse to enter final judgment.
- Sec. 61: Petition for forfeiture shall be filed in the court circuit court or BC Superior Court, based on where the main office is located. Appeals may be taken to the Court of Appeals.
- Sec. 64: Any educational, charitable, or other corporation having no capital stock may unite with similar corporations, provided a majority of the members of each company assent. A certificate of consolidation shall be executed as provided in Sec. 4.
- Sec. 68: Every foreign corporation having an office or place of business in Maryland, except insurance companies, shall before doing business file with the Secretary of State for recording a copy of its charter and a certificate showing the corporate name, names and addresses of officers

and directors, principal office in Maryland, state of incorporation, amount of capital stock authorized and issued, number and par value of shares, names and addresses of shareholders in Maryland and number of shares held by each, amount of capital employed in Maryland, and name and address of the resident agent. The certificate shall be renewed annually by April 1. Secretary shall issue a certificate showing compliance with this act.

### **Acts of 1910, Ch. 219**

An act to repeal and reenact Art. 11, Public General Laws, re banks, approved 4-8-1910

- [Provisions of Acts of 1870, Ch. 206, re certification of banking institutions, are not reenacted.]

### **Acts of 1910, Ch. 725**

An act to repeal and reenact Sec. 275 of and to add a section to Art. 23, Public General Laws, re railroads, approved 4-13-1910

- Sec. 275: When a railroad is sold by virtue of a mortgage, deed of trust, or judicial proceeding, the purchasers and associates may incorporate by filing with the Secretary of State a certificate showing the name and style of the corporation, number of directors, names of the first directors, amount of capital stock, number of shares, and par value of the shares. When any part of the railroad is uncompleted, the company must give bond conditioned upon building and placing in operation at least five miles of track each year until it is finished. Upon failure to meet this requirement the Attorney General may sue for forfeiture of its charter.
- Sec. 275A: This act shall also apply to corporations heretofore formed under Sec. 275.

### **Acts of 1910, Ch. 756**

An act to add a section to Art. 23, Public General Laws, re churches, approved 4-11-1910

- Sec. 316A: If any church or congregation organized or incorporated since 1800 under Maryland law has filed an agreement, plan, or certificate of incorporation after the prescribed time limit, it is hereby made a religious body corporate from the date of the agreement or certificate. If it appears that a church or congregation has filed its charter and record cannot be found, the certificate or plan can be refiled and re-recorded. If any church or congregation organized since 1800 has failed to file a charter at any time, it may do so within one year from the passage of this act.

### **Acts of 1912, Ch. 218**

An act to repeal and reenact Sec. 316A of Art. 23, Public General Laws, re churches, approved 4-8-1912

- Sec. 316A: If any church or congregation organized or incorporated since 1800 under Maryland law has filed an agreement, plan, or certificate of incorporation after the prescribed time limit, it is hereby made a religious body corporate from the date of the agreement or certificate. If it appears that a church or congregation has filed its charter and record cannot be found, the



certificate or plan can be refiled and re-recorded. If any church or congregation organized since 1800 has failed to file a charter at any time, it may do so before April 11, 1913.

### **Acts of 1914, Ch. 789**

An act to repeal and reenact Sec. 4 of Art. 23, Public General Laws, re charters, approved 4-16-1914

- Sec. 4: The certificate shall be submitted to a judge of a judicial circuit in which the main office will be located, who shall certify its execution in conformity with the law. Then the certificate shall be delivered to the Secretary of State who shall record it and sent an abstract to the Tax Commissioner for recording. The abstract shall show the names of the incorporators and directors, name of the corporation, and amount of authorized capital stock.

### **Acts of 1916, Ch. 596**

An act to revise Art. 23, Public General Laws, re corporations, approved 4-18-1916, effective 6-1-1916

- Sec. 3: Incorporators, being any three or more adults, shall sign and acknowledge a certificate containing the names and addresses of subscribers, name of the corporation, its purpose, business and objects to be conducted or promoted, location of the main office, amount of capital stock if any, number and par value of the shares, restrictions if any placed on the transfer of shares, classes and powers of the stock, number of trustees, directors, or managers, names of those for the first year, name and address of the resident agent, and provisions for defining and regulating the powers of the corporation and its directors and stockholders.
- Sec. 4: Two copies of the charter shall be filed with the Tax Commission who shall record it and send the original to the Secretary of State for recording and a copy to the county circuit court or BC Superior Court, based on the location of the main office, for recording there.
- Sec. 8A: Every corporation hereafter incorporated shall have at least one resident agent in charge of its main office, who must a Maryland citizen. Any company incorporated prior to June 1, 1916 that files with the Tax Commission the name and address of at least one resident agent need not thereafter have a director who is a state citizen. A charter amendment shall not be necessary to change the location of the main office from one place in a county or BC to another place in the same jurisdiction or to change the name and address of the resident agent. These changes can be made by notifying the Tax Commission.
- Sec. 25: Charter amendments shall be recorded per provisions of Sec. 4.
- Sec. 29: Any two or more corporations engaged wholly or partially in the same or similar business may consolidate. This section shall not repeal restrictions placed on the consolidation of railroads. Agreement of consolidation shall contain the same information as provided in Sec. 3 and shall include the manner of converting the capital stock of the companies and a list of places where the companies own real property. After approval of all directors, the agreement shall be submitted to the stockholders. If approved by two-thirds of the stock, the agreement shall be executed as provided in Sec. 4. Tax Commission shall prepare a certificate of consolidation showing the names of the corporations, name and location of the main office of the new company, date of the agreement, and filing date. Tax Commission shall sent the certificate to the clerks of the county circuit courts or BC Superior Court where the companies own land, who

shall record the document in the land records.

- Sec. 35: Whenever the stock of any corporation is issued for services or property, a certificate signed by an officer and sworn to by the treasurer shall set forth the amount of stock issued, property or services involved, and nature and character of the property or services. The certificate shall be filed with the Tax Commission for recording which shall send a copy to the clerk of the county circuit court or BC Superior Court, where the main office is located, for recording.
- Sec. 76: Any corporation, except a public service one, may by a vote of two-thirds of its members or stock close its affairs and authorize the filing of a bill of dissolution. The petition shall be filed in a court of equity where the main office is located.
- Sec. 77A: The clerk of the court issuing a decree for dissolution shall certify it to the Tax Commission. The same procedure shall apply to a decree for annulment.

### **Acts of 1918, Ch. 198**

An act to add a section to Art. 23, Public General Laws, re dissolution, approved 4-10-1918, effective 6-1-1918

- Sec. 87A: A corporation possessing no assets or owing no debts may close its affairs and authorize a petition for dissolution to be filed with the Tax Commission by the following procedure. If no stock has been issued, a majority of incorporators or directors may pass a resolution to file the petition. If stock has been issued, a majority of the stockholders must agree to file the petition. Tax Commission shall then pass an order directing interested persons to show cause why the dissolution should not happen. Tax Commission shall file copies of the dissolution order for recording with the clerk of the county circuit court or BC Superior Court where the main office is located and the Secretary of State. Tax Commission shall not order a dissolution if the corporation has outstanding contractual obligations.

### **Acts of 1918, Ch. 316**

An act to repeal and reenact Sec. 99 of Art. 81, Public General Laws, re forfeiture, approved 4-10-1918, effective 6-1-1918

- Sec. 99: Upon failure of domestic corporations to pay a franchise tax, tax on capital stock, or gross receipts tax for two years, the Comptroller of the Treasury shall send a list of such companies to the governor who shall issue and publish a proclamation that their charters shall be forfeited after thirty days unless all taxes, interest, and penalties are paid. The charters of those not paying shall be ipso facto forfeited without civil or equity proceedings. Secretary of State shall send copies of the proclamation to the comptroller, State Treasurer, and Tax Commission which shall not the fact of forfeiture on their records. When sending the list to the governor, the comptroller shall also notify each corporation.

### **Acts of 1920, Ch. 235**

An act to repeal and reenact Sec. 93 of and to add a section to Art. 23, Public General Laws, re foreign corporations, approved 4-9-1920, effective 1-1-1921

- Sec. 93: Every foreign corporation, except insurance companies, wanting to do business in the state shall file with the Tax Commission a copy of its charter and certificate showing the corporate name, names and addresses of the officers and directors, location of the main office in Maryland, state where incorporated, amount of capital stock, number and par value of shares, names and addresses of shareholders in Maryland, amount of capital employed in Maryland, and name and address of its agent in Maryland. The certificate shall be renewed annually by March 1.
- Sec. 93A: Secretary of State shall deliver to the Tax Commission all records pertaining to foreign corporations heretofore filed under Sec. 93.

### **Acts of 1920, Ch. 236**

An act to add a section to Art. 23, Public General Laws, re dissolution, approved 4-9-1920, effective 6-1-1920

- Sec. 78A: No corporation shall be dissolved by court decree until all taxes due the state have been paid and adjusted, to be evidenced by a certificate from the Comptroller of the Treasury.

### **Acts of 1920, Ch. 327**

An act to repeal and reenact Secs. 4, 25, and 29 of Art. 23, Public General Laws, re records, approved 4-9-1920, effective 10-1-1920

- Sec. 4: Two copies of the charter shall be filed with the Tax Commission who shall record it and send one copy to the county circuit court or BC Superior Court, based on the location of the main office, for recording there.
- Sec. 25: Amendments, signed and acknowledged by the president and a majority of directors, managers, or trustees, accompanied by a statement of adoption by the stockholders or members, shall be filed with the Tax Commission who shall record them and send a copy to the county circuit court or BC Superior Court, based on the location of the main office, for recording there.
- Sec. 29: Any two or more corporations engaged wholly or partially in the same or similar business may consolidate. This section shall not repeal restrictions placed on the consolidation of railroads. Agreement of consolidation shall contain the same information as provided in Sec. 3 and shall include the manner of converting the capital stock of the companies and a list of places where the companies own real property. After approval of all directors, the agreement shall be submitted to the stockholders. If approved by two-thirds of the stock, the agreement shall be executed as provided in Sec. 4. Tax Commission shall prepare a certificate of consolidation showing the names of the corporations, name and location of the main office of the new company, date of the agreement, and filing date. Tax Commission shall sent the certificate to the clerk of the county circuit courts or BC Superior Court where the companies own land, who shall record the document in the land records.

### **Acts of 1922, Ch. 197**

An act to add sections to Art. 23, Public General Laws, re cooperatives, approved 4-13-1922, effective 7-1-1922

- Sec. 470: Cooperative associations may be formed by five or more persons engaged in the production of agricultural products. Articles of incorporation shall be signed and acknowledged and shall state the name of the association, names and addresses of the farmers, purpose of the association, location of its main office, name of resident agent, amount of capital stock if any and the number and par value of the shares, and property rights of members if organized without stock.
- Sec. 471: Articles shall be filed per provisions of Sec. 4.
- Sec. 472: Amendments, approved by a majority of members, shall be executed and filed per provisions of Sec. 25.
- Sec. 474: Associations may dissolve as do other corporations.

### **Acts of 1920, Ch. 366**

An act to repeal and reenact Sec. 99 of Art. 81, Public General Laws, re forfeitures, approved 4-9-1920, effective 6-1-1920

- Sec. 99: Upon failure of domestic corporations to pay a franchise tax, tax on capital stock, or gross receipts tax for two years, the Comptroller of the Treasury shall send a list of such companies to the governor who shall issue and publish a proclamation that their charters shall be forfeited after thirty days unless all taxes, interest, and penalties are paid. The charters of those not paying shall be ipso facto forfeited without civil or equity proceedings. Secretary of State shall send copies of the proclamation to the comptroller, State Treasurer, and Tax Commission which shall note the fact of forfeiture on their records. When sending the list to the governor, the comptroller shall also notify each corporation. A corporation may revive its charter within six months after forfeiture by paying all taxes, interest, and penalties and an additional fee. Secretary of State shall send a list of these companies to the comptroller, State Treasurer, and Tax Commission which shall note the fact of revival on their records.

### **Acts of 1922, Ch. 381**

An act to add sections to Art. 2, Public General Laws, re agents and factors, approved 4-13-1922, effective 6-1-1922

- Sec. 18: Any person engaged in a mercantile, trading, or manufacturing business as an agent or doing business in a different name or designation shall file with the clerk of the county circuit courts or BC Superior Court where the business is located a certificate showing the names and addresses of the principals or true owners, character and location of the business, and name or designation under which the business is conducted. Those already in business shall file the certificates within thirty days after this act becomes effective. Thereafter the certificate must be filed before commencing business.
- Sec. 19: Certificates shall be recorded in an Agency Record.

### **Acts of 1931, Ch. 381**

An act to repeal and reenact Sec. 144 of and to add a section to Art. 81, Public General Laws, re

forfeitures, approved 4-17-1931, effective 6-1-1931

- Sec. 144: Upon failure of domestic corporations to pay a franchise tax, tax on capital stock, or gross receipts tax for two years, the Comptroller of the Treasury shall send a list of such companies to the governor who shall issue and publish a proclamation that their charters shall be forfeited after sixty days unless all taxes, interest, and penalties are paid. The charters of those not paying shall be ipso facto forfeited without civil or equity proceedings. Secretary of State shall send copies of the proclamation to the comptroller, State Treasurer, and Tax Commission which shall note the fact of forfeiture on their records. If a company is mistakenly included in the proclamation, the governor shall notify the Secretary of State who shall notify the other three offices.
- Sec. 144 1/2: A charter forfeited for nonpayment of taxes may be revived in the following manner. The last acting officer shall sign articles of revival that contain the name of the corporation when its charter was forfeited, new corporate name, address of the main office which shall be in the same county or city as before, and name and address of the resident agent. If officers are unavailable, three of the last directors may sign the articles. Recording and filing shall be per provisions of Sec. 4. All back taxes, state and local, except on real estate, must first be paid.

### **Acts of 1935, Ch. 551**

An act to repeal and reenact Secs. 33 and 91 of Art. 23, Public General Laws, re consolidation and dissolution, approved 5-17-1935, effective 6-1-1935

- Sec. 33: Any two or more corporations engaged wholly or partially in the same or similar business may consolidate or merge. This section shall not repeal restrictions placed on the consolidation of railroads. Agreement of consolidation shall contain the same information as provided in Sec. 3 and shall include the manner of converting the capital stock of the companies and a list of places where the companies own real property. After approval of all directors, the agreement shall be submitted to the stockholders. If approved by two-thirds of the stock, the agreement shall be executed as provided in Sec. 4. Tax Commission shall prepare a certificate of consolidation showing the names of the corporations, name and location of the main office of the new company, date of the agreement, and filing date. Tax Commission shall sent the certificate to the clerk of the county circuit courts or BC Superior Court where the companies own land, who shall record the document in the land records.
- Sec. 91: A corporation may close its affairs and dissolve in the following manner. A majority of the directors may pass a resolution to dissolve and call a meeting of stockholders to act on it. If two-thirds of the stock agrees, notices shall be sent to all known creditors. Then articles of dissolution shall be executed, filed, and recorded as are amendments to charters. Articles shall contain the address of the main office, names and addresses of the directors, statement of authorization to dissolve, and statement of notices to creditors. When the articles are accepted by the Tax Commission, the corporation shall be deemed dissolved, except for actions necessary to wind up its affairs which shall be done by the directors unless and until receivers are appointed. An application for appointment as a receiver may be made by any director, stockholder, or

creditor by a bill filed in a court of equity where the main office is located.

### **Acts of 1939, Ch. 402**

An act to repeal and reenact Sec. 144 of Art. 81, Public General Laws, re forfeitures, approved 5-11-1939, effective 6-1-1939

- Sec. 144: Upon failure of domestic corporations to pay a franchise tax, tax on capital stock, or gross receipts tax for nine months, the Comptroller of the Treasury shall send a list of such companies to the governor who shall issue and publish a proclamation that their charters shall be forfeited after sixty days unless all taxes, interest, and penalties are paid. The charters of those not paying shall be ipso facto forfeited without civil or equity proceedings. Secretary of State shall send copies of the proclamation to the comptroller, State Treasurer, and Tax Commission which shall note the fact of forfeiture on their records. If a company is mistakenly included in the proclamation, the governor shall notify the Secretary of State who shall notify the other three offices.

### **Acts of 1941, Ch. 912**

An act to repeal and reenact Sec. 152 of Art. 81, Annotated Code, re forfeitures, approved 5-26-1941, effective 10-1-1941

- Sec. 152: Upon failure of domestic corporations to pay a franchise tax, tax on capital stock, or gross receipts tax or to file an annual report with the Tax Commission for nine months, the Comptroller of the Treasury shall send a list of such companies to the governor who shall issue and publish a proclamation that their charters shall be forfeited after sixty days unless all taxes, interest, and penalties are paid. The charters of those not paying shall be ipso facto forfeited without civil or equity proceedings. Secretary of State shall send copies of the proclamation to the comptroller, State Treasurer, and Tax Commission which shall note the fact of forfeiture on their records. If a company is mistakenly included in the proclamation, the governor shall notify the Secretary of State who shall notify the other three offices.

## COUNTY GOVERNMENT

[See [Assessments](#) for information about tax collection]

### Acts of 1748, Ch. 20

An act re levy, passed 6-10-1748

- Sec. 1: By legislation enacted in 1704 justices of the county courts are empowered to levy and raise tobacco for paying normal county charges by an assessment on taxable persons.
- Sec. 4: Limitations are set for the maximum amount that can be expended for specific projects at any one time: 10,000 lbs. of tobacco for courthouse repair, 6000 lbs. of tobacco for jail repair, 8000 lbs. of tobacco for bridge repair, and 20,000 lbs. of tobacco for bridge construction. Larger amounts will require concurrence of the General Assembly.

### Acts of Nov. 1773, Ch. 10

An act for establishment of CA, passed 12-23-1773, effective 3-1774

- Sec. 2: The parts of DO and QA specified in this act shall be erected into CA.
- Sec. 9: Justices of the CA Court shall order the constables of the hundreds in those parts of DO and QA included in CA to make a list of taxable inhabitants and return it to the court. Based on this list the justices shall ascertain the proportion of taxation for that part of QA that will equal the contribution from DO.

### Acts of Oct. 1780, Ch. 26

An act re levy, passed 1-24-1781

- Sec. 1: Justices of the county courts shall meet at the June or August court term to adjust ordinary and necessary county expenses including allowances for the poor and to impose taxes on property to defray the charges. Taxes shall be based on the last valuation of property and be collected by tax collectors appointed for that purpose.
- Sec. 2: County court clerks shall keep records of these taxes and how the money was spent. Within a month after the levy being set, each clerk shall send to the governor and council a copy of the gross amount of property in the county and the amount of the county tax. Court clerks shall record the bonds of the tax collectors.
- Sec. 3: Limitations are set for the maximum amount that can be expended annually for specific projects: £100 for courthouse repair, £150 for jail repair, £50 for bridge repair, and £200 for bridge construction.

### Acts of Nov. 1787, Ch. 30

An re levy in PG, passed 11-30-1787

- Sec. 2: Annual levy in PG shall take place at the September term.

## **Acts of Nov. 1787, Ch. 31**

An re tax collection, passed 12-17-1787

- Sec. 2: If no tax collector is appointed within three weeks of laying the county levy, the justices of the county court shall appoint the sheriff or other person to collect the taxes.

## **Acts of 1790, Ch. 23**

An act re levy, passed 12-21-1790

- Sec. 9: Justices of the peace, or any three of them, in a county shall meet to lay the levy as heretofore and their clerk shall be the county court clerk. The justices shall perform the duties given the county courts for the inspection of tobacco.
- Sec. 15: Annually by May 1 each court clerk shall send to the other clerks within the judicial circuit a certificate of the amount of assessable property in the county.

## **Acts of 1790, Ch. 61**

An act re levy records, passed 12-22-1790

- Annually in November the county court clerks shall send copies of the levy list to the clerks of the Senate and House of Delegates.

## **Acts of 1794, Ch. 53**

An act re levy courts, passed 12-26-1794

- Sec. 1: Justices of the peace, or any five of them, in a county shall comprise the levy court and meet annually between March and October. Each levy court shall adjust ordinary and necessary county expenses including the poor and public roads, impose taxes apportioned according to the last corrected assessment of property, and appoint a tax collector who shall give bond.
- Sec. 2: County court clerks shall function as clerks of the levy courts. The clerks shall keep a record of the taxes collected and expenditures, send copies of the levy list to the governor and council, provide tax collectors with the tax rate, and record bonds of the tax collectors. Collection of taxes shall be completed within six months. Collectors shall account with and pay money collected to the levy courts.
- Sec. 3: Collectors shall pay money for use of the poor to the trustees of the poor or other persons authorized by law.
- Sec. 4: Limitations are set for the maximum amount that can be expended annually for specific projects: £100 for courthouse repair, £150 for jail repair, £30 for bridge repair, and £100 for bridge construction.
- Sec. 5: For the repair or reconstruction of a bridge over water dividing two counties, the respective levy courts shall share the expenses and each appoint a commissioner to contract with workmen, after giving six weeks notice.
- Sec. 7: Collectors may sell personal property to enforce the payment of county taxes.



- Sec. 8: At the time of laying the levy, the levy courts shall appoint constables and overseers of roads, as did the county courts before.

### **Acts of 1796, Ch. 43**

An act re levy courts, passed 12-30-1796

- Sec. 16: Levy courts shall perform the duties formerly given the county courts for the inspection of tobacco.
- Sec. 22: Annually by April 1 each court clerk shall send to the other clerks within the judicial circuit a certificate of the amount of assessable property in the county.
- Sec. 23: Annually in November the county court clerks shall send copies of the levy list to the clerks of the Senate and House of Delegates.

### **Acts of 1798, Ch. 34**

An act supplemental to Acts of 1794, Ch. 53, re levy courts, passed 1-15-1799

- Sec. 1: Annually the governor and council shall appoint for each county seven persons from the list of those commissioned as justices of the peace, who shall be designated as justices of the levy court. Governor and council shall fill vacancies.
- Sec. 2: Governor and council shall appoint eleven justices of the peace as justices of the BA Levy Court, four from BC and seven from BA.

### **Acts of 1801, Ch. 91**

An act re levy in AA, passed 12-31-1801

- Sec. 1: AA Levy Court failed to set the levy for 1801.
- Sec. 2: Levy court is authorized to set the levy in January, per provisions of Acts of 1794, Ch. 53.

### **Acts of 1802, Ch. 81**

An act re records, passed 1-8-1803

- Sec. 2: Annually each levy court clerk shall prepare a list of moneys levied for county charges for each election district, that specifies the amount levied for the poor, any repairs of the courthouse or jail, repair or building of roads and bridges, and other purposes under general headings. Ten days before the election for the House of Delegates the sheriff shall post the list at each polling place.
- Sec. 3: Acts of 1798, Ch. 34, re appointment of levy court justices, is repealed.

### **Acts of 1804, Ch. 73**

An act re levy courts, passed 1-19-1805

- Sec. 1: The levy court of each county are incorporated.

- Sec. 2: All property belonging to the county shall be vested in the levy court.
- Sec. 3: Suits may be instituted in the name of the levy court for recovery of county property or damage to it.
- Sec. 6: Persons having claims against property possessed by the county may sue the levy court.

### **Acts of 1817, Ch. 22**

An act re levy in BA, passed 1-8-1818

- Sec. 1: BA Levy Court may meet in any place and at any time considered expedient annually between March and December 31.
- Sec. 3: Levy court is authorized to complete the levy for 1817.

### **Acts of 1817, Ch. 142**

An act re BC and BA joint expenses, passed 2-7-1818

- Sec. 5: Judges of the BC Court shall examine the accounts for keeping the jail for BC and BA and supporting the prisoners therein and the accounts returned by the coroner for holding inquests. Judges shall ascertain what portions shall be paid by BC and BA respectively.

### **Acts of 1818, Ch. 141**

An act re BC and BA joint expenses, passed 2-7-1818

- Sec. 5: Judges of the BA Levy Court shall examine the accounts for keeping the jail for BC and BA and supporting the prisoners therein and the accounts returned by the coroner for holding inquests. Levy court shall ascertain what portions shall be paid by BC and BA respectively.

### **Acts of 1818, Ch. 192**

An act re treasurer in BA, passed 2-17-1819

- Sec. 1: BA Levy Court shall appoint a treasurer.
- Sec. 2: BA Treasurer shall give bond, to be approved by the levy court.

### **Acts of 1820, Ch. 54**

An act re levy court in AA, passed 1-15-1821

- AA Levy Court shall meet between January 1 and October 1 annually to adjust county expenses.

### **Acts of 1823, Ch. 14**

An act re constables in HA, passed 12-13-1823

Boundaries of hundreds in HA have become defaced by vacating old roads and opening new ones.

- HA Levy Court shall annually appoint as many constables in each election district as deemed

necessary.

### **Acts of 1823, Ch. 25**

An act re small debts, passed 12-18-1823

- Levy courts are authorized to recover from delinquent supervisors and other debtors up to \$50 by process before a justice of the peace, as small debts are now recovered.

### **Acts of 1823, Ch. 32**

An act supplemental to Acts of 1817, Ch. 22, re levy in BA, passed 12-31-1823

- BA Levy Court is authorized to make and close the levy for 1823 on or before March 1, 1824.

### **Acts of 1823, Ch. 157**

An act supplemental to Acts of 1794, Ch. 53, re levy court in AL, passed 2-13-1824

- AL Levy Court shall consist of nine members, two from Election District 6 and one each from the other seven election districts.

### **Acts of 1824, Ch. 10**

An act supplemental to Acts of 1794, Ch. 53, re constables, passed 1-7-1825

- Sec. 1: Levy court, or any two justices, shall fill vacancies among the constables.
- Sec. 2: County court clerk shall take the bond of such appointees during the recess of the levy court, as justices of the levy court do now.
- Sec. 3: These appointments shall be temporary until the next meeting of the levy court.

### **Acts of 1824, Ch. 34**

An act re levy court in FR, passed 1-13-1825

- Governor and council shall annually appoint eleven justices to the FR Levy Court, one from each election district.

### **Acts of 1824, Ch. 100**

An act re poor, passed 2-10-1825

- Levy courts shall make provisions for old and infirm slaves belonging to the insolvent estates of deceased persons.

### **Acts of 1824, Ch. 140**

An act re constables, passed 2-23-1825

Boundaries of hundreds are obliterated and forgotten.

- Sec. 1: Levy courts shall appoint constables for election districts, as many as are deemed necessary for each district.
- Sec. 5: The first appointments shall occur in April to serve until the usual time of appointment.

### **Acts of 1826, Ch. 111**

An act re levy court in WA, passed 2-26-1827

- Sec. 1: Annually the governor and council shall appoint seven justices of the WA Levy Court, one from each election district.
- Sec. 2: County court clerk shall certify vacancies to the governor so they can be filled.

### **Acts of 1826, Ch. 205**

An act re treasurer in BA, passed 3-10-1827

- Sec. 1: BA Levy Court shall appoint from time to time a treasurer who shall give bond, to be approved by the levy court.
- Sec. 2: Levy court may appoint a treasurer for the present year at their next meeting.

### **Acts of 1826, Ch. 217**

An act to establish BA Board of County Commissioners, passed 3-10-1827

- Sec. 1: Voters in BA on the first Monday in October 1827 shall elect three persons as the BA Board of County Commissioners. Election returns shall be filed with the county court clerk for recording, which shall include in 1827 the number of votes received by each commissioner. The one with the highest number of votes shall serve for three years, the next one for two years, and the lowest one for one year. Vacancies shall be filled by the governor and council until the next annual election when a person shall be elected to fill the remainder, if any, of the term.
- Sec. 2: Each commissioner shall take an oath before a judge or justice of the peace, to be recorded by the county court clerk.
- Sec. 3: BA Board of County Commissioners shall be a body politic.
- Sec. 4: All powers and duties of the BA Levy Court and BA Commissioners of the Tax shall be vested in and exercised by the BA Board of County Commissioners.
- Sec. 5: After the county commissioners take office, the BC Mayor and City Council shall provide for making all appointments and assessing and levying taxes within BC, as is now performed by the BA Levy Court.
- Sec. 6: County commissioners shall appoint a treasurer who shall give bond, to be approved by them. The term of office shall be at the discretion of the commissioners.
- Sec. 7: County commissioners shall appoint a clerk. The term of office shall be at the discretion of the commissioners.
- Sec. 8: The bond of the county treasurer shall be recorded by the county court clerk. Bonds of the

tax collectors and constables shall be recorded by the county commissioners.

- Sec. 10: County commissioners may hold sessions at any time during the year.

### **Acts of 1827, Ch. 19**

An act re levy court in AA, passed 1-25-1828

- AA Levy Court shall be composed of seven justices, one from each election district and one from Annapolis.

### **Acts of 1827, Ch. 36**

An act re levy court in DO, passed 2-2-1828

- DO Levy Court shall be composed of one justice from each election district.

### **Acts of 1827, Ch. 81**

An act to establish HA Board of County Commissioners, passed 2-23-1828

- Sec. 1: In October 1828 and every three years thereafter, voters in each of the five election districts in HA shall elect one person to the HA Board of County Commissioners. Election returns shall be filed with the county court clerk for recording. Vacancies shall be filled by the governor and council until the next annual election when a person shall be elected to fill the remainder of the term, if any.
- Sec. 2: Each commissioner shall take an oath before a judge or justice of the peace, to be recorded by the county court clerk.
- Sec. 3: HA Board of County Commissioners shall be a body politic.
- Sec. 4: All powers and duties of the HA Levy Court and HA Commissioners of the Tax shall be vested in and exercised by the HA Board of County Commissioners.
- Sec. 5: County commissioners shall annually appoint a clerk who shall give bond, to be recorded by the county court clerk. The clerk shall take an oath before one of the commissioners. Clerk shall perform duties now done by clerk of the levy court and clerk of the commissioners of the tax.
- Sec. 8: Court court clerk shall deliver to the clerk of the county commissioners all records of the levy court and shall annually in June furnish the county commissioners with copies of records necessary to ascertain county charges.
- Sec. 12: County commissioners may at any time during the year complete and close the levy.

### **Acts of 1827, Ch. 145**

An act to establish CE Board of County Commissioners, passed 3-10-1828

- Sec. 1: At the next election for delegates to the General Assembly and every three years thereafter, voters in CE shall elect five persons as the CE Board of County Commissioners. There shall be two commissioners from Election District 2 and one from each of the other three election

districts. Election returns shall be filed with the county court clerk for recording. County commissioners shall elect one of themselves as president. Vacancies shall be filled by the governor and council until the next annual election when a person shall be elected to fill the remainder, if any, of the term.

- Sec. 2: Each commissioner shall take an oath before a judge or justice of the peace, to be recorded by the county court clerk.
- Sec. 3: CE Board of County Commissioners shall be a body politic.
- Sec. 4: All powers and duties of the CE Levy Court and CE Commissioners of the Tax shall be vested in and exercised by the CE Board of County Commissioners.
- Sec. 5: County commissioners shall annually appoint a clerk who shall give bond, to be recorded by the county court clerk. The clerk shall take an oath before one of the commissioners.
- Sec. 8: Court court clerk shall deliver to the clerk of the county commissioners all records of the levy court and shall annually in June furnish the county commissioners with copies of records necessary to ascertain county charges.
- Sec. 11: County commissioners may at any time during the year complete and close the levy.

### **Acts of 1827, Ch. 167**

An act re BC and BA joint property and expenses, passed 3-3-1828

- Sec. 1: Property and funds belonging to BA, including therein the city of BC, are hereby vested in the BA Board of County Commissioners and BC Mayor and City Council as tenants in common. This section shall not interfere with the provisions of Acts of 1822, Ch. 167, re welfare.
- Sec. 4: Expenses of the BA Court shall be paid by BA and BC in proportion to the quantity of business for each jurisdiction and shall no longer be a joint charge on the city and county.
- Sec. 5: Provisions of Sec. 4 shall apply to the expenses of the BA Orphans Court and Register of Wills.
- Sec. 6: Expenses of the jail shall be paid proportionally according to the number of prisoners from BC and BA. Repairs shall be paid in equal proportions.
- Sec. 7: Keeper of the courthouse and lot shall be appointed by the BA Board of County Commissioners who shall also prescribe regulations for preservation of the building. The salary of the keepers and repairs for the building and premises shall be paid in equal proportions by BA and BC.

### **Acts of 1827, Ch. 175**

An act supplemental to Acts of 1827, Ch. 175, re county commissioners in CE, passed 3-12-1828

- Voters in each election district in CE shall vote only for the commissioner(s) authorized for their district in Acts of 1827, Ch. 145.

### **Acts of 1827, Res. 77**

A resolution re records, passed 3-15-1828

- Annually by January 1 each clerk of a levy court shall prepare and sent to the Treasurer of the Western Shore a statement of the aggregate amount of the property valuation, tax rate, amount of the levy, and amount of each general category of expenditures. Treasurer shall prepare a report to the General Assembly.

## **Acts of 1828, Ch. 14**

An act re levy court in QA, passed 1-30-1829

- Sec. 1: QA Commissioners of the Tax are hereby abolished. Its powers, duties, and records shall be transferred to the QA Levy Court.
- Sec. 2: Levy court shall consist of five members, one from each election district, and be appointed by the governor and council.
- Sec. 3: Levy court shall appoint a clerk who shall give bond, to be recorded by the county court clerk.
- Sec. 5: County court clerk shall deliver records of the levy court to the clerk of that body and shall annually furnish records needed for ascertaining county charges.

## **Acts of 1828, Ch. 21**

An act to establish AA Board of County Commissioners, passed 2-5-1829

- Sec. 1: Governor and council shall annually appoint seven persons to the AA Board of County Commissioners, one from each election district and one from Annapolis. Commissioners shall elect one of themselves as president. Governor and council shall fill vacancies.
- Sec. 2: Each commissioner shall take an oath before a judge or justice of the peace, to be recorded by the county court clerk.
- Sec. 3: AA Board of County Commissioners shall be a body politic.
- Sec. 4: All powers and duties of the AA Levy Court and AA Commissioners of the Tax shall be vested in and exercised by the AA Board of County Commissioners.
- Sec. 5: Commissioners shall annually appoint a clerk to perform the duties now done by the clerks of the levy court and commissioners of the tax. Clerk shall give bond, to be recorded by the county court clerk, and take an oath, to be administered by a commissioner.
- Sec. 8: Court court clerk shall deliver to the clerk of the county commissioners all records of the levy court and shall annually in March furnish the county commissioners with copies of records necessary to ascertain county charges. Clerk of the commissioners of the tax shall deliver all records of that agency to the clerk of the county commissioners.

## **Acts of 1828, Ch. 80**

An act re records, passed 2-24-1829

- Sec. 1: The parts of Sec. 2 of Acts of 1794, Ch. 53 and Sec. 23 of Acts of 1796, Ch. 23 requiring reports to the governor and council and other clerks are repealed.

## **Acts of 1829, Ch. 18**

An act re levy court in DO, passed 1-26-1830

- Sec. 1: Acts of 1827, Ch. 36, re members of levy court in DO, is repealed.
- Sec. 2: Election District 7, Cambridge District, in DO and the one to be laid off from it shall be represented by one justice of the levy court. The remaining election districts shall each be represented by one justice.

## **Acts of 1829, Ch. 21**

An act to establish WA Board of County Commissioners, passed 1-28-1830

- Sec. 1: In October 1830 and every two years thereafter voters in WA shall elect from their election district a county commissioner. Election judges shall file the election returns with the county court clerk for recording. Vacancies shall be filled by the governor and council until the next general election when someone shall be elected serve the residue of the term, if any.
- Sec. 2: County commissioners shall take an oath before a judge or justice of the peace, to be recorded by the county court clerk.
- Sec. 3: WA Board of County Commissioners shall be a body politic.
- Sec. 4: All powers and duties of the WA Commissioners of the Tax and WA Levy Court shall be vested in the WA Board of County Commissioners.
- Sec. 5: County commissioners shall annually appoint a clerk who shall give bond to be approved by the commissioners and recorded by the county court clerk. Clerk shall take an oath before one of the commissioners.
- Sec. 8: County court clerk shall deliver to the clerk of the county commissioners all records of the levy court and shall annually by June furnish the commissioners with records necessary to ascertain county charges.
- Sec. 9: County commissioners shall be entitled to receive records from the clerks of the levy court and commissioners of the tax.
- Sec. 11: County commissioners may at any time during the year complete and close the levy.

## **Acts of 1829, Ch. 25**

An act to establish AL Board of County Commissioners, passed 1-28-1830

- Sec. 1: At the next election for the House of Delegates and every two years thereafter voters in AL shall elect ten persons as the AL Board of County Commissioners, two from Election District 6 and one from each of the other eight election districts. Election returns shall be recorded by the county court clerk. County commissioners shall elect one of themselves as president. Vacancies shall be filled by the governor until the next General Assembly election when the person elected shall serve one or two years.
- Sec. 2: Each commissioner shall take an oath before a judge or justice of the peace, to be recorded by the county court clerk.
- Sec. 3: AL Board of County Commissioners shall be a body politic.



- Sec. 4: All powers and duties of the AL Levy Court and AL Commissioners of the Tax shall be vested in and exercised by the AL Board of County Commissioners.
- Sec. 5: Commissioners shall appoint a clerk to perform the duties now done by the clerks of the levy court and commissioners of the tax. Clerk shall give bond, to be recorded by the county court clerk, and take an oath, to be administered by a commissioner.
- Sec. 8: Court court clerk shall deliver to the clerk of the county commissioners all records of the levy court.
- Sec. 11: County commissioners may at any time during the year make, complete, and close their levy.

### **Acts of 1829, Ch. 92**

An act supplemental to Acts of 1827, Ch. 145, re county commissioners and records in CE, passed 2-17-1830

- Sec. 1: At future elections of county commissioners in CE all voters shall be entitled to vote for five persons, residents of the respective election districts as outlined in Acts of 1827, Ch. 145.
- Sec. 2: All constables bonds, supervisors bonds, and other writings, heretofore recorded by the county court clerk, shall be recorded by the clerk of the county commissioners.

### **Acts of 1829, Ch. 98**

An act re levy court in QA, passed 2-20-1830

- Sec. 1: In October 1830 and annually thereafter voters in QA shall elect five justices of the QA Levy Court.
- Sec. 3: There shall be one justice from each election district.
- Sec. 4: Election judges shall file the election returns with the county court clerk and clerk of the levy court.
- Sec. 5: Levy court shall elect one of themselves as president. Governor and council shall fill vacancies.
- Sec. 6: In a tie vote the governor shall select one of the candidates.

### **Acts of 1830, Ch. 25**

An act re levy court in CH, passed 1-28-1831

- Sec. 1: At its first meeting after passage of this act and annually thereafter at their first meeting of the year the CH Levy Court shall appoint a clerk who shall perform the duties of the current clerks of the levy court and commissioners of the tax. The clerk shall take an oath.
- Sec. 4: CH Commissioners of the Tax are hereby abolished and its functions and powers vested in the CH Levy Court.
- Sec. 5: Clerk of the commissioners of the tax shall transfer all records to the clerk of the levy court.

## **Acts of 1830, Ch. 22**

An act re levy court in SM, passed 1-26-1831

- Sec. 1: SM Commissioners of the Tax are abolished.
- Sec. 2: All powers and duties of the commissioners of the tax shall be vested in the SM Levy Court.
- Sec. 3: Annually in March the levy court shall appoint a clerk who shall perform duties now done by the clerks of the commissioners of the tax and levy court. Clerk shall give bond, to be approved by the levy court, and take an oath.

## **Acts of 1830, Ch. 38**

An act to establish TA Board of County Commissioners, passed 2-2-1831

- Sec. 1: At the next House of Delegates election five persons in TA shall be elected as the TA Board of County Commissioners. Two shall be from Easton Election District and one each from St. Michaels, Chapel, and Trappe Election Districts. Election judges shall file the election returns with the county court clerk for recording. County commissioners shall serve three years from the date of election and shall select one of themselves as president. Vacancies shall be filled by the remaining commissioners until the next general election when someone shall be elected serve the residue of the term, if any.
- Sec. 2: County commissioners shall take an oath before a judge or justice of the peace, to be recorded by the county court clerk.
- Sec. 3: TA Board of County Commissioners shall be a body politic.
- Sec. 4: All powers and duties of the TA Levy Court and TA Commissioners of the Tax shall be vested in the TA Board of County Commissioners.
- Sec. 5: County commissioners shall annually appoint a clerk who shall give bond to be approved by the commissioners and recorded by the county court clerk. Clerk shall take an oath before one of the commissioners.
- Sec. 8: County court clerk shall deliver to the clerk of the county commissioners all records of the levy court and shall annually by June furnish the commissioners with records necessary to ascertain county charges.
- Sec. 11: County commissioners may at any time during the year complete and close the levy.
- Sec. 12: County commissioners shall divide themselves into classes - Class 1 to be replaced in one year, Class 2 in two years, and Class 3 in three years. Thereafter each commissioner shall be elected for a three year term.
- Sec. 14: Witnesses to be paid by the county shall receive a certificate from the county court clerk.

## **Acts of 1831, Ch. 21**

An act supplemental to Acts of 1827, Ch. 81, re county commissioners in HA, passed 1-19-1832

- Sec. 1: Hereafter voters in HA shall vote for five persons, one of whom resides in each election district, as county commissioners.

## **Acts of 1831, Ch. 164**

An act re county commissioners in CE, passed 2-23-1832

- Sec. 1: At the next election for delegates to the General Assembly and every two years thereafter, voters in CE shall vote by districts for five persons as the CE Board of County Commissioners. Each election district shall have one commissioner and in a rotating manner one district shall have two commissioners, beginning with Election District 1 and then in order Election Districts 2, 3, and 4. Election returns shall be filed with the county court clerk for recording. County commissioners shall elect one of themselves as president. Vacancies shall be filled by the governor and council until the next annual election when a person shall be elected to fill the remainder, if any, of the term.
- Sec. 2: Each commissioner shall take an oath before a judge or justice of the peace, to be recorded by the county court clerk.
- Sec. 3: CE Board of County Commissioners shall be a body politic.
- Sec. 4: All powers and duties of the present county commissioners shall be vested in and exercised by the new board of county commissioners.
- Sec. 5: County commissioners shall annually appoint a clerk who shall give bond, to be recorded by the county court clerk. The clerk shall take an oath before one of the commissioners.
- Sec. 10: County commissioners may at any time during the year complete and close the levy.
- Sec. 11: Governor and council shall appoint five persons to act as county commissioners until new ones are elected.
- Sec. 12: Acts of 1827, Ch. 145 and its supplements are repealed.

## **Acts of 1832, Ch. 26**

An act re finances in AA, passed 2-7-1833

- AA Board of Commissioners shall annually by June publish in the Annapolis newspapers a statement showing the amount levied to defray county expenses and disbursements and their purposes.

## **Acts of 1832, Ch. 71**

An act re levy court in FR, passed 2-18-1833

- Sec. 1: Governor and council shall annually appoint one justice from each election district to the FR Levy Court.

## **Acts of 1832, Ch. 110**

An act supplemental to Acts of 1802, Ch. 81, re levy lists in WA, passed 2-28-1833

- WA Board of County Commissioners shall publish the levy list, showing the amount of the levy and its purposes, in at least two newspapers for three weeks annually in September.

### **Acts of 1832, Ch. 285**

An act supplemental to Acts of 1826, Ch. 217, re county commissioners in BA, passed 3-22-1833

- At an election when two county commissioners are chosen, the person receiving the highest number of votes shall serve three years and the other one the residue of the term that had been vacated. When three are chosen, they shall serve three, two, and one years respectively according to the number of votes received.

### **Acts of 1833, Ch. 109**

An act supplemental to Acts of 1829, Ch. 98, re levy court in QA, passed 3-4-1834

- Sec. 1: At the next meeting of the QA Levy Court members shall determine by lot which ones shall serve one, two, three, four, and five years. Beginning in October 1835 one member shall be elected annually for a five year term.
- Sec. 2: Governor and council shall fill vacancies until the next election when voters shall elect someone to fill the unexpired term, if any.

### **Acts of 1833, Ch. 127**

An act re levy court in PG, passed 3-4-1834

- Sec. 3: PG Levy Court at its April meeting shall appoint a clerk for a term of good behavior.
- Sec. 4: Levy court shall fill vacancies.

### **Acts of 1835, Ch. 28**

An act supplemental to Acts of 1826, Ch. 217, re county commissioners and finances in BA, passed 1-20-1836

- Sec. 1: BA shall be divided into three districts for the purposes of electing two county commissioners from each: District 1 composed of Election Districts 2-3 and 5; District 2 composed of Election Districts 4, 6, 9, and 13; and District 3 composed of the rest of the Election Districts.
- Sec. 2: After the first Monday in October 1836 the BA Board of County Commissioners shall consist of six members. Persons receiving the highest number of votes in each district that day shall serve two years, and the others one year. Thereafter the term of office shall be two years. Governor shall fill vacancies until the next election.
- Sec. 4: At each court term the BA grand jury shall elect five members who shall act as auditors to examine the payments and vouchers of the BA Treasurer and other accounts of the county commissioners. Commissioners shall publish the results of the audit.

### **Acts of 1836, Ch. 62**

An act re commissioners of the tax in CR, passed 2-23-1837

- Sec. 1: Annually the governor and council shall appoint nine persons as CR Commissioners of the Tax, one from each election district. They shall elect one of themselves as president. Vacancies shall be filled by the governor and council.
- Sec. 2: Each commissioner of the tax shall take an oath before a judge or justice of the peace, to be recorded by the county court clerk.
- Sec. 3: CR Commissioners of the Tax shall be a body politic.
- Sec. 4: All powers and duties of levy courts and commissioners of the tax shall be vested in and exercised by the CR Commissioners of the Tax.
- Sec. 5: Annually the commissioners shall appoint a clerk who shall take an oath.
- Sec. 8: County court clerk shall annually in March furnish the commissioners with copies of records necessary in ascertaining county charges.

### **Acts of 1836, Ch. 190**

An act re officials in CR, passed 3-16-1837

- Sec. 1: CR Commissioners of the Tax at their first meeting in April 1837 shall appoint constables, supervisors of roads, and other officers and take their bonds. Thereafter, appointments shall be made annually between the first Monday in April and the first Monday in September.

### **Acts of 1836, Ch. 246**

An act supplemental to Acts of 1827, Ch. 81, re county commissioners in HA, passed 3-21-1837

- Sec. 1: HA shall be divided into two commissioner districts, with the following number of commissioners from each: three commissioners from District 1 composed of Election Districts 1-3 and two commissioners from District 2 composed of Election Districts 4-5.

### **Acts of 1836, Ch. 247**

An act supplemental to Acts of 1826, Ch. 217, re county commissioners and finances in BA, passed 3-21-1837

Creation of CR has disarranged the election districts.

- Sec. 1: Districts for electing BA county commissioners shall be as follows: District 1 composed of Election Districts 1-2 and 5; District 2 composed of Election Districts 9-11 and 13; and District 3 composed of the rest of the Election Districts.
- Sec. 3: Sec. 4 of Acts of 1835, Ch. 28, re audits, is repealed.

### **Acts of 1837, Ch. 87**

An act to establish SO Board of County Commissioners, passed 2-13-1838

- Sec. 1: Annually the governor with consent of the Senate shall appoint seven persons as the SO Board of County Commissioners. They shall elect one of themselves as president. Governor shall fill vacancies.

- Sec. 2: County commissioners shall take an oath before a judge or a justice of the peace, to be recorded by the county court clerk.
- Sec. 3: SO Board of County Commissioners shall be a body politic.
- Sec. 4: The powers and duties of the SO Levy Court and SO Commissioners of the Tax shall be vested in the SO Board of County Commissioners.
- Sec. 5: Annually the county commissioners shall appoint a clerk who shall give bond, to be approved by the commissioners and recorded by the county court clerk, and shall take an oath before one of the commissioners.
- Sec. 8: Clerk of the commissioners of the tax shall deliver records to the county commissioners. County court clerk shall deliver records of the levy court to the clerk of the county commissioners and annually in April shall furnish records necessary to ascertain county charges.
- Sec. 9: A quorum of four county commissioners shall form a board for the transaction of business, any three of whom may decide on matters before them. However, concurrence of four commissioners shall be required in passing accounts, directing payments, or making appointments.

### **Acts of 1837, Ch. 166**

An act re finances in HA, passed 3-14-1838

- Sec. 1: HA Board of County Commissioners shall close the annual levy in September and publish a statement of receipts and disbursements for the preceding twelve months.
- Sec. 2: The statement shall enumerate the sums collected in each election district and their sources and shall designate the disbursements in each election districts and their purposes.

### **Acts of 1837, Ch. 277**

An act re finances in CR, passed 3-29-1838

- Sec. 1: CR Commissioners of the Tax shall close the annual levy by the third week in September and publish a statement of receipts and disbursements for the preceding twelve months.
- Sec. 2: The statement shall enumerate the sums collected in each election district and their sources and shall designate the disbursements in each election districts and their purposes.

### **Acts of 1837, Ch. 278**

An act supplemental to Acts of 1831, Ch. 164, re county commissioners in CE, passed 3-29-1838

- Sec. 1: At the next election for delegates to the General Assembly and every two years thereafter, voters in CE shall elect seven persons as the CE Board of County Commissioners. Voters in each election district shall vote for one commissioner.

### **Acts of 1837, Ch. 336**

An act supplemental to Acts of 1826, Ch. 217, re finances in BA, passed 3-27-1838

- Sec. 1: Grand jury for BA, outside the BC limits, may annually at the November term select five members to examine the accounts of the BA Treasurer and publish a statement of transactions, showing receipts and disbursements.
- Sec. 2: County commissioners shall annually publish a statement of the aggregate amount of the levy, showing each appropriation and its purpose.
- Sec. 3: Treasurer shall prepare and publish on or before September 1, 1838 a statement of the amount of moneys paid that office by the treasurer of the levy court when it was dissolved, with all liabilities existing at that time. Treasurer shall also publish the amount of receipts and disbursements annually since the formation of the board of county commissioners.

### **Acts of 1838, Ch. 5**

An act supplemental to Acts of 1829, Ch. 25, re county commissioners in AL, passed 1-16-1839

Acts of 1829, Ch. 25 contains no provisions for handling a tie vote for county commissioners in AL, and at the last election there was one in Flintstone Election District.

- Governor with the consent of the Senate shall appoint one of the candidates in Flintstone Election District in AL. Hereafter, the sheriff shall proclaim a new election.

### **Acts of 1838, Ch. 30**

An act supplemental to Acts of 1829, Ch. 21, re county commissioners in WA, passed 1-21-1839

Acts of 1829, Ch. 21 contains no provision for breaking a tie vote, an event that has now occurred in October 1838 in Election District 6.

- For the tie vote for county commissioner in Election District 6 in WA a new election shall be held in March 1839. Hereafter, when a tie occurs, the sheriff shall call a new election.

### **Acts of 1838, Ch. 56**

An act re county commissioners in HA, passed 2-9-1839

Purpose: to give all voters in HA an equal voice in electing county commissioners.

- Sec. 1: Acts of 1836, Ch. 246, re commissioner districts in HA, shall cease to be in effect from and after September 25, 1840.
- Sec. 2: A new election for county commissioners shall take place in October 1840.

### **Acts of 1838, Ch. 67**

An act to establish SM Board of County Commissioners, passed 2-21-1839

- Sec. 1: SM Levy Court is hereby abolished.
- Sec. 2: There shall be a SM Board of County Commissioners, consisting of five members, one elected from each election district.
- Sec. 3: The first election shall be held on the first Monday in April 1839. They shall hold office until the election in October 1841 and shall appoint a clerk who shall have the same duties as the

clerk of the levy court.

- Sec. 4: On the the first Wednesday in October 1841 and every three years thereafter voters in each election district shall elect one county commissioner.
- Sec. 6: Election judges shall file election returns with the county court clerk. Term of office shall begin from the date of the election. County commissioners shall elect one of themselves as president. Commissioners shall fill vacancies by appointing someone to serve until the next general election.
- Sec. 7: County commissioners shall take an oath, to be recorded by the county court clerk.
- Sec. 8: SM Board of County Commissioners shall be a body politic.
- Sec. 9: All powers and duties of the SM Levy Court shall be vested in and exercised by the SM Board of County Commissioners.
- Sec. 11: County commissioners may at any during the year make, complete, and close their levy.
- Sec. 13: A tie vote shall be decided by a new election.

### **Acts of 1838, Ch. 96**

An act to establish WO Board of County Commissioners, passed and effective 2-27-1839

- Sec. 1: WO Levy Court is abolished.
- Sec. 2: The seven persons named in this act and constituting the present levy court are hereby established as the WO Board of County Commissioners. They shall remain in office until the election of a new board.
- Sec. 3: WO shall be divided into three commissioner districts, with the following number of commissioners: two commissioners from District 1 composed of Election Districts 1-2 and 7, two commissioners from District 2 composed of Election Districts 3-4, and one commissioner from District 3 composed of Election Districts 5-6 and 8.
- Sec. 4: Voters in each commissioner district shall vote for one commissioner. The first election shall be held in October 1839 and every three years thereafter.
- Sec. 6: Election judges shall file election returns with the county court clerk. A tie vote shall be decided by ballot at the first regular meeting of the county commissioners.
- Sec. 7: Vacancies shall be filled by the remaining commissioners until the next general election when voters shall elect someone to serve the residue of the term, if any.
- Sec. 8: County commissioners shall take an oath before a justice of the peace, to be recorded by the county court clerk.
- Sec. 9: WO Board of County Commissioners shall be a body politic.
- Sec. 10: The powers and duties of the WO Levy Court and WO Commissioners of the Tax shall be vested in the WO Board of County Commissioners.
- Sec. 12: Clerk of the WO Court shall be ex-officio clerk for the county commissioners.

### **Acts of 1838, Ch. 109**

An act re county commissioners and finances in SO, passed 3-1-1839

- Sec. 1: An election shall be held in SO on March 27, 1839 for six persons as county commissioners. SO shall be divided into three commissioner districts: District 1 composed of



Election Districts 1-3 and 9; District 2 composed of Election Districts 4-5, 7-8, and 10; and District 3 composed of Election District 6. There shall be two commissioners from each district. Election judges shall file election returns with the county court clerk for recording. County commissioners shall have the powers and duties conferred on them by Acts of 1837, Ch. 87. At their first meeting the commissioners shall divide themselves into three classes: Class 1 shall consist of commissioners from District 1 who shall serve until October 1841; Class 2 shall consist of commissioners from District 2 who shall serve until October 1840; and Class 3 shall consist of commissioners from District 3 who shall serve until October 1839.

- Sec. 2: County commissioners to be elected in October 1839, October 1840, and October 1841 shall serve for three years. At annual elections thereafter two commissioners shall be elected to replace those whose term has expired.
- Sec. 3: Vacancies shall be filled by the remaining county commissioners until the next annual election when a person shall be elected to serve the residue of the term, if any.
- Sec. 8: If there is a tie vote, the sheriff shall call a special election.
- Sec. 12: County commissioners shall have the power to borrow money in anticipation of funds to be raised by taxes for defraying such expenses, demands, and contracts as shall be of urgent necessity.

### **Acts of 1838, Ch. 128**

An act to establish MO Board of County Commissioners, passed 1-21-1839

- Sec. 1: Governor with consent of the Senate shall annually appoint five persons as the MO Board of County Commissioners, one from each election district. Governor shall fill vacancies.
- Sec. 2: County commissioners shall take an oath, to be recorded by the county court clerk.
- Sec. 3: MO Board of County Commissioners shall be a body politic.
- Sec. 4: County commissioners shall annually appoint a clerk who shall take an oath, to be recorded by the county court clerk.
- Sec. 7: County court clerk shall deliver to the clerk of the county commissioners all records of the levy court and shall annually by the first Monday in April furnish records necessary to ascertain county charges. Clerk of the commissioners of the tax shall deliver all records to the clerk of the county commissioners.
- Sec. 8: All powers and duties of the MO Levy Court and MO Commissioners of the Tax shall be vested in and exercised by the MO Board of County Commissioners.
- Sec. 10: County commissioners shall meet annually on the first Monday in April, and at other times as deemed necessary.

### **Acts of 1838, Ch. 134**

An act re levy court in CA, passed 3-4-1839

- Sec. 2: CA Commissioners of the Tax are hereby abolished. Their powers and duties shall be vested in the CA Levy Court.
- Sec. 3: Commissioners of the tax, their clerk, and county tax collector shall deliver their records to the levy court.

- Sec. 4: Hereafter the levy court shall be composed of five members.

### **Acts of 1838, Ch. 148**

An act supplemental to Acts of 1829, Ch. 25, re finances in AL, passed 3-6-1839

- AL Board of County Commissioners shall annually publish their receipts and disbursements showing amounts, sources of moneys received, sums levied, work for which appropriations have been made, amount spent on each, and persons receiving the payments.

### **Acts of 1838, Ch. 201**

An act supplemental to Acts of 1826, Ch. 217, re county commissioners and finances in BA, passed 3-18-1838

- Sec. 1: A vacancy within the BA Board of County Commissioners shall be filled by a general election in the whole county, confining the choice to the district where the vacancy exists. Each commissioners shall take an oath, to be recorded by the clerk of the board.
- Sec. 2: County commissioners shall appoint a person as clerk and treasurer who shall maintain a record of proceedings of the board.
- Sec. 3: The clerk as treasurer shall give bond, to be approved by the board.
- Sec. 4: County commissioners, after making the annual levy and giving twenty days notice, shall invite proposals for the collection of county taxes in each election district. Each sealed bid shall include security. The lowest bid for each election district shall be accepted, provided the security is sufficient and approved by the county commissioners.
- Sec. 5: If no or insufficient bids are received for an election district or the individual fails to give bond within thirty days, the county commissioners shall appoint one or more tax collectors.

### **Acts of 1838, Ch. 235**

An act to establish DO Board of County Commissioners, passed 3-25-1839

- Sec. 1: DO Levy Court is abolished.
- Sec. 2: Seven persons are named in this act as the DO Board of County Commissioners who shall perform the functions of the levy court until the election of the county commissioners.
- Sec. 3: In October 1839 voters in DO shall elect seven persons as the DO Board of County Commissioners, based on commissioner districts: two commissioners from District 1, composed of Election Districts 1-3; three commissioners from District 2, composed of Election Districts 4 and 7-8; and two commissioners from District 3, composed of Election Districts 5-6. Commissioners from District 1 shall serve until the 1840 election, District 2 until the 1841 election, and District 3 until the 1842 election. Election returns shall be recorded by the county court clerk.
- Sec. 4: Beginning in 1840 the commissioners shall be elected for three year terms. Commissioners shall decide tie votes.
- Sec. 5: County commissioners shall fill vacancies until the next annual election when someone

shall be elected to serve the residue of the term, if any.

- Sec. 6: Each commissioner shall take an oath before a judge or justice of the peace, to be recorded by the county court clerk.
- Sec. 7: DO Board of County Commissioners shall be a body politic.
- Sec. 8: All powers and duties of the DO Levy Court shall be vested in and exercised by the DO Board of County Commissioners.
- Sec. 10: Commissioners shall appoint a clerk to perform the duties now done by the clerk of the county court acting as clerk to the levy court.
- Sec. 12: County court clerk shall deliver to the clerk of the county commissioners all records of the levy court.

### **Acts of 1838, Ch. 261**

An act re levy court in FR, passed 3-27-1839

- Sec. 1: The eleven current justices of the FR Levy Court, named in this act, shall continue in office until the election of the next justices.
- Sec. 2: FR shall be divided into three levy court districts and have the specified number of justices: three justices from District 1 composed of Hauvers, Middletown, Petersville, and Jefferson Election Districts; four justices from District 2 composed of Buckeystown, Frederick, New Market, and Liberty Election Districts; and three justices from District 3 composed of Woodsboro, Creagerstown, and Emmittsburg Election Districts.
- Sec. 3: Voters in each levy court district shall vote for the number of justices assigned to their district.
- Sec. 4: Elections shall be held annually, beginning in October 1839. Election returns shall be filed with the county court clerk for recording. The first meeting of the elected levy court shall be in November.
- Sec. 5: In case of a vacancy or a tie vote, a new election shall be held in the affected levy court district.

### **Acts of 1838, Ch. 273**

An act supplemental to Acts of 1828, Ch. 21, re county commissioners in AA, passed 3-28-1839

- Sec. 1: In October 1839 voters in AA shall elect seven county commissioners, one from each election district and one from Annapolis. Election returns shall be filed with the county court clerk for recording, which shall include in 1839 the number of votes received by each commissioner. The three with the highest number of votes shall serve for three years, the next two for two years, and the lowest two for one year. If there is a tie, the judges of the election shall determine the winner by lot. Thereafter, county commissioners shall be elected for three year terms.
- Sec. 2: Vacancies shall be filled by the remaining commissioners, to serve until the next general election when someone shall be elected to serve the residue of the term, if any.

## **Acts of 1838, Ch. 305**

An act re levy court in KE, passed 3-14-1839

- Sec. 1: KE Levy Court shall consist of five elected members. The first election shall be held in October 1839.
- Sec. 3: Election returns shall be filed with the county court clerk. Tie votes shall be decided by the levy court at its first meeting.
- Sec. 4: Members of the levy court elected in October 1839 shall determine by lot their term of office. Two shall serve one year, two for two years, and one for three years.
- Sec. 5: Thereafter one or two members shall be elected annually for three year terms. Vacancies shall be filled by the remaining members until the next regular election when voters shall select someone to complete the term of office, if any.
- Sec. 6: Upon election and qualification of the KE Levy Court, the KE Commissioners of the Tax shall be abolished and its powers and duties assigned to the levy court. The clerk of the commissioners of the tax shall deliver all records to the clerk of the levy court.
- Sec. 7: The first elected levy court shall qualify and assume duties in April 1840. Annually in April the levy court shall appoint a clerk.
- Sec. 8: Present levy court, named in this act, shall continue in office until April 1840.

## **Acts of 1838, Ch. 316**

An act supplemental to Acts of 1829, Ch. 25, re county commissioners in AL, passed 4-1-1839

- Sec. 1: A vacancy among AL county commissioners shall be filled by a special election in the unrepresented election district, to be called for by the sheriff, unless the vacancy occurs within sixty days of the regularly scheduled election. Then that election supersedes the need for a special election.
- Sec. 3: Present clerk of the county commissioners shall hold office until the end of the April meeting in 1840. Then the commissioners shall select a clerk to serve for a one year term.
- Sec. 4: Annual February session of the county commissioners is abolished.

## **Acts of 1839, Ch. 50**

An act supplemental to Acts of 1826, Ch. 217, re tax collection in BA, passed 1-21-1840

- Secs. 4-5 of Acts of 1838, Ch. 201, re bids for tax collection, are repealed. BA Board of County Commissioners shall appoint tax collectors after giving ten days notice.

## **Acts of 1839, Ch. 63**

An act supplemental to Acts of 1838, Ch. 96, re county commissioners in WO, passed 2-20-1840

- Sec. 1: WO Board of County Commissioners is authorized to appoint a clerk other than the county court clerk.

## **Acts of 1839, Ch. 72**

An act re levy court in CA, passed 2-28-1840

- Sec. 1: In October 1840 and every three years thereafter the five members of the CA Levy Court shall be elected.
- Sec. 4: Election returns shall be filed with the county court clerk.
- Sec. 5: Levy court shall select one member as president and shall fill vacancies until the next election.
- Sec. 6: If there is a tie for the fifth member of the levy court, the governor with the consent of the Senate shall appoint one of them.
- Sec. 8: Members of the levy court shall serve three years from the date of the election.

## **Acts of 1839, Ch. 73**

An act to establish CH Board of County Commissioners, passed 2-29-1840

- Sec. 1: As of the first Wednesday in October 1840 the CH Levy Court is abolished.
- Sec. 2: CH Board of County Commissioners shall consist of seven persons.
- Sec. 4: The county commissioners shall be elected in October 1840 and every three years thereafter.
- Sec. 5: Election returns shall be filed with the county court clerk. County commissioners shall elect one of themselves as president. When a commissioner fails to qualify, the remaining commissioners shall fill the vacancy until the next election for delegates to the General Assembly. Commissioners shall fill other vacancies for the residue of the term.
- Sec. 6: A tie vote in an election shall be settled by a new election.
- Sec. 7: Every commissioner shall take an oath before a judge or justice of the peace, to be recorded by the county court clerk.
- Sec. 8: CH Board of County Commissioners shall be a body politic.
- Sec. 9: All powers and duties of the CH Levy Court shall be vested in the CH Board of County Commissioners.
- Sec. 10: Annually the county commissioners shall appoint a clerk who shall give bond, to be recorded by the county court clerk, and take an oath before a commissioner.
- Sec. 11: All records of the levy court shall be delivered to the county commissioners.
- Sec. 16: County commissioners may at any time during the year complete and close the levy.

## **Acts of 1839, Ch. 84**

An act to repeal Sec. 4 of Acts of 1838, Ch. 316, re county commissioners in AL, passed 1-11-1840

- Sec. 4 of Acts of 1838, Ch. 316, re abolition of February meeting in AL, is repealed. County commissioners shall hold an annual February session.

## **Acts of 1839, Ch. 98**

An act re commissioners in Howard District and county commissioners in AA, passed 3-6-1840

- Sec. 1: Three people shall be elected as Howard District Commissioners in April and thereafter at the elections for delegates to the House of Delegates.
- Sec. 2: Election returns shall be filed with the district court clerk.
- Sec. 3: After the sheriff is elected under Acts of 1838, Ch. 22, the district commissioners shall lay off Howard District into three election districts, to be numbered 5, 6, and 7. Descriptions of the boundaries and names of polling places shall be filed with the court clerks of the district and AA for recording.
- Sec. 4: At the next general election and annually thereafter voters in each election district shall elect one commissioner.
- Sec. 5: Vacancies shall be filled by the remaining commissioners who shall also determine tie votes.
- Sec. 13: Members of the present AA Board of County Commissioners who reside in Howard District shall cease to be members except for adjusting and settling expenses up to passage of this act. Thereafter, the board shall consist of five members.

### **Acts of 1840, Ch. 39**

An act supplemental to Acts of 1828, Ch. 21, re county commissioners in AA, passed 2-4-1841

- Sec. 1: At the next election for the House of Delegates voters in AA shall elect a county commissioner from Election District 8.
- Sec. 2: The term of office shall be three years.

### **Acts of 1840, Ch. 50**

An act re commissioners in Howard District, passed 2-8-1841

- Sec. 1: Voters shall annually at the general election elect three Howard District Commissioners, one from each election district.
- Sec. 3: Term of office shall be one year.

### **Acts of 1840, Ch. 103**

An act re clerk of county commissioners in AL, passed 1-13-1841

- Sec. 14: Present clerk of the AL Board of County Commissioners shall hold office for an additional year.

### **Acts of Mar. 1841, Ch. 34**

An act supplemental to Acts of 1828, Ch. 21, re county commissioners in AA, passed 4-6-1841

- Sec. 1: At the next election for the House of Delegates voters in AA shall elect a county commissioner from Election District 8 to hold office until 1844.

### **Acts of Dec. 1841, Ch. 20**

An act to repeal Acts of 1839, Ch. 50, re tax collection in BA, passed 1-20-1842

- Acts of 1839, Ch. 50, re appointment of tax collectors in BA, is repealed.

### **Acts of Dec. 1841, Ch. 39**

An act re finances in FR, passed 1-26-1842

- Sec. 1: FR Levy Court shall close the annual levy in September and publish a statement of receipts and expenditures for the preceding twelve months.
- Sec. 2: For each election district the statement shall enumerate the receipts and sources and disbursements and purposes.

### **Acts of Dec. 1841, Ch. 182**

An act re county commissioners in MO, passed 3-2-1842

- Sec. 1: In October 1842 and every two years thereafter voters in MO shall elect county commissioners, one from each of the five election districts. Election returns shall be filed with the county court clerk. County commissioners shall fill vacancies until the next election when, if necessary, someone is elected to complete the term.

### **Acts of Dec. 1841, Ch. 227**

An act supplemental to Acts of 1827, Ch. 81, re county commissioners in HA, passed 3-7-1842

- Sec. 1: County commissioners in HA shall be ineligible for reelection until out of office for three years.

### **Acts of 1842, Ch. 188**

An act re finances in PG, passed 2-24-1843

- Sec. 2: At the annual meeting to set the levy the PG Levy Court shall deduct 25% of the fees allowed by law to the county court clerk, register of wills, sheriff, and deputy attorney general for services rendered to or charged against the county.

### **Acts of 1842, Ch. 179**

An act re commissioners of the tax in CR, passed 2-16-1843

- Sec. 1: CR Commissioners of the Tax shall be elected.
- Sec. 2: There shall be five commissioners.
- Sec. 3: The first election shall be held in October 1844.
- Sec. 5: Election returns shall state the names of the candidates, commissioner districts where they reside, and number of votes received by each. Election judges shall certify to the county court

clerk the names of the persons who receive the largest number of votes in each commissioner district.

- Sec. 6: For tie votes in a commissioner district the sheriff shall call a new election in that district.
- Sec. 7: Each commissioner shall take an oath.
- Sec. 8: At their first meeting the commissioners shall decide by lot which two shall serve one year and which three shall serve two years and certify the result to the county court clerk.
- Sec. 9: In 1845 and every two years thereafter two commissioners shall be elected, and in 1846 and every two years thereafter three commissioners shall be elected.
- Sec. 10: Vacancies shall be filled by a special election.
- Sec. 12: Commissioner districts shall as follows: District 1 composed of Election District 2, District 2 composed of Election Districts 1 and 3, District 3 composed of Election Districts 6 and 8, District 4 composed of Election Districts 4 and 7, and District 5 composed of Election Districts 5 and 9.
- Sec. 15: At the election in October 1843 the voters of CR shall vote to approve or disapprove this act. Election judges shall send the election returns to the governor who, if the act is approved, shall issue a proclamation declaring this act valid and effectual. If disapproved, this act shall be null and void. [Act disapproved, according to notes in HRS files]

### **Acts of 1842, Ch. 219**

An act re finances in TA, passed 2-25-1843

- Sec. 1: TA Board of County Commissioners shall annually publish a summary statement of receipts and disbursements in newspapers in Easton.
- Sec. 2: Expenditures shall be listed by category.
- Sec. 3: Trustees of the almshouse shall furnish the county commissioners with a general statement of receipts and disbursements.

### **Acts of 1842, Ch. 242**

An act re finances in AA, passed 3-8-1843

- AA Board of County Commissioners shall annually at the end of the fiscal year publish a statement of receipts and disbursements.

### **Acts of 1842, Ch. 255**

An act supplemental to Acts of 1838, Ch. 261, re levy court in FR, passed 3-9-1843

- Sec. 2: There shall be one justice of the FR Levy Court from each election district.
- Sec. 3: Voters in each election district shall vote for one justice.
- Sec. 4: Elections shall be held biennially beginning in October 1843.
- Sec. 5: Governor shall fill vacancies until the next election. Tie votes shall be determined by lot.

### **Acts of 1843, Ch. 137**



An act supplemental to Acts of 1838, Ch. 67, re county commissioners in SM, passed 2-19-1844

- Sec. 1: On the first Wednesday in October 1844 and every three years thereafter voters in SM shall elect five county commissioners, one from each election district.
- Sec. 2: Secs. 1-4 of Acts of 1838, Ch. 67 repealed.

### **Acts of 1843, Ch. 195**

An act supplemental to Acts of 1839, Ch. 98, re commissioners in Howard District, passed 2-28-1844

- Sec. 3: The three Howard District Commissioners may be elected from any election district, but no more than two may be from one district.

### **Acts of 1843, Ch. 208**

An act re tax collection, passed 3-1-1844

- Sec. 15: All laws requiring levy courts and county commissioners to unite the collection of county and state taxes are repealed.

### **Acts of 1843, Ch. 355**

An act re finances in DO, passed 3-8-1844

- Sec. 1: DO Board of County Commissioners shall annually publish a summary statement of receipts and disbursements in a Cambridge newspaper.
- Sec. 2: Statement shall include sums disbursed and purposed to which appropriated.
- Sec. 3: Trustees of the almshouse shall furnish the county commissioners with a general statement of disbursements and expenditures.
- Sec. 4: Sec. 2 of Acts of 1803, Ch. 2, re financial reports, is repealed as far as it relates to DO.

### **Acts of 1844, Ch. 191**

An act supplemental to Acts of 1838, Ch. 67, re county commissioners in SM, passed 3-4-1845

- Sec. 4: That part of Sec. 2 of Acts of 1843, Ch. 137 that relates to Sec. 1 of Acts of 1838, Ch. 67, re abolishment of SM Levy Court, is repealed.

### **Acts of 1844, Ch. 192**

An act re levy court in FR, passed 3-3-1845

- Sec. 2: At the end of the term of office of the present members the FR Levy Court shall consist of five justices.
- Sec. 3: FR shall be divided into five levy court districts: District 1 composed of Frederick Election District; District 2 composed of Hauvers, Middletown, and Petersville Election Districts; District 3 composed of Jefferson, Buckeystown, and New Market Election Districts; District 4

composed of Liberty and Woodsboro Election Districts; and District 5 composed of Creagerstown and Emmittsburg Election Districts.

- Sec. 5: Voters in each levy court district shall vote for one justice.
- Sec. 6: Elections shall be held annually, beginning in October 1845.
- Sec. 7: Vacancies and tie votes shall be handled by new elections.

### **Acts of 1844, Ch. 202**

An act supplemental to Acts of Dec. 1841, Ch. 182, re county commissioners in MO, passed 3-6-1845

- Sec. 1: In October 1846 and every two years thereafter voters in MO shall elect five county commissioners, no two of whom shall reside in the same election district.

### **Acts of 1844, Ch. 221**

An act re levy court in PG, passed 3-1-1845

- PG Levy Court shall annually in April appoint a clerk. All laws specifying a term of good behavior are repealed.

### **Acts of 1844, Ch. 270**

An act re levy court in FR, passed 3-7-1845, effective 4-1-1845

- Sec. 1: Powers and duties of the FR Commissioners of the Tax are hereby vested in the FR Levy Court.
- Sec. 2: County court clerk shall be ex-officio clerk of the levy court.

### **Acts of 1844, Ch. 297**

An act re commissioners in Howard District, passed 3-10-1845

- Sec. 1: At the next general election and annually thereafter voters in each election district in Howard District shall vote for one commissioner. The five persons so elected shall compose the Howard District Commissioners.

### **Acts of 1845, Ch. 5**

An act supplemental to Acts of 1794, Ch. 53, re tax collectors, passed 1-10-1846

Previous legislation required that the clerks of the levy courts record the bonds of tax collectors. Many levy courts are not keeping full records of proceedings and none have seals for authentication of their proceedings.

- Sec. 1: Bonds of the collectors of state taxes shall be recorded by the county court clerks.
- Sec. 2: All such bonds previously recorded by the county court clerks are hereby declared valid.

### **Acts of 1845, Ch. 72**

An act supplemental to Acts of 1839, Ch. 73, re county commissioners in CH, passed 2-6-1846

- Sec. 1: As of the first Wednesday in October 1846 the CH Board of County Commissioners shall consist of five persons.

### **Acts of 1845, Ch. 84**

An act re county commissioners in WA, passed 1-30-1846

- Sec. 2: At the expiration of the term of the present commissioners, the WA Board of County Commissioners shall consist of three members, to be elected by general ticket.
- Sec. 3: The first election shall be held in October 1846.
- Sec. 4: At their first meeting the county commissioners shall classify themselves by lot as to who shall serve one, two, or three years respectively.
- Sec. 5: Thereafter, county commissioners shall be elected for three year terms.
- Sec. 6: Ties shall be broken and vacancies filled by new elections, after twenty days notice by the sheriff.

### **Acts of 1845, Ch. 208**

An act re finances in SO, passed 3-2-1846

- Sec. 1: SO Board of County Commissioners shall annually publish a statement of receipts and disbursements in a Princess Anne newspaper.
- Sec. 2: The statement shall designate the following allowances and aggregate amount of each: pay of each county commissioner, pay of the clerk and other employees, fees for legal services, fees and allowances to public officials, court expenses including jurors and witnesses, support of the jail and prisoners, elections, bridges, roads, and public landings and wharves.

### **Acts of 1846, Ch. 162**

An act re county commissioners and officials in BA, passed 2-27-1847

- Sec. 1: A county commissioner in BA shall be limited to two successive terms and then must be out of office for two years before holding the same office.
- Sec. 4: All bonds of county officials shall be renewed annually.
- Sec. 5: When there is a tie vote among the county commissioners when selecting an official, the names shall be given to the sheriff who shall select one. The same procedure shall be followed when the board cannot agree on the sufficiency of security.
- Sec. 6: No official who has been appointed by the board for five successive years shall be chosen again except by unanimous vote. This provision shall not apply to the treasurer.
- Sec. 8: Treasurer shall be appointed annually in April and acting as the treasurer and clerk shall be known as the treasurer.

### **Acts of 1846, Ch. 218**

An act re treasurer in BA, passed 3-5-1847

- Sec. 1: At each general election the voters of BA shall elect a treasurer who shall also act as clerk for the county commissioners.
- Sec. 2: Treasurer shall take an oath and give bond, to be approved by the commissioners.
- Sec. 4: County commissioners shall fill vacancies for the residue of a term.

### **Acts of 1846, Ch. 275**

An act re county commissioners in WO, passed 3-9-1847

- Sec. 1: New Ark, a new election district, shall be placed in Commissioner District 2, along with Berlin and Cross Roads Election Districts.

### **Acts of 1847, Ch. 14**

An act re county commissioners in MO, passed 1-12-1848

- Sec. 1: MO Board of County Commissioners shall hold their annual session in March, instead of April.

### **Acts of 1847, Ch. 144**

An act re levy list in WO, passed 2-29-1848

- Sec. 1: Acts of 1801, Ch. 81, re levy lists, is repealed as far as it relates to WO.
- Sec. 2: WO Board of County Commissioners shall annually have the levy list, showing the amount of the levy and purposes under general headings, published in a county newspaper for three weeks in September. If there is no newspaper in the county, Acts of 1801, Ch. 81 shall be reinstated.

### **Acts of 1847, Ch. 223**

An act supplemental to Acts of 1826, Ch. 217, re county commissioners in BA, passed 3-8-1848

- Sec. 1: On the first Wednesday in Oct. 1848 voters in BA shall elect three county commissioners.
- Sec. 2: There shall be one commissioner from each of the following commissioner districts: District 1 composed of Election Districts 1-4, District 2 composed of Election Districts 5-7 and 10-11, and District 3 composed of Election Districts 8-9 and 12.
- Sec. 3: The voting shall be by general vote of the whole county, confining the residence of each commissioner to a commissioner district. Persons receiving the three highest number of votes shall serve according to the totals for each, to serve three, two, and one years respectively. An annual election shall be held to replace the one going out of office.
- Sec. 4: Governor shall order an election to fill vacancies occurring before a term expires.

### **Acts of 1847, Ch. 254**

An act supplemental to Acts of Dec. 1841, Ch. 182, re county commissioners in MO, passed 3-9-1848

- Sec. 1: Beginning in October 1848 the five county commissioners for MO shall elected for two year terms.

### **Acts of 1849, Ch. 427**

An act re finances in Howard District, passed 3-4-1850

- Sec. 1: At the next general election and every three years thereafter voters in Howard District shall elect a treasurer who shall also act as clerk to the commissioners.
- Sec. 2: Treasurer shall take an oath and give bond to be approved by the commissioners.
- Sec. 4: Vacancies shall be filled by the commissioners.
- Sec. 16: Current clerk to the district commissioners is declared to be the treasurer until the next general election.

### **Acts of 1849, Ch. 455**

An act re county commissioners in AA, passed 3-9-1850

- Sec. 1: In October 1850 voters in each election district in AA shall elect one county commissioner.
- Sec. 3: County commissioners shall arrange themselves by lot into three classes: class one shall hold office for one year, class two for two years, and class three for three years.

### **Acts of 1849, Ch. 556**

An act to establish PG Board of County Commissioners, passed 3-6-1850

- Sec. 1: As of the first Wednesday in October 1850 the PG Levy Court is abolished.
- Sec. 2: On that day and every three years thereafter voters shall elect seven [sic] persons as the PG Board of County Commissioners.
- Sec. 3: The eight [sic] persons receiving the highest votes shall constitute the PG Board of County Commissioners.
- Sec. 4: County commissioners shall select one of the themselves as president. County commissioners shall fill vacancies until the next general election.
- Sec. 6: Every commissioner shall take an oath before a judge or justice of the peace, to be recorded by the county court clerk.
- Sec. 7: Annually the county commissioners shall appoint a clerk who shall give bond, to be recorded by the county court clerk.
- Sec. 10: PG Board of County Commissioners shall be a body politic.
- Sec. 9: All powers, duties, and property of the PG Levy Court shall be vested in the PG Board of County Commissioners.

### **Constitution of 1851, Art. IV**

- Sec. 19: At the first session after adoption of this constitution the General Assembly shall determine the number of justices of the peace and constables for each election district in the counties and each ward in BC and may change the numbers at any later time. The justices and constables shall be elected at the next election for delegates for two year terms. Governor shall fill vacancies among the justices and the county commissioners and BC mayor and city council among the constables.
- Sec. 29: Governor shall issue commissions after receiving the certificates of election.

## **Constitution of 1851, Art. VII**

- Sec. 8: County authorities now called levy courts or boards of county commissioners shall hereafter all be called boards of county commissioners and be elected by general ticket, not by districts, in November 1851 for two year terms. At or before the second session after adoption of this constitution, the legislature shall determine the number of commissioners for each county, define their powers, duties, and tenure of office.
- Sec. 10: Vacancies among surveyors shall be filled by the county commissioners until the next election.

## **Acts of 1852, Ch. 110**

An act re finances in HO, passed 3-24-1852

- Sec. 1: At the next general election and every two years thereafter voters in HO shall elect a treasurer who shall also act as clerk to the commissioners.
- Sec. 2: Treasurer shall take an oath and give bond to be approved by the commissioners.
- Sec. 4: Vacancies shall be filled by the commissioners.

## **Acts of 1852, Ch. 274**

An act re constables, passed 5-26-1852

- Sec. 2: Number of constables for each election district is specified in this act [not abstracted].
- Sec. 3: For every election district hereafter created there shall be two constables unless specified otherwise.

## **Acts of 1852, Ch. 316**

An act re burnt records in DO, passed 5-27-1852

When the DO courthouse burned, all records of the register of wills and county commissioners were destroyed and many in the county clerk's office.

- Sec. 1: A commissioner shall be appointed to take and receive testimony to re-establish the destroyed records of the three DO offices.
- Sec. 10: With nonauthenticated copies of records the commissioner shall take proof on their

genuineness. If authenticity still in dispute, the commissioner shall return the evidence to the county commissioners for its decision.

- Sec. 13: Commissioner may receive and take testimony on any paper destroyed and appertaining to the county commissioners and report them to the county commissioners.
- Sec. 16: Commissioner may summon witnesses.
- Sec. 18: Commissioner may issue commissions to take testimony of witnesses residing outside the county.
- Sec. 19: Commissioner may appoint a clerk to keep a record of proceedings and make copies of testimony.
- Sec. 20: Commissioner is named in this act and shall hold office for one year. DO Orphans Court shall fill any vacancy.
- Sec. 21: Commissioner shall take an oath.
- Sec. 25: This act shall remain in effect until July 1, 1853.

### **Acts of 1852, Ch. 357**

An act re BC and BA joint property, passed 5-31-1852

- Sec. 1: By August 1852 BA Board of County Commissioners and BC Mayor and City Council shall each appoint three persons who shall estimate the value of all property owned jointly by BC and BA and divide it equally according to the valuations.
- Sec. 2: If these commissioners cannot reach an agreement, they shall select an arbiter who shall be a nonresident and non-property owner in BA or BC. The arbiter shall report findings to the county commissioners and mayor and city council.
- Sec. 4: The commissioners shall employ a clerk to record their proceedings, a copy of which shall be filed with the county commissioners and mayor and city council.
- Sec. 5: A copy of these proceedings and any arbiters report shall be sent to the General Assembly in 1853.

### **Acts of 1853, Ch. 372**

An act re county commissioners in PG, passed 5-27-1853

- PG Board of County Commissioners shall consist of five members.

### **Acts of 1853, Ch. 223**

An act re burnt records in DO, passed 5-18-1853

- Acts of 1852, Ch. 316, re re-establishment of destroyed records in DO, is continued to February 1, 1854.

### **Acts of 1853, Ch. 239**

An act re powers and duties of county commissioners, passed 5-21-1853

- Sec. 1: Each board of county commissioners is declared a body politic. They shall have the power to appoint judges of elections, tax collectors, trustees of the poor, clerks, and other necessary officers. They shall have charge of and control over the property owned by the county and over county roads and bridges.
- Sec. 2: County commissioners shall levy taxes on assessable property and provide for its collection, provide for support of the courts, compensate jurors and witnesses, and pay and discharge all claims on or against the county.
- Sec. 4: County commissioners shall meet at least four times a year. The meeting to make the annual levy shall be held before July 1.
- Sec. 5: This act shall take effect the day before the first Wednesday in November 1853.

### **Acts of 1853, Ch. 372**

An act re numbers of county commissioners, passed 5-27-1853

- The number of county commissioners in each county shall be as follows: three each in AL, AA, BA, CV, CA, CR, CE, CH, HO, KE, QA, SO, and TA; seven in DO; and five each in FR, HA, MO, PG, SM, WA, and WO.

### **Acts of 1854, Ch. 46**

An act re burnt records in DO, passed 2-24-1854

- Acts of 1852, Ch. 316, re re-establishment of destroyed records in DO, is continued to April 1, 1856.

### **Acts of 1854, Ch. 297**

An act supplemental to Acts of 1853, Ch. 372, re county commissioners in AL, AA, CH, and DO, passed 3-10-1854

- The number of county commissioners is changed in the following counties: five each in AL, CH, and DO and seven in AA.

### **Acts of 1856, Ch. 103**

An act re burnt records in DO, passed 3-6-1856

- Acts of 1852, Ch. 316, re re-establishment of destroyed records in DO, is continued to March 10, 1858.

### **Acts of 1858, Ch. 114**

An act re burnt records in DO, passed 3-3-1858

- Acts of 1852, Ch. 316, re re-establishment of destroyed records in DO, is continued to March 10, 1860.



### **Acts of 1860, Ch. 381**

An act re county commissioners in DO, passed 3-9-1860

This act is designed to resolve a contested election for a county commissioner in DO. Based on election returns the governor issued commissions to five county commissioners, including John Tubman who is sworn in and acting as a commissioner. Thomas R. Cook disputed the election results and after a decision by the DO Circuit Court, the governor issued a commission to Cook who has also qualified, thus giving the county six commissioners instead of the five authorized by law.

- Sec. 1: DO Circuit Court shall rehear the case.
- Sec. 2: Commissions issued to Cook and Tubman shall have no effect.

### **Acts of 1861, Ch. 62**

An act re county commissioners in FR, passed 12-19-1861

- Sec. 1: There shall be five members of the FR Board of County Commissioners.

### **Constitution of 1864, Art. VII**

- Sec. 5: County commissioners shall be elected, with the first election to be held in 1865. One half shall hold office for two years and the rest for four years. At their first meeting they shall determine this by lot. Thereafter, the term of office shall be four years, with one half being elected every two years. General Assembly may change and regulate the number of commissioners, their compensation, and powers and duties.
- Sec. 6: General Assembly shall provide for the appointment of road supervisors by the county commissioners who shall determine their number for each election district and their powers and duties.
- Sec. 7: County commissioners shall fill vacancies in the office of surveyor.

### **Acts of 1867, Ch. 235**

An act to repeal and reenact Sec. 39 of Art. 19, Public Local Laws, re county commissioners in SO, passed 3-19-1867

- Sec. 39: There shall be five county commissioners for SO, to be first elected in November 1867, who shall hold office for four years.

### **Constitution of 1867, Art. IV**

- Sec. 42: County commissioners shall appoint such number of constables as prescribed by law for each election district for two year terms.
- Sec. 43: County commissioners shall fill vacancies among constables.

## **Constitution of 1867, Art. VII**

- Sec. 1: County commissioners shall be elected for two year terms. The number for each county shall be as prescribed by law.

## **Acts of 1868, Ch. 50**

An act re county commissioners in WI, approved 2-18-1868

- Sec. 1: WI Board of County Commissioners shall consist of five members. They shall have all the powers and duties conferred by law on county commissioners and shall control and manage the almshouse and the poor.
- Sec. 2: County commissioners shall appoint a clerk who shall take an oath.
- Sec. 3: Clerk shall give bond, to be filed with the circuit court clerk.

## **Acts of 1868, Ch. 77**

An act to repeal and reenact Acts of 1867, Ch. 235, re county commissioners in SO, approved 2-26-1868

- Sec. 1: SO Board of County Commissioners shall consist of three members.
- Sec. 2: Those county commissioners now in office shall serve out their terms of office.

## **Acts of 1868, Ch. 460**

An act to repeal Sec. 38 of Art. 22, Public Local Laws, re levy list in WO, approved 3-30-1868

- Sec. 1: Sec. 38 of Art. 22, Public Local Laws, re publication of the levy list in WO, is repealed.

## **Acts of 1870, Ch. 34**

An act to repeal and reenact Sec. 1 of Acts of 1868, Ch. 50, re county commissioners in WI, approved 2-19-1870

- Sec. 1: WI Board of County Commissioners shall consist of three persons.
- Sec. 2: Present county commissioners shall remain in office for the term for which they were elected.

## **Acts of 1870, Ch. 321**

An act to repeal Acts of 1868, Ch. 460, re levy list in WO, approved 4-4-1870

- Sec. 2: WO Board of County Commissioners shall annually before November publish the levy list, showing the amount of the levy and purposes under general headings.

## **Acts of 1870, Ch. 333**

An act to add sections to Art. 28, Public General Laws, re contracts, approved 4-4-1870

- Sec. 102: In awarding any contract for work to be done the county commissioners shall put it in writing and require a bond.

### **Acts of 1870, Ch. 449**

An act to add a section to Art. 10, Public Local Laws, re finances and county commissioners in DO, approved 4-4-1870

- Sec. 1: Annually in January, beginning in 1871, the DO Board of County Commissioners shall appoint a clerk who shall also act as treasurer. Clerk shall record proceedings and receive and disburse all moneys levied and collected for county purposes according to orders of the county commissioners. Clerk shall keep a separate account with the tax collector and make quarterly returns to the county commissioners. Clerk shall give bond, to be recorded by the circuit court clerk.
- Sec. 2: At the next general election there shall be three county commissioners elected.

### **Acts of 1872, Ch. 86**

An act to add a section to Art. 11, Public Local Laws, re finances in FR, approved 3-20-1872

- Sec. 350: FR tax collector shall at the time of making the final settlement with the county commissioners return a list of persons entitled to appropriations and the amounts, that have not been paid. County commissioners shall publish this list. If the individuals do not demand their money from the collector within two months, the collector shall pay the moneys to the county commissioners who shall keep it subject to the order of the persons entitled to them.

### **Acts of 1872, Ch. 212**

An act re establishments of GA, approved 4-1-1872

- Sec. 10: GA Board of County Commissioners shall consist of three persons.

### **Acts of 1872, Ch. 294**

An act to repeal and reenact Secs. 44-45, 47-50, and 55-56 of Art. 16, Public Local Laws, re finances in PG

- Sec. 44: PG Treasurer shall be the collector of state and county taxes.
- Sec. 47: Present county treasurer, named in this act, shall hold office for three more years. In April 1875 and every five years thereafter the county commissioners shall appoint a treasurer.
- Sec. 48: Treasurer shall take an oath and give bond.
- Sec. 50: Treasurer shall keep an account of receipts and disbursements.

### **Acts of 1872, Ch. 397**

An act to repeal Acts of 1870, Ch. 34 and reenact Sec. 1 of Acts of 1868, Ch. 50, re county commissioners in WI, approved 4-1-1872

- Sec. 1: WI Board of County Commissioners shall consist of five persons.
- Sec. 4: County commissioners now in office shall serve out their terms.
- Sec. 5: At their first meeting after an election the county commissioners shall designate by the lot two members to serve four years from the date of the election.

### **Acts of 1874, Ch. 503**

An act to repeal and reenact Secs. 47 and 51-52 of Art. 16, Public Local Laws, re finances in PG, approved 4-11-1874

- Sec. 47: In November 1875 and every four years thereafter the PG Treasurer shall be elected.
- Sec. 51: Vacancies shall be filled by the governor.

### **Acts of 1876, Ch. 99**

An act to repeal and reenact Sec. 81 of Art. 14, Public Local Laws, re county commissioners in KE

- Sec. 81: There shall be five members of the KE Board of County Commissioners.
- Until the next general election the governor shall appoint two county commissioners, one each from Election Districts 1 and 2, to serve with the three already in office.

### **Acts of 1876, Ch. 179**

An act to repeal sections of Art. 3, Public Local Laws, re finances in BA, approved 3-27-1876

- Sec. 1: Secs. 55-64 and 78-90 of Art. 3, Public Local Laws are repealed.
- Sec. 2: At each general election in BA voters shall elect a county treasurer who shall receive moneys due the county and pay all claims against it.
- Sec. 3: Treasurer shall take an oath before a judge of the circuit court.
- Sec. 4: Treasurer shall execute a bond.
- Sec. 5: County commissioners shall fill vacancies.
- Sec. 16: Treasurer shall make no payment except by check based on an order signed by a majority of the county commissioners and countersigned by the auditor who shall be the chief clerk of the county commissioners.
- Sec. 17: Monthly the treasurer shall report to the county commissioners a statement of receipts, disbursements, and balances, which the county commissioners shall publish.
- Sec. 18: All money received by the treasurer shall be entered in a ledger under headings indicating the source. All money disbursed shall entered under headings indicating the purpose. At the end of each year, the ledger shall be balanced so that total receipts and disbursements are shown, and a transcript given to the county commissioners.
- Sec. 19: The grand jury at each session shall appoint a committee to examine the records of the treasurer and report the results to the circuit court.

### **Acts of 1876, Ch. 239**

## An act re finances in SM, approved 4-3-1876

- Sec. 1: Annually the SM Board of County Commissioners shall report to the grand jury at the September court term a statement of expenses of the county, arranged and itemized by class.
- Sec. 2: Grand jury shall examine the statement and present to the circuit court its opinion about whether the expenses were legally incurred and levied for, whether they can be lessened, and what reforms are needed to reduce expenses and taxation. Judge shall make orders as deemed proper.
- Sec. 3: Statement of the county commissioners, report of the grand jury, and court orders shall be filed with the circuit court clerk who shall present them to the grand jury of the March term. This grand jury shall follow the procedure outlined in Sec. 2. All papers shall be filed with the circuit court clerk for future reference.

## Acts of 1878, Ch. 108

### An act to add an article to Public Local Laws, re county commissioners in GA, approved 3-20-1878

- Sec. 13: There shall be three members of the GA Board of County Commissioners.
- Sec. 14: County commissioners shall meet in January, May, and September.
- Sec. 17: Clerk of the county commissioners shall give bond, to be recorded by the circuit court clerk
- Sec. 18: Clerk shall take an oath.

## Acts of 1878, Ch. 160

### An act to repeal and reenact Secs. 87 and 90 of Art. 10, Public Local Laws, re county commissioners and finances in DO, approved 3-27-1878

- Sec. 2: DO is divided into five commissioner districts: District 1 composed of Election Districts 1 and 12; District 2 composed of Election Districts 2-3 and 11; District 3 composed of Election Districts 7-8 and 13; District 4 composed of Election Districts 4, 6, and 9; and District 5 composed of Election Districts 5 and 10.
- Sec. 3: At the next general election five county commissioners shall be elected, one from each commissioner district.
- Sec. 4: Governor shall appoint a DO Treasurer who shall hold office from May 1878 to May 1880. Treasurer shall receive and disburse all moneys levied and collected for county purposes according to orders of the county commissioners, receive state taxes from the tax collectors and pay them to the state treasury, keep a separate account of state and county taxes with each tax collector, make quarterly returns of receipts to the county commissioners, make monthly returns of state taxes to the Comptroller of the Treasury, and act as clerk of the county commissioners. Treasurer shall give bond, to be recorded by the circuit court clerk.
- Sec. 5: In January 1880 and biennially thereafter the governor with consent of the Senate shall appoint the treasurer.

## **Acts of 1880, Ch. 210**

An act to add a section to Art. 28, Public General Laws, re county commissioners, approved 4-10-1880

- Sec. 1A: Governor shall fill vacancies among county commissioners with consent of the Senate, if in session. If not in session, the next Senate shall consider the nomination.

## **Acts of 1880, Ch. 325**

An act re finances in MO, approved 4-10-1880

- Sec. 1: MO Board of County Commissioners shall include in their annual statement of receipts and disbursements amounts received from the sheriff as costs in criminal cases, unexpended amounts due pensioners who have died, amounts repaid from counties for trials removed to MO Circuit Court, and amounts remaining above that required to the creditors of the county.

## **Acts of 1882, Ch. 1**

An act to repeal and reenact Secs. 2 and 4-6 of Art. 10, Public Local Laws, re county commissioners and finances in DO, approved 2-6-1882

- Sec. 2: DO is divided into five commissioner districts: District 1 composed of Election Districts 1-2 and 12; District 2 composed of Election Districts 3, 11, and 14; District 3 composed of Election Districts 7-8 and 13; District 4 composed of Election Districts 4, 6, and 9; and District 5 composed of Election Districts 5 and 10.
- Sec. 4: Treasurer shall receive and disburse all moneys levied and collected for county purposes according to orders of the county commissioners, receive state taxes from the tax collectors and pay them to the state treasury, keep a separate account of state and county taxes with each tax collector, make quarterly returns of receipts to the county commissioners, make monthly returns of state taxes to the Comptroller of the Treasury, and act as clerk of the county commissioners. Treasurer shall give bond, to be recorded by the circuit court clerk.
- Sec. 5: In May 1882 the county commissioners shall appoint a treasurer to serve until May 1884. In November 1883 and every four years thereafter the treasurer shall be elected and take office the next May 1. Vacancies shall be filled by the county commissioners.

## **Acts of 1882, Ch. 113**

An act to add sections to Art. 3, Public Local Laws, re fire department in BA, approved 3-30-1882

- Sec. 1: BA Board of County Commissioners may establish, equip, and maintain a fire department in the those parts of the county deemed necessary.
- Sec. 2: County commissioners may designate persons to investigate causes of fires when deemed necessary.

## **Acts of 1882, Ch. 153**

An act to add a section to Art. 19, Public Local Laws, re finances in SO, approved 3-20-1882

- Sec. 45A: SO Board of County Commissioners shall select one of themselves as treasurer who shall give bond, to be recorded by the circuit court clerk.

### **Acts of 1882, Ch. 214**

An act to add sections to Art. 6, Public Local Laws, re finances in CA, approved 4-3-1882

- Sec. 1: CA Board of County Commissioners shall appoint a treasurer who shall also perform the duties of the clerk. The treasurer shall hold office until the first Monday in January 1884. At the first meeting after the election in 1883 and every two years thereafter the county commissioners shall appoint a treasurer, with a term of office to begin on the first Monday in January.
- Sec. 2: Treasurer shall be give bond, to be recorded by the circuit court clerk.
- Sec. 3: Treasurer shall take an oath.
- Sec. 4: County commissioners shall fill vacancies.
- Sec. 7: Treasurer shall receive and pay out funds according to law and orders of the county commissioners. Treasurer shall keep accounts of receipts and disbursements and minutes of the proceedings of the commissioners.
- Sec. 8: County commissioners may borrow on the credit of the county by issuing bonds.
- Sec. 15: Upon charges of incompetence or misconduct on the part of the treasurer by the grand jury, the circuit court may try the case and may remove the official from office. The circuit court may appoint an accountant to examine the records of the treasurer and report to the court.

### **Acts of 1882, Ch. 420**

An act re finances in QA, approved 5-3-1882

- Sec. 1: QA Board of County Commissioners shall designate one of themselves as treasurer who shall give bond.

### **Acts of 1884, Sec. 143**

An act finances in WI, approved 3-27-1884

- Sec. 5: Clerk of the WI Board of County Commissioners shall be the county treasurer who shall receive taxes and other money due the county and disburse the funds on order of the county commissioners. Clerk shall keep an account with the county commissioners showing receipts and disbursements.
- Sec. 6: Term of office of the clerk shall be the same of that of the county commissioners. Clerk shall give bond, to be filed with the circuit court clerk.

### **Acts of 1884, Ch. 496**

An act re finances in DO, approved 4-8-1884

- Sec. 1: Judges of DO Circuit Court shall appoint a special auditor, first upon passage of this act

and thereafter biennially at the April term. Judges shall fill vacancies.

- Sec. 2: Auditor shall take an oath before the circuit court clerk. Annually the auditor shall examine the books of the county commissioners, county treasurer, and clerk of the county commissioners, including receipts, accounts, disbursements, and vouchers. Auditor shall report results to the circuit court at the April term. The report shall show how much of the preceding levy has been disbursed, how much remains uncollected, how much remains in cash, status of the sinking fund, appropriations for purchase and cancellation of county bonds, amount invested in mortgages, and amount uninvested in the hands of the treasurer. The report shall be published in a newspaper.
- Sec. 3: First auditor shall examine finances from 1878, when the present financial system began, to 1883.
- Sec. 6: Judges shall confirm or remand the report of the auditor.

### **Acts of 1884, Ch. 511**

An act to repeal and reenact Secs. 1 and 3 of Acts of 1882, Ch. 214, re finances in CA, approved 4-8-1884

- Sec. 1: In November 1885 and every four years thereafter a CA Treasurer shall be elected, to take office on the first Monday in January.
- Sec. 3: Treasurer shall also perform the duties of clerk to the county commissioners and take an oath.

### **Acts of 1886, Ch. 39**

An act to repeal and reenact Acts of 1882, Ch. 1, re county commissioners and finances in DO, approved 3-18-1886

- Sec. 2: DO is divided into five commissioner districts: District 1 composed of Election Districts 1-2 and 12; District 2 composed of Election Districts 3, 11, and 14; District 3 composed of Election Districts 7-8 and 13; District 4 composed of Election Districts 4, 6, and 9; and District 5 composed of Election Districts 5 and 10.
- Sec. 4: Treasurer shall receive and disburse all moneys levied and collected for county purposes according to orders of the county commissioners, receive state taxes from the tax collectors and pay them to the state treasury, keep a separate account of state and county taxes with each tax collector, make quarterly returns of receipts to the county commissioners, make monthly returns of state taxes to the Comptroller of the Treasury, and act as clerk of the county commissioners. Treasurer shall give bond, to be recorded by the circuit court clerk. Quarterly report to the county commissioners shall include amounts received, sums due from each tax collector and other sources, amounts borrowed and not yet paid, amounts and purposes of sums disbursed, amounts still due by the county, and cash balance on hand.
- Sec. 5: In December 1887 and biennially thereafter the county commissioners shall appoint a county treasurer whose term of office shall begin on January 1.



### **Acts of 1886, Ch. 60**

An act to add a section to Acts of 1884, Ch. 143, re finances in WI, approved 3-18-1886

- Sec. 15A: Clerk of the WI Board of County Commissioners shall at the time of publication of the levy publish a statement of county finances, showing receipts, disbursements, and balance and amounts collected by and due from each tax collector.

### **Acts of 1886, Ch. 330**

An act re numbering buildings in BA, approved 4-7-1886

- Sec. 1: BA Board of County Commissioners shall have all buildings on paved streets and roads within two miles of the BC line to be regularly and consecutively numbered.

### **Acts of 1888, Ch. 137**

An act re finances in SO, approved 3-23-1888, effective 1-1-1889

- Sec. 5: SO Board of County Commissioners in April 1889 shall appoint a clerk who shall serve one year. Thereafter the term of office shall be two years. Clerk shall also be the county treasurer and as such shall receive all money due the county from tax collectors and otherwise and disburse it on orders from the county commissioners. Clerk shall keep an account with the county commissioners showing receipts and disbursements. County commissioners shall fill vacancies. Clerk shall give bond, to be filed with the circuit court clerk.

### **Acts of 1888, Ch. 467**

An act to add sections to Art. 28, Public General Laws, re dogs, approved 4-5-1888

- Sec. B: County commissioners shall have the authority to levy a tax or license fee on dogs.
- This act shall not apply to PG.

### **Acts of 1888, Ch. 502**

An act re finances in PG, approved 4-5-1888

- Sec. 1: PG Treasurer shall be ineligible for reelection until after the interval of one full term.

### **Acts of 1888, Ch. 511**

An act re finances in SM, approved 4-5-1888

- Sec. 1: At the first meeting after the election, the SM Board of County Commissioners shall elect one of themselves as treasurer.
- Sec. 2: Treasurer shall receive and be responsible for all moneys paid the county commissioners and shall keep an account of all receipts and disbursements. Treasurer shall give bond, to be approved by the orphans court, and account to the county commissioners.

- Sec. 3: On or before July 1, 1888 county commissioners shall select a treasurer.
- Sec. 4: County commissioners shall also require their clerk to give bond, subject to their approval.

### **Acts of 1888, Ch. 515**

An act to repeal Secs. 30-32, 35-36, 42, 48-52, 66-67, and 81 of Art. 81, Public General Laws, as far as they relate to GA, and to repeal and reenact Secs. 71-75 of Acts of 1878, Ch. 108, re finances in GA

- Sec. 2: GA Board of County Commissioners shall biennially in April appoint a county treasurer who shall be the collector state and county taxes.
- Sec. 3: Treasurer shall take an oath and give two bonds, to be recorded by the circuit court clerk. County commissioners shall fill vacancies.
- Sec. 7: Treasurer shall keep records of receipts and their sources and disbursements and their purposes. Treasurer shall report receipts and disbursements to the county commissioners at their regular meetings.

### **Acts of 1890, Ch. 137**

An act to repeal and reenact Secs. 90 and 181 of and add sections to Art. 17, Public Local Laws, re records and finances in PG, approved 3-21-1890

- Sec. 90: Clerk of the PG Board of County Commissioners shall keep records of their transactions, proceedings, and orders with an index. Clerk shall file, number, and index all papers acted on by the county commissioners. Clerk shall keep records of financial transactions with separate accounts for each appropriation and warrant drawn by the county commissioners. Clerk shall also keep a warrant book.
- Sec. 102A: County commissioners shall not hereafter issue certificates of indebtedness or pass, settle, or allow any claim except by order of warrant for payment out of an appropriation.
- Sec. 181: A certificate from the circuit court clerk showing the amount due a juror shall be sufficient authority for the county treasurer to pay.

### **Acts of 1890, Ch. 170**

An act to repeal and reenact Secs. 31-33 of Art. 19, Public Local Laws, re finances in SM, approved 3-27-1890, effective 12-1-1891

- Sec. 31: At the first meeting after the election, the SM Board of County Commissioners shall elect one of themselves as treasurer who shall serve for two years.
- Sec. 32: Treasurer shall give bond, to be approved by the county commissioners and recorded by the circuit court clerk.

### **Acts of 1890, Ch. 203**

An act to add sections to Art. 15, Public Local Laws, re finances in KE, passed 3-25-1890

- Sec. 87A: KE Board of County Commissioners shall biennially in April appoint a treasurer, someone other than their clerk, who shall collect state and county taxes and make disbursements under orders of the county commissioners. Treasurer shall give two bonds, to be recorded by the circuit court clerk.
- Sec. 87B: Monthly the treasurer shall report receipts, disbursements, and balances to the county commissioners. Any taxpayer owed money by or having a claim against the county shall be paid only after state and county taxes are paid.

### **Acts of 1890, Ch. 255**

An act to amend Sec. 1 of Art. 7 of the Constitution, re county commissioners, approved 4-3-1890, ratified 11-3-1891

- Sec. 1: County commissioners shall be elected on a general ticket in each county on the Tuesday after the first Monday in November 1891. They shall have terms of office not over six years.
- Sec. 2: This act shall be submitted to voters.

### **Acts of 1890, Ch. 543**

An act re finances in WO, approved 4-8-1890, effective 4-1-1892

- Sec. 5: Clerk of the WO Board of County Commissioners shall be the county treasurer and receive all county taxes collected and disburse funds on order of the county commissioners. Clerk shall keep an account with each tax collector, showing the amounts levied in that collection district and other moneys due the county and the credits for amounts paid in. Clerk shall keep an account with the county commissioners, showing receipts and their sources and disbursements.
- Sec. 6: Term of office of the clerk and treasurer shall be the same as the county commissioners. Clerk shall give bond, to be recorded by the circuit court clerk.
- Sec. 13: County commissioners shall fill vacancies.

### **Acts of 1892, Ch. 211**

An act to add sections to Art. 6, Public Local Laws, re finances in CA, approved 3-31-1892

- Sec. 68B: Monthly CA Treasurer shall report receipts, disbursements, and balances to the county commissioners. Taxpayers owed money by the county shall be paid only after they have paid state and county taxes.

### **Acts of 1892, Ch. 283**

An act to repeal and reenact Sec. 81 of Art. 11, Public Local Laws, re county commissioners in FR, passed 3-31-1892

- Sec. 81: There shall be five members of the FR Board of County Commissioners. Those elected in November 1891 shall hold office for six years which shall be the term of office hereafter.

## **Acts of 1892, Ch. 291**

An act to repeal and reenact Sec. 31 of Art. 21, Public Local Laws, re county commissioners in TA, approved 3-31-1892

- Sec. 31: TA Board of County Commissioners shall consist of three members. Present county commissioners shall hold office for four years from the date of election. In November 1895 one commissioner shall be elected for two years, one for four years, and one for six years. Biennially thereafter one county commissioner shall be elected for a six year term. Governor shall fill vacancies until the next general election when a successor shall be elected for the remainder of the term, if any.

## **Acts of 1892, Ch. 312**

An act to repeal and reenact Sec. 86 of and add sections to Art. 17, Public Local Laws, re county commissioners in PG, approved 4-4-1892

- Sec. 86: The five county commissioners elected for PG in November 1891 shall hold office as follows - two for two years, two for four years, and one for six years, to be determined by lot. County commissioners shall meet twice a month.
- Sec. 86A: Hereafter, county commissioners shall be elected for six year terms. Governor shall fill vacancies until the next general election when, if necessary, someone will be elected to complete the term.
- Sec. 86B: County commissioners shall be ineligible for reelection until at least two years after leaving office.

## **Acts of 1892, Ch. 346**

An act to repeal and reenact Secs. 41-43, 48, and 217-218 of Art. 20, Public Local Laws, re county commissioners in SO, approved 4-7-1892

- Sec. 41: SO shall be divided into three commissioner districts: District 1 composed of Election Districts 1, 4, and 6; District 2 composed of Election Districts 2, 5, 9, and 11; District 3 composed of the rest of the election districts. SO Board of County Commissioners shall consist of one person from each commissioner district for a term of six years. In order to bring about the election of one commissioner every two years, the present commissioners shall determine by lot before a circuit court judge which ones shall serve two, four, and six years respectively. Because there are now two commissioners from District 3, one of them shall serve two years and the replacement shall be elected from District 1.
- Sec. 42: County commissioners biennially in even numbered years shall appoint a clerk who shall serve two years. Clerk shall also be the county treasurer and as such shall receive all money due the county from tax collectors and otherwise and disburse it on orders from the county commissioners. Clerk shall keep an account with the county commissioners showing receipts and their sources and disbursements. Clerk shall also keep minutes of the county commissioner meetings. County commissioners shall fill vacancies. Clerk shall give bond, to be recorded by the

circuit court clerk.

- Sec. 43: Beginning with the October 1892 court term the county commissioners shall provide for the immediate payment of jurors and witnesses. Treasurer shall pay them upon receipt of certificates of attendance issued by the circuit court clerk.

### **Acts of 1892, Ch. 354**

An act to repeal and reenact Sec. 15 of Art. 23, Public Local Laws, re county commissioners in WI, approved 4-4-1892

- Sec. 15: At the next general election there shall be five county commissioners elected for WI, three to serve for 2 years and two for four years. Thereafter, at each general election three shall be elected, one to serve for two years and and two for four years. Governor shall decide the terms of office by lot.

### **Acts of 1892, Ch. 375**

An act to repeal and reenact Secs. 104-105 of and to add sections to Art. 10, Public Local Laws, re county commissioners in DO, approved 4-7-1892

- Sec. 104: The five members of the DO Board of Commissioners elected in November 1891 shall hold office for two years. Thereafter the board shall be composed of three members, one from each of the following commissioner districts: District 1 composed of Election Districts 1-3, 12, and 14; District 2 composed of Election Districts 7-8, 11, and 13; and District 3 composed of Election Districts 4-6 and 9-10.
- Sec. 105: The three commissioners elected in 1893 shall serve two, four, and six years respectively, to be determined by lot by judges of the DO Circuit Court. Thereafter, the term of office shall be four years. They shall be ineligible for reelection for two years.
- Sec. 105A: Governor shall fill vacancies.

### **Acts of 1892, Ch. 389**

An act to add sections to Art. 24, Public Local Laws, re county commissioners in WO, approved 4-7-1892

- Sec. 84A: WO Board of County Commissioners shall consist of five persons.
- Sec. 84B: The first election shall be held in November 1893. Three shall be elected for two years and two for four years. Thereafter, all terms shall be four years.

### **Acts of 1892, Ch. 418**

An act to repeal and reenact Secs 61, 64, 126, and 218-219 of Art. 16, Public Local Laws, re county commissioners and finances in MO, approved 4-7-1892

- Sec. 61: There shall be five county commissioners for MO, one from each collection district. At the election in November 1893 the governor shall decide by lot which two shall serve for two

years and which three for four years. Thereafter county commissioners shall be elected for four year terms of office.

- Sec. 64: Duties of the clerk of the county commissioners shall include the following. Clerk shall maintain all records of the county commissioners. Clerk shall receive and deliver either in person or through tax collectors all moneys levied and collected for county purposes, according to orders of the county commissioners. At the end of each fiscal year the clerk shall prepare and publish a statement of receipts and sources, disbursements and purposes and payees, and balance on hand. This shall be in lieu of the statement required by Sec. 11 of Art. 25, Public General Laws. Clerk shall keep a general account of receipts and disbursements. Clerk shall execute a bond, to be recorded by the circuit court clerk.
- Sec. 126: A certificate from the circuit court clerk showing the number of days of attendance of any juror, state witness, crier, or bailiff and amount due each shall be sufficient authority for the clerk of the county commissioners to pay the amounts.
- This act shall take effect with the 1892 levy.

### **Acts of 1892, Ch. 553**

An act re county commissioners in QA, approved 4-7-1892

- Sec. 1: County commissioners of QA elected in November 1891 and the one appointed by the governor shall hold office as follows: one for two years, one for four years, and one for six years. The terms shall be determined by lot by the commissioners. If they cannot agree, the lot shall be held in the presence of the circuit court clerk, sheriff, and register of wills.
- Sec. 2: Successor for the two year term shall be elected for a six year term, for the four year term for a four year term, and for the six year term for a two year term.
- Sec. 3: County commissioners shall serve no more than two consecutive terms. Governor shall fill vacancies until the next election when someone shall be elected to fill the unexpired term, if any.

### **Acts of 1892, Ch. 669**

An act to repeal and reenact Sec. 26 of and to add sections to Art. 19, Public Local Laws, re county commissioners in SM, approved 4-7-1892

- Sec. 26: SM shall be divided into three commissioner districts: District 1 composed of Election Districts 1-2 and 8-9, District 2 composed of Election Districts 3 and 6, and District 3 composed of Election Districts 4-5 and 7. One county commissioners shall be elected by all voters of the county from each district for a six year term. County commissioners shall be ineligible for reelection for six years thereafter.
- Sec. 26A: County commissioners shall meet on the second Tuesday of each month and more often, if necessary.
- Sec. 26B: Of the county commissioners now in office one shall serve for six years for the date of election, one for four years, and remaining three for two years. These terms of office shall be determined by lot, provided the two serving for six and four years are not from the commissioner district.

- Sec. 26C: At each general election there shall be elected one county commissioner.

### **Acts of 1894, Ch. 177**

An act to add sections to Art. 15, Public Local Laws, re county commissioners in KE, approved 4-3-1894

- Sec. 79A: Terms of all county commissioners now in office in KE shall expire on election day in November 1895 or until their successors qualify.
- Sec. 79B: In November 1895 five county commissioners shall be elected, three to hold office for four years and two for two years, to be determined by lot by the governor. Thereafter the term of office shall be four years.

### **Acts of 1894, Ch. 282**

An act re finances in CA, approved 4-6-1894

- Sec. 1: At the April term in 1895 and annually thereafter the CA Circuit court shall appoint three persons to an audit committee to examine the financial records of the board of county school commissioners and treasurer, trustees of the poor, county treasurer, and county commissioners. Its report shall be filed with the circuit court clerk and county commissioners who may publish it.
- Sec. 2: Committee members shall take an oath and fill their own vacancies.
- Sec. 3: Committee shall begin its work in early July, except for the school commissioners and its treasurer whose audit shall begin in August.
- Sec. 5: Accounts and claims against these agencies shall be filed so they can be examined and passed before early July.
- Sec. 5A: The committee members for 1894 are named in this act.

### **Acts of 1894, Ch. 292**

An act to repeal Secs. 87A-87E of and add new sections to Art. 15, Public Local Laws, re finances in KE, approved 4-6-1894, effective 6-1-1894

- Sec. 222: In November 1895 and biennially thereafter a KE Treasurer shall be elected and take office the next June 1. Treasurer shall not eligible for reelection until the interval of one full term and the settlement of all business of the former term. Treasurer shall collect state and county taxes and make disbursements under orders of the county commissioners. Treasurer shall give two bonds, to be recorded by the circuit court clerk.
- Sec. 223: Monthly the treasurer shall report receipts, disbursements, and balances to the county commissioners. Any taxpayer owed money by or having a claim against the county shall be paid only after state and county taxes are paid.
- Sec. 225: Governor shall fill vacancies.
- Sec. 226: Treasurer to be appointed by the county commissioners in April 1894 shall remain in office until June 1, 1896.

### **Acts of 1894, Ch. 305**

An act to repeal and reenact Sec. 81 of Art. 11, Public Local Laws, re county commissioners in FR, passed 4-6-1894

- Sec. 81: The next election for FR Board of County Commissioners shall be held in November 1897 when five shall be elected, two for two years and three for four years. Thereafter the term of office shall be four years.

### **Acts of 1894, Ch. 398**

An act to repeal and reenact Sec. 94-112 of Art. 23, Public Local Laws, re finances in WI, approved 4-6-1894

- Sec. 108: WI Treasurer who shall also be the clerk of the county commissioners shall be elected in November 1895 and every two years thereafter. As clerk the treasurer shall keep minutes of the proceedings of the county commissioners and give bond, to be filed with circuit court clerk. Treasurer shall receive taxes and other money due the county and disburse the funds on order of the county commissioners. Treasurer shall keep an account with the county commissioners, showing receipts and disbursements.
- Sec. 110: Treasurer shall at the time of publication of the levy publish a statement of county finances, showing receipts, disbursements, and balances and amounts collected by and due from each tax collector.
- Sec. 112: County commissioners shall fill vacancies.

### **Acts of 1894, Ch. 407**

An act re finances in SM, approved 4-6-1894

- Sec. 1: SM Board of County Commissioners shall issue coupon bonds for an amount not over \$20,000, with each coupon worth between \$100 and \$1000, payable semi-annually. Bonds shall be exempt from county and municipal taxation. Coupons when due shall be received by the tax collectors in payment of county taxes.
- Sec. 2: After public notice the county commissioners shall sell the bonds to the highest bidder.
- Sec. 3: Money from the sale of the bonds shall be applied to the repair and improvement of roads and to pay jurors, witnesses, outpensioners, almshouse expenses, and current expenses.
- Sec. 4: Annually the county commissioners may levy for the money needed to pay interest on the bonds. But first they shall use the money derived from liquor licenses. If the money thus received exceeds the interest due, it shall be invested for the sinking fund to meet the bonds at maturity. Each annual statement of financial affairs shall include the condition of the sinking fund and securities thereof.
- Sec. 6: Treasurer shall keep a registry of bonds sold, number of bonds and purchasers thereof, amount realized on sales, and transfers and assignments.

### **Acts of 1894, Ch. 578**

An act to repeal and reenact Sec. 213-226 of Art. 20, Public Local Laws, re finances in SO, approved 4-



6-1894, effective 7-1-1894

- Sec. 213: Voters in SO shall elect in November 1895 and every two years thereafter a county treasurer and collector of state and county taxes who shall hold office from July 1. Treasurer shall collect all taxes and disburse county funds by order of the county commissioners. Person named in this act shall hold office until July 1, 1896. County commissioners shall fill vacancies.
- Sec. 214: Treasurer shall give two bonds, to be recorded by the circuit court clerk.
- Sec. 215: Monthly the treasurer shall report receipts, disbursements, and balances to the county commissioners. Any taxpayer owed money by or having a claim against the county shall be paid only after payment of state and county taxes.

### **Acts of 1894, Ch. 579**

An act to repeal and reenact Sec. 42 of Art. 20, Public Local Laws, re county commissioners in SO, approved 4-6-1894

- Sec. 42: By July 1, 1894 and every two years thereafter the SO Board of County Commissioners shall appoint a clerk. They shall fill vacancies.

### **Acts of 1896, Ch. 26**

An act to repeal and reenact Secs. 2-3 of and to add a section to Acts of 1892, Ch. 553, re county commissioners in QA, approved 3-6-1896

- Sec. 2: Members of QA Board of County Commissioners shall be elected for six year terms.
- Sec. 3: To establish a plan of succession those now holding office, named in this act, shall serve as follows: one for six years from November 1893, one for six years from November 1895, and one for six years from November 1891.
- Sec. 4: County commissioners shall serve no more than two consecutive terms. Governor shall fill vacancies until the next election when someone shall be elected to fill the unexpired term, if any.

### **Acts of 1896, Ch. 177**

An act to add sections to Art. 11, Public Local Laws, re finances in FR, approved 4-2-1896

- Sec. 451A: In November 1897 and every two years thereafter a FR Treasurer shall be elected, to hold office from January 1. Treasurer shall be ineligible for reelection for two years after the end of the term of office. Treasurer may be removed from office upon conviction for willful neglect of duty or malfeasance in office. Treasurer shall be the collector of state and county taxes. County commissioners shall fill vacancies.
- Sec. 451B: Treasurer shall give two bonds, one to be recorded by the circuit court clerk and the other filed with the state comptroller.
- Sec. 451C: Treasurer shall take an oath.

## **Acts of 1898, Ch. 222**

An act to repeal and reenact Sec. 81A, 90, 101-103, and 105-117 of and to add sections to Art. 17, Public Local Laws, re finances in PG, approved 4-9-1898

- Sec. 90: Clerk of the PG Board of County Commissioners shall keep records of their transactions, proceedings, and orders with an index. Clerk shall file, number, and index all papers acted on by the county commissioners. Clerk shall keep records of financial transactions with separate accounts for each appropriation and warrant drawn by the county commissioners. Clerk shall also keep a warrant book.
- Sec. 101: County commissioners shall not issue certificates of indebtedness. All claims shall be paid by warrant issued against a specific fund.
- Sec. 105: In November 1875 and every four years thereafter the PG Treasurer shall be elected.
- Sec. 106: Treasurer shall be ineligible for reelection until after the interval of one full term.
- Sec. 107: Treasurer shall take an oath before the circuit court clerk and give bond, to be recorded by the circuit court clerk.
- Sec. 108: Vacancies shall be filled by the governor.
- Sec. 109: Treasurer shall keep accounts showing taxes received, money collected, disbursements, and vouchers.
- Sec. 116D: Monthly the treasurer shall report on receipts and disbursements to the county commissioners.

## **Acts of 1898, Ch. 235**

An act to add sections to Art.18, Public Local Laws, re finances in QA, approved 4-9-1898

- Sec. 133A: In November 1899 and every four years thereafter a QA Treasurer shall be elected to serve from June 1. Treasurer shall be ineligible for reelection until completion of business of the former term. Treasurer shall collect state and county taxes.
- Sec. 133B: Treasurer shall monthly report receipts, disbursements, and balances to the county commissioners. Treasurer shall make disbursements on warrants issued by the county commissioners. Any taxpayer owed money or having a claim against the county shall not be paid until state and county taxes are paid.
- Sec. 133D: County commissioners shall fill vacancies.
- Sec. 133F: In May 1898 the county commissioners shall appoint a treasurer, other than their clerk or one of themselves, to serve for two years from June 1.

## **Acts of 1896, Ch. 318**

An act to repeal and replace Sec. 213-218 of Art. 20, Public Local Laws, re finances in SO, approved 4-4-1896, effective 6-30-1898

- Sec. 220: In April 1898 and biennially thereafter the SO Board of County Commissioners shall appoint a clerk. Clerk shall also be the county treasurer and as such shall receive all money due the county from tax collectors and otherwise and disburse it on orders from the county

commissioners. Clerk shall keep an account with the county commissioners showing receipts and their sources and disbursements. Clerk shall also keep minutes of the county commissioner meetings. County commissioners shall fill vacancies.

- Sec. 221: Clerk shall give bond, to be filed with the circuit court clerk.

### **Acts of 1896, Ch. 323**

An act to repeal and reenact Sec. 60 of Art. 6, Public Local Laws, re finances in CA, approved 4-4-1896  
It is desirable that the term of office for the CA Treasurer should correspond to the end of the fiscal year.

- Sec. 1: The term of office of the current CA Treasurer shall be extended to the first Monday in July 1898.
- Sec. 60: In November 1897 and every four years thereafter a county treasurer shall be elected to hold office from the first Monday in July.

### **Acts of 1898, Ch. 486**

An act to repeal and reenact Sec. 451A of Art. 11, Public Local Laws, re finances in FR, approved 4-9-1898

- Sec. 451A: In November 1897 and every two years thereafter a FR Treasurer shall be elected, to hold office from January 1. Treasurer may be removed from office upon conviction for willful neglect of duty or malfeasance in office. Treasurer shall be the collector of state and county taxes. County commissioners shall fill vacancies.

### **Acts of 1900, Ch. 186**

An act re county commissioners in QA, approved 4-7-1900

- Sec. 1: As the term of each present county commissioner in QA expires, the successor shall be elected for a two year term. One shall be elected in November 1901 and two in November 1903.

### **Acts of 1900, Ch. 237**

An act to repeal and reenact Sec. 25 of and to add sections to Art. 19, Public Local Laws, re finances in SM, passed 4-7-1900

- Sec. 25: In November 1901 and every two years thereafter there shall be elected a SM Treasurer who shall take office the following May and be ineligible for immediate reelection. From July 1901 until the first treasurer takes office in May 1902, the person named in this act shall act as treasurer and perform the duties imposed by this act. Treasurer shall give two bonds, one for the collection of state taxes and one for the collection and disbursement of county moneys, and take an oath. Bonds shall be recorded by the circuit court clerk.
- Sec. 25B: Treasurer shall keep accounts of moneys received and disbursed, with vouchers, and report on these matters monthly to the county commissioners. Vacancies shall be filled by the governor.

- Sec. 25C: Within thirty days after the annual levy the clerk of the county commissioners shall deliver a copy to the treasurer. Treasurer shall proceed to collect the taxes and pay to parties entitled the taxes collected for them.

### **Acts of 1900, Ch. 619**

An act re finances in TA, approved 4-10-1900, effective 11-1901

- Sec. 1: Secs. 31-33, 36-37, 42, 44-45, 49-53, 67-68, and 82 of Art. 81, Public General Laws, are repealed as far as they relate to TA. Secs. 32-34 of Art. 21, Public Local Laws, re TA, are repealed.
- Sec. 2: In November 1901 and every four years thereafter a TA Treasurer shall be elected to serve from the following June 1.
- Sec. 3: Treasurer shall be the collector of state and county taxes.
- Sec. 4: Treasurer shall take an oath and give bond, to be approved by the circuit court judges and recorded by the circuit court clerk.
- Sec. 6: Governor shall fill vacancies.
- Sec. 7: Treasurer shall also be the clerk for the county commissioners.
- Sec. 9: Treasurer shall keep accounts for showing receipts and sources and sums paid to the county commissioners and state treasury.
- Sec. 31: Treasurer shall be subject to removal from office by the circuit court upon conviction of willful neglect of duty, misdemeanors, or malfeasance in office.

### **Acts of 1902, Ch. 76**

An act to repeal and reenact Secs. 94-112 of Art. 23, Public Local Laws, re finances in WI, approved 4-11-1902

- Sec. 2: WI Treasurer shall be the collector of state and county taxes levied after January 1, 1902.
- Sec. 3: Treasurer shall take an oath and give bond, to be recorded by the circuit court clerk.
- Sec. 5: County commissioners shall fill vacancies.
- Sec. 6: Treasurer shall also be the clerk for the county commissioners.

### **Acts of 1902, Ch. 346**

An act to repeal and reenact Sec. 25 of Art. 19, Public Local Laws, re finances in SM, passed 4-8-1902

- Sec. 25: In November 1901 and every two years thereafter there shall be elected a SM Treasurer who shall take office the following September and be ineligible for immediate reelection. From July 1901 until the first treasurer takes office in May 1902, the person named in this act shall act as treasurer and perform the duties imposed by this act. Treasurer shall give two bonds, one for the collection of state taxes and one for the collection and disbursement of county moneys, and take an oath. Bonds shall be recorded by the circuit court clerk.

### **Acts of 1902, Ch. 411**

An act to repeal and reenact Sec. 92 of and to add sections to Art. 17, Public Local Laws, re finances in PG, approved 4-8-1902

- Sec. 92: In March 1903 and annually thereafter the PG Board of County Commissioners shall appoint a transfer clerk and auditor. Transfer clerk shall correct and keep assessment books so they show the actual owners of properties. The transfer clerk shall search for every transfer by deed, decree, will, descent, or otherwise and report them monthly to the county commissioners. After the last Monday in March the auditor shall audit the accounts of the county commissioners, county treasurer, and county road commissioners and file a report with the county commissioners who shall publish it. The official shall take an oath.
- Sec. 92B: Individual named in this act shall fulfill the functions of transfer clerk and auditor until March 1903.

### **Acts of 1904, Ch. 14**

An act to repeal and reenact Acts of 1902, Ch. 76, re finances in WI, approved 3-3-1904

- Sec. 2: WI Treasurer shall be the collector of state and county taxes levied after January 1, 1902.
- Sec. 3: Treasurer shall take an oath and give bond, to be recorded by the circuit court clerk.
- Sec. 5: County commissioners shall fill vacancies.
- Sec. 6: Treasurer shall also be the clerk for the county commissioners.
- Sec. 34: Present treasurer, named in this act, elected in November 1903, shall hold office until January 1908. In November 1907 and every four years thereafter a treasurer shall be elected to take office the next January.

### **Acts of 1904, Ch. 21**

An act re county commissioners in QA, approved 3-3-1904

- Sec. 1: The term of one of the county commissioners for QA elected in November 1903 is extended to November 1907. County commissioners shall make the selection and certify it to the governor. In November 1905 and biennially thereafter two county commissioners shall be elected, one for two years and one for four years.

### **Acts of 1904, Ch. 252**

An act to repeal and reenact Secs. 104-105 of Art. 10, Public Local Laws, re county commissioners in DO, approved 4-7-1904

- Sec. 104: At the election in November 1905 three county commissioners shall be elected, two for six years and one for four years. They with the two members holding over shall constitute the DO Board of County Commissioners. Thereafter, there shall be five county commissioners, each serving six years from the date of election, whether it took place before or after passage of this act.
- Sec. 105: DO is divided into five commissioner districts: District 1 composed of Election

Districts 1-2, 12, and 15; District 2 composed of Election Districts 3, 11, and 14; District 3 composed of Election Districts 7-8 and 13; District 4 composed of Election Districts 4, 9, and 16; and District 5 composed of Election Districts 5-6 and 10.

### **Acts of 1904, Ch. 306**

An act to repeal and reenact Sec. 1 of Acts of 1894, Ch. 282, re finances in CA, approved 4-7-1904

- Sec. 1: Annually the CA Circuit court shall appoint three persons to an audit committee to examine the financial records of the board of county school commissioners and treasurer, trustees of the poor, county treasurer, and county commissioners. Its report shall be filed with the circuit court clerk and county commissioners who shall publish it in pamphlet form by October 1. Committee may make suggestions and criticisms as part of its report.
- Sec. 1A: Clerk of the county commissioners shall record claims and accounts against the county, showing for each the name of the creditor, date presented, character and amount, date of passage by the commissioners, and amount allowed.

### **Acts of 1904, Ch. 656**

An act to repeal and reenact Acts of 1900, Ch. 619, re finances in TA, approved 4-12-1904, effective 6-1-1904

- Sec. 1: Secs. 31-33, 36-37, 42, 44-45, 49-53, 67-68, and 82 of Art. 81, Public General Laws, are repealed as far as they relate to TA. Secs. 32-34 of Art. 21, Public Local Laws, re TA, are repealed.
- Sec. 2: In November 1905 and every six years thereafter a TA Treasurer shall be elected to serve from the following June 1.
- Sec. 3: Treasurer shall be the collector of state and county taxes.
- Sec. 4: Treasurer shall take an oath and give bond, to be approved by the circuit court judges and recorded by the circuit court clerk.
- Sec. 6: County commissioners shall fill vacancies.
- Sec. 7: Treasurer shall also be the clerk for the county commissioners.
- Sec. 9: Treasurer shall keep accounts for showing receipts and sources and sums paid to the county commissioners and state treasury.
- Sec. 31: Treasurer shall be subject to removal from office by the circuit court upon conviction of willful neglect of duty, misdemeanors, or malfeasance in office.

### **Acts of 1904, Ch. 669**

An act to add sections to Art. 6, Public Local Laws, re finances in CA, approved 4-19-1904

CA audit committee for 1897 concluded that the offices of county treasurer and clerk to the county commissioners should be separated.

- Sec. 50A: In 1906 and biennially thereafter the CA Board of County Commissioners shall appoint a clerk to take office on July 1.

## **Acts of 1904, Ch. 675**

An act re finances in KE, approved 4-12-1904

- Sec. 1: KE Circuit Court shall annually in the April term appoint three persons as an audit committee to examine the financial records of the county school commissioners and treasurer, trustees of the poor, county commissioners, and county treasurer. The committee shall file two copies of the report, one with the circuit court clerk and one with the county commissioners who shall publish it.
- Sec. 2: Members of the committee shall take an oath and fill their own vacancies.
- Sec. 3: Committee shall begin auditing in July, except for the school commissioners and its treasurer whose audit shall begin in August.
- Sec. 5: Persons with claims against the agencies to be audited or against the county shall file them so they can be examined and passed by June 5.

## **Acts of 1906, Ch. 114**

An act to repeal and reenact Secs. 222 and 226 of Art. 15, Public Local Laws, re finances in KE, approved 3-16-1906, effective 6-1-1907

- Sec. 222: In November 1907 and biennially thereafter a KE Treasurer shall be elected and take office the next June 1. Treasurer shall not be eligible for reelection until the interval of one full term and the settlement of all business of the former term. Treasurer shall collect state and county taxes and make disbursements under orders of the county commissioners. Treasurer shall give two bonds, to be recorded by the circuit court clerk.
- Sec. 226: This act shall not affect the treasurer elected in November 1905.

## **Acts of 1906, Ch. 171**

An act to repeal Secs 62-64 and 218-227 and to reenact Sec. 62 of Art. 16, Public Local Laws, re finances in MO, approved 3-27-1906

- Sec. 62: MO Board of County Commissioners shall appoint a clerk who shall ex officio be the treasurer and collector of state and county taxes. Clerk shall execute two bonds annually, to be recorded by the circuit court clerk. County commissioners shall fill vacancies. Duties of the clerk of the county commissioners shall include the following. Clerk shall maintain all records of the county commissioners. Clerk shall receive all moneys due the county and disburse them under provisions of law and by orders of the county commissioners. On the first of October, January, and April the clerk shall prepare quarterly reports on receipts and disbursements, and on July 1 an annual report. These reports shall be delivered to the auditor of accounts. Annually by September 1 the MO Circuit Court shall appoint an auditor of accounts to audit these reports. One copy of the audit with any comments or recommendations shall be filed with the county commissioners. One copy shall be recorded by the circuit court clerk. County commissioners shall publish the reports. The clerk's term of office shall begin on July 1, 1906 and continue for two years.

### **Acts of 1906, Ch. 249**

An act to repeal and reenact sections of Art. 17, Public Local Laws, re county commissioners in PG, approved 3-31-1906

- Sec. 291: On account of increased duties imposed by the creation of the PG Highway Commission, the county commissioners shall meet weekly.

### **Acts of 1906, Ch. 314**

An act re county commissioners in QA, approved 4-3-1906

- Sec. 1: In November 1907 and biennially thereafter seven persons shall be elected to the QA Board of County Commissioners.
- Sec. 2: Governor shall fill vacancies. There shall be one county commissioner from each election district.
- Sec. 3: County commissioners shall meet once a week.

### **Acts of 1906, Ch. 752**

An act to repeal and reenact Sec. 25 of and to add sections to Art. 19, Public Local Laws, re finances in SM, passed 4-5-1906

- Sec. 25: In November 1901 and every two years thereafter there shall be elected a SM Treasurer who shall take office the following August and be ineligible for immediate reelection. Treasurer shall give two bonds, one for the collection of state taxes and one for the collection and disbursement of county moneys, and take an oath. Bonds shall be recorded by the circuit court clerk.

### **Acts of 1908, Ch. 321**

An act re finances in QA, approved 4-6-1908

- Sec. 1: QA Circuit Court shall annually during the May term appoint three persons to an audit committee who shall examine the financial records of the school commissioners and treasurer, trustees of the poor, county treasurer, and county commissioners. Committee shall file one copy of the report with the circuit court clerk and one with the county commissioners and shall publish it in a newspaper or in pamphlet form.
- Sec. 2: Vacancies shall be filled by remaining members.
- Sec. 3: Committee shall begin its work at the time of appointment, except for the school commissioners and their treasurer who shall not be audited until August 1.

### **Acts of 1908, Ch. 341**

An act to repeal and reenact Secs. 106-121 of and to add sections to Art. 10, Public Local Laws, re finances in DO, approved 4-6-1908, effective 5-1-1908



- Sec. 106: In November 1909 and every four years thereafter a clerk, who shall ex-officio be the treasurer and collector of state and county taxes, shall be elected in DO. The term of office shall begin on January 1. County commissioners shall fill vacancies.
- Sec. 107: The clerk shall take an oath before the circuit court clerk and give two bonds, one for state taxes and one for county taxes, to be recorded by the circuit court clerk.
- Sec. 108: Clerk may appoint assistants or deputies, subject to the approval of the county commissioners, who shall take oaths and give bonds.
- Sec. 110: Clerk shall collect all state and county taxes and other moneys due the county, disburse the funds as provided by law and by order of the county commissioners, and assess all new property, subject to approval of the county commissioners.
- Sec. 120: Clerk shall prepare quarterly statements in October, January, and April and annual statements in July on receipts and disbursements to the county commissioners.
- Sec. 120A: At the end of each year the clerk shall also report to the county commissioners and make a settlement with them of county taxes so far collected. Successive office holders shall complete any collections not completed.
- Sec. 120B: Biennially in December the circuit court shall appoint an accountant as auditor of taxes to examine the reports required by Secs. 120-120A. The auditor shall take an oath and hold office from January 1. The auditor shall report results to the county commissioners. Circuit court shall fill vacancies.
- Sec. 121C: The current clerk and county treasurer shall also become the tax collector by taking the oath and giving bonds prescribed by Sec. 107. The official shall remain in office until January 1, 1910.

### **Acts of 1908, Ch. 487**

An act re navigable waters, approved 4-8-1908

- Sec. 1: The jurisdiction of every county bounded by navigable waters shall extend from the shore to the inside of the channel, which shall be regarded as the center of the waters, except where the waters adjoin neighboring states in which case jurisdiction shall continue to the ultimate limits of the state.
- Sec. 2: The centers of the waters shall be deemed to be as represented on county maps issued under Acts of 1896, Ch. 51 and Acts 1898, Ch. 129.
- Sec. 3: Certified copies of these maps shall be filed with the circuit court clerks and county commissioners.

### **Acts of 1910, Ch. 10**

An act to repeal and reenact Secs. 213-226 of and to add sections to Art. 20, Public Local Laws, re finances in SO, approved 3-1-1910

- Sec. 213: SO Treasurer, who is also the clerk of the county commissioners, shall be the collector of state and county taxes. All taxes levied after January 1, 1910 shall be collected by the treasurer.
- Sec. 214: Treasurer shall give bond, to be recorded by the circuit court clerk.

- Sec. 216: County commissioners shall fill vacancies.
- Sec. 217: Treasurer shall perform duties of the clerk to the county commissioners.
- Sec. 218: County commissioners shall make the annual levy in July.
- Sec. 240: Treasurer shall be subject to removal from office by the circuit court upon conviction of willful neglect of duties or malfeasance in office.
- Sec. 244: Current treasurer and clerk, named in this act, shall hold office until January 1914. In November 1913 and every four years thereafter a treasurer shall be elected to take office in January.

### **Acts of 1910, Ch. 425**

An act re county commissioners in QA, approved 4-11-1910

- Sec. 1: In November 1911 and biennially thereafter three persons shall be elected as the QA Board of County Commissioners.
- Sec. 3: They shall meet once a week.

### **Acts of 1910, Ch. 762**

An act to repeal and reenact Acts of 1908, Ch. 341, re finances in DO, approved 4-11-1910

- Sec. 106: There shall be a DO Treasurer who shall also be the clerk of the county commissioners. The treasurer shall receive state and county taxes from collectors. The treasurer shall take an oath and give two bonds, one for state taxes and one for county taxes, to be recorded by the circuit court clerk.
- Sec. 108: Treasurer shall be elected every four years, beginning in November 1913, and take office on January 1. County commissioners shall fill vacancies.
- Sec. 111: Treasurer shall keep an account of taxes levied, including their purposes.
- Sec. 115C: The requirement for an order of the county commissioners to authorize the treasurer to pay a claim or account shall not apply to fees of witnesses, jurors, criers, and bailiffs which may be paid on order of the circuit court or the circuit court clerk.
- Sec. 117A: Clerk shall make quarterly statements in October, January, and April and annual statements in July on receipts and disbursements to the county commissioners.
- Sec. 117B: At the end of each year the treasurer shall make a settlement with the county commissioners on taxes received from the collectors.
- Sec. 118: Biennially in November the circuit court shall appoint an accountant as auditor of taxes to examine the reports required by Secs. 117A-117B. The auditor shall take an oath and hold office from January 1. The auditor shall report results to the county commissioners. Circuit court shall fill vacancies. Current auditor shall hold office until January 1, 1911.

### **Acts of 1912, Ch. 504**

An act to repeal and reenact Acts of 1908, Ch. 321, re finances in QA, approved 4-8-1912

- Sec. 1: QA Circuit Court shall annually during the May term appoint three persons to an audit

committee which shall examine the financial records of the school commissioners and treasurer, trustees of the poor, county treasurer, and county commissioners. Committee shall file one copy of the report with the circuit court clerk and one with the county commissioners who shall publish it in a newspaper.

- Sec. 2: Vacancies shall be filled by the remaining members.
- Sec. 3: Committee shall begin the audit of the county treasurer and county commissioners in June, trustees of the poor in July, and school commissioners and treasurer in August.
- Sec. 5: County commissioners and county treasurer shall close their books on May 31.
- Sec. 6: Trustees of the poor shall close their books on June 30.
- Sec. 7: School commissioners and treasurer shall close their books on July 31.

## **Acts of 1914, Ch. 182**

An act re finances in WO, approved 3-30-1914, effective 4-1-1915

- Sec. 1: In November 1915 and every four years thereafter a WO Treasurer shall be elected who shall take office the next January 1.
- Sec. 2: Treasurer shall be the collector of state and county taxes and other moneys due the county.
- Sec. 3: Treasurer shall take an oath and give bond, to be recorded by the circuit court clerk.
- Sec. 5: County Commissioners shall fill vacancies.c
- Sec. 6: Treasurer shall also be the clerk for the county commissioners.
- Sec. 8: Treasurer shall keep a cash account showing receipts and sources and disbursements to the county commissioners or state treasury.
- Sec. 34: By April 1, 1915, county commissioners shall appoint a treasurer who shall serve until January 1, 1916.

## **Acts of 1914, Ch. 416**

An act to add Art. XI-A to the Constitution, re charter government, approved 4-16-1914, ratified 11-1915

- Sec. 1: On demand of mayor and city council of BC or on petition of at least 20% of the registered voters of BC or any county, the board of election supervisors shall provide for the election of a charter board of eleven persons in BC or five in the counties. At the same time voters may vote for or against the creation of a charter board. Within six months after the election the charter board shall prepare a charter and present it to the mayor and city council of BC or the county commissioners. The charter shall be presented to voters at the next election. If adopted, the charter will take effect thirty days after the election.
- Sec. 2: After this amendment is adopted, the General Assembly shall provide a grant of express powers for local charter governments.
- Sec. 3: Every charter shall provide for a legislative body, to be called the city council in BC and county council in the counties.
- Sec. 5: Charter amendments shall be submitted to voters.
- This amendment shall be voted at the next general election.

## **Acts of 1914, Ch. 510**

An act to repeal and reenact Sec. 181 of Art. 17, Public Local Laws, re finances in PG, approved 4-13-1914

- Sec. 92: PG Board of County Commissioners shall biennially appoint a transfer clerk and auditor. Transfer clerk shall correct and keep assessment books so they show the actual owners of properties. The transfer clerk shall search for every transfer by deed, decree, will, descent, or otherwise and report them monthly to the county commissioners. After the last Monday in March the auditor shall audit the accounts of the county commissioners, county treasurer, and county road directors and file a report with the county commissioners who shall publish it. The official shall take an oath.

## **Acts of 1914, Ch. 572**

An act to repeal and reenact Sec. 178 of Art. 17, Public Local Laws, re records and finances in PG, approved 4-13-1914

- Sec. 90: Clerk of the PG Board of County Commissioners shall keep records of their transactions, proceedings, and orders with an index. Clerk shall file, number, and index all papers acted on by the county commissioners. Clerk shall keep records of financial transactions with separate accounts for each appropriation and warrant drawn by the county commissioners. Clerk shall also keep a warrant book. Clerk shall annually audit the accounts of the county treasurer and report to the county commissioners.

## **Acts of 1914, Ch. 648**

An act to repeal and reenact Secs. 79A-79C of Art. 15, re county commissioners in KE, approved 4-10-1914

- Sec. 79A: There shall be three county commissioners in KE after the end of the term of the two who were elected in November 1913.
- Sec. 79B: The three commissioners shall be elected in November 1915, two for four years and one for two years, to be so designated on the ballots. Thereafter the term of office shall be four years.
- Sec. 79C: County commissioners shall meet once a week.

## **Acts of 1914, Ch. 725**

An act re finances in TA, approved 4-10-1914

- Sec. 1: TA Board of County Commissioners shall annually have audited their accounts and those of the treasurer. They shall publish the results in lieu of the statement of expenditures.
- Sec. 2: First audit shall be made in 1915.

## **Acts of 1914, Ch. 834**

An act to repeal and reenact Secs. 106-121D of and to add sections to Art. 10, Public Local Laws, re finances in DO, approved 4-16-1914, effective 1-1-1915

- Sec. 106: There shall be a DO Treasurer who shall also be the collector of state and county taxes and all moneys due the county from any source including the mortgage tax. Treasurer shall disburse money by order of the county commissioners. Treasurer shall keep a cash account showing all receipts and their sources and sums paid the county commissioners or state treasury.
- Sec. 107: Treasurer shall take an oath before the circuit court clerk and shall give bond, to be recorded by the circuit court clerk.
- Sec. 109: County commissioners shall fill vacancies.
- Sec. 110: County commissioners shall make the annual levy of taxes on or before May 1.
- Sec. 113: Monthly the treasurer shall report receipts, disbursements, and balances to the county commissioners. The requirement for an order of the county commissioners to authorize the treasurer to pay a claim or account shall not apply to fees of witnesses, jurors, criers, and bailiffs which may be paid on order of the circuit court or its clerk.
- Sec. 118: On the first of August, November, and February the treasurer shall report to the county commissioners on receipts and disbursements, and on May 1 make an annual report. The reports shall be delivered to the auditor of taxes for audit.
- Sec. 120: Successors shall complete the treasurer and tax collector tasks of the predecessor.
- Sec. 120B: Biennially in April the circuit court shall appoint an accountant as auditor of taxes to examine the reports required by Secs. 117A-117B. The auditor shall take an oath and hold office from May 1. The auditor shall report results to the county commissioners. Circuit court shall fill vacancies.
- Sec. 121D: County commissioners may remove the treasurer after charges are alleged and a hearing is held.
- Sec. 121E: The current treasurer, after taking the prescribed oath and giving bond, shall hold office under this act. In November 1917 and every four years thereafter the treasurer shall be elected and hold office from January 1.
- Sec. 121G: Between January 1 and April 1, 1915 and every two years thereafter the county commissioners shall appoint a clerk to hold office from July 1. Clerk shall keep minutes of their meetings, maintain records of their transactions and orders with indexes, arrange and prepare papers, prepare assessment and levy books for each election district showing the names of taxpayers alphabetically and their aggregate assessments and state and county tax rates, keep daily financial transactions of the commissioners, keep accounts for each appropriation, and keep a record of warrants authorizing payments which shall show for each the date, amount, name of payee, appropriation against which drawn, and reference to the order of the commissioners. Clerk shall give bond.

## **Acts of 1916, Ch. 27**

An act to add sections to Art. 10, Public Local Laws, re finances in DO, approved 3-17-1916

- Sec. 105B: Fiscal year in DO shall be from May 1 to April 30, beginning in 1916.
- Sec. 105C: Annually in April the county commissioners shall be constituted the DO Board of

Estimates which shall list all sources of revenue for the next fiscal year and estimate expenditures in detail. These shall be filed with the county treasurer and published.

- Sec. 105D: Board shall request spending estimates from other county agencies and offices.
- Sec. 105E: The annual levy shall be based on the board of estimates list of expenditures, 10% of which shall be for emergencies.
- Sec. 105K: At the end of each fiscal year the auditor shall report to the circuit court and county treasurer on resources and expenditures.

### **Acts of 1916, Ch. 429**

An act to repeal and reenact Secs. 104-105 of Art. 10, Public Local Laws, re county commissioners in DO, approved 4-18-1916, effective 6-1-1916

- Sec. 104: No county commissioners for DO shall be elected in 1917. Hereafter the board of county commissioners shall be composed of three members, each to have a six year term and one to be elected in November 1919 and two in November 1921.
- Sec. 105: DO is divided into three commissioner districts: District 1 composed of Election Districts 1-3, 12, and 14-15; District 2 composed of Election Districts 7-9, 11, 13, and 17; and District 3 composed of Election Districts 4-6, 10, 16, and 18. Governor shall fill vacancies until the next election.

### **Acts of 1918, Ch. 158**

An act to repeal Acts of 1904, Ch. 306, re finances in CA, approved 4-18-1918, effective 6-1-1918

- Sec. 2: CA Board of County Commissioners shall annually by July 1 appoint a CPA to examine the financial records of the county school commissioners and its treasurer, trustees of the poor, county treasurer, and county commissioners.
- Sec. 3: The report on receipts and disbursements shall be filed with the county commissioners by October 1.
- Sec. 5: CPA shall take an oath.
- Sec. 7: County commissioners shall publish the report in pamphlet form.
- Sec. 8: Clerk of the county commissioners shall record claims and accounts against the county, showing for each the name of the creditor, date presented, character and amount, date of passage by the commissioners, and amount allowed.

### **Acts of 1918, Ch. 314**

An act to repeal and reenact Secs. 105F and 105K of Art. 10, Public Local Laws, re finances in DO, approved 4-18-1918

- Sec. 105F: The emergency fund in DO shall be expended only by an order from the circuit court, based on a petition filed by the county commissioners setting forth the necessity. It shall be an equity proceeding. The petition and order shall be recorded in the proceedings of the county commissioners. The same procedure shall be followed for transferring funds from one budget

item to another.

- Sec. 105K: County commissioners shall have the accounts of the county treasurer and tax collector audited at least once a fiscal year. Commissioners shall file the audit report with the circuit court, to be placed before a grand jury.

### **Acts of 1918, Ch. 318**

An act to repeal and reenact Sec. 79C of Art. 15, Public Local Laws, re county commissioners in KE, approved 4-10-1918, effective 6-1-1918

- Sec. 79C: KE Board of County Commissioners shall meet twice a month.

### **Acts of 1918, Ch. 456**

An act to add Art. 25A to Public General Laws, re charter government, approved 4-10-1918, effective 6-1-1918

Acts of 1914, Ch. 416, re a charter government amendment to the Constitution was ratified by voters in 11-1915.

- Sec. 2: Counties adopting the charter form of government shall exercise the following express powers, instead of and in extension of powers given county commissioners in Art. 25.
- Sec. 3: Charter governments shall have the following powers:
  - Local legislation - to enact, repeal, or amend local laws in areas outlined below, that were formerly handled by the General Assembly, and to provide for enforcement of local laws.
  - County property and franchises - to provide for the protection of county property, to provide for the acquisition and condemnation of property for public purposes, to dispose of property no longer needed for public purposes, and to grant a franchise for use of a highway or street for not over twenty-five years and after public notice.
  - County institutions - to establish and maintain hospitals, almshouses, pest houses, jails, houses of correction or detention, and reformatories.
  - Advertising and printing - to provide for necessary advertising and printing, including that of local legislation and annual statements of expenses.
  - Audits and claims - to audit accounts of county officers and to provide for proofs of claims against the county.
  - Contracts and bonds - to provide for competitive bidding and awarding of contracts requiring bonds.
  - Drainage - to provide for the draining of swamps and low lands.
  - Election districts and precincts - to rearrange and create these areas.
  - Courts and records - to provide for the recording and indexing of records of the circuit court clerk, register of wills, and county council when not provided by general law, to provide for any lower courts and keeping its records and paying the officials, to require an accounting of court fees collected, and to fix official bonds and regulate fees of remaining justices of the peace.
  - Highways, bridges, and streets - to provide for their construction and maintenance.
  - Assessments, levy, and collection of county taxes - to have same powers and duties as do

county commissioners.

- Bonds or evidences of indebtedness - to provide for borrowing money and to issue bonds or other evidences of indebtedness; any bond issue exceeding in any one year 1/4 of 1% of the assessable basis shall be submitted to voters.
- County officers - to provide for the appointment and removal of county officers not covered by the constitution or general law.
- Amendment of the county charter - to be submitted to voters.

### **Acts of 1920, Ch. 212**

An act to repeal and reenact Sec. 110 of Art. 10, Public Local Laws, re finances in DO, approved 4-16-1920

- Sec. 110: Taxable year in DO shall be the calendar year. The annual levy shall be made on or before May 1.

### **Acts of 1920, Ch. 550**

An act to repeal and reenact Secs. 74-75 of Art. 24, Public Local Laws, re county commissioners in WO, approved 4-23-1920

- Sec. 74: WO Board of County Commissioners shall consist of three persons.
- Sec. 75: In November 1921 two commissioners shall be elected for two year terms to succeed those whose term will then expire. They shall serve until November 1923 with the other three commissioners. In November 1923 three county commissioners shall be elected, one for two years and two for four years. Thereafter, one or two shall be elected biennially for a four year term. WO is divided into three commissioner districts, each of which shall have one commissioner: District 1 composed of Pocomoke and Atkinson Election Districts; District 2 composed of Snow Hill, Stockton, Colbournes, and Newark Election Districts; and District 3 composed of East Berlin, West Berlin, and St. Martins Election Districts.

### **Acts of 1922, Ch. 227**

An act to add Art. XVII to the Constitution, re elections, approved 4-13-1922, ratified 11-1922

- Sec. 1: All state officers, except judges of the circuit courts, BC Supreme Bench, and Court of Appeals from BC, and all county officers elected by voters shall hold office for four years.
- Sec. 2: Elections shall be held in November 1926 and every four years thereafter.
- Sec. 3: State and county officers elected in November 1923 for terms fixed by law at two years shall hold office for three years, as shall those whose terms are fixed at four years and six years.
- Sec. 4: All officers to be appointed by the governor in 1924 for terms fixed at two or four years shall hold office for three years; for terms fixed at six years years for five years. Thereafter, terms of office shall be as heretofore fixed by law, unless changed by legislation. All officers appointed for terms of two, four, or six years by the county commissioners after the election of November 1923 shall hold office for three years. Thereafter, appointments shall be for terms of four years,



unless changed by law.

- Sec. 5: If the term of office of a judge expires in a year in which no election for the General Assembly is held, the governor shall appoint someone to hold office until the next general election for assembly members.
- This act shall be submitted to voters at the next general election.

### **Acts of 1922, Ch. 335**

An act to add a section to Art. 19, Public Local Laws, re finances in SM, approved 4-13-1922, effective 6-1-1922

- Sec. 26D: Clerk of the SM Board of County Commissioners shall keep accounts in record books showing receipts from the levy, sale of bonds, and other sources and disbursements, payees, and purposes. Clerk shall present a balance sheet to the county commissioners at every meeting. County commissioners shall have the county financial records audited annually after making the annual levy and shall present the audit with their annual report to the grand jury in September.

### **Acts of 1927, Ch. 226**

An act to repeal and reenact Secs. 3, 6, and 8 of Acts of 1904, Ch. 14, re county commissioners and finances in WI, approved 4-1-1927, effective 6-1-1927

- Sec. 3: WI Treasurer shall take an oath and give bond, to be approved by the circuit court and to be recorded by the circuit court clerk.
- Sec. 6: On or before July 1, 1927 the WI Board of County Commissioners shall appoint a clerk, separate from the the treasurer. In December 1928 and every two years thereafter the county commissioners shall appoint a clerk to take office on January 1. Clerk shall record and index transactions, proceedings, and orders of the county commissioners. Clerk shall endorse, file, number, and index all papers presented to and acted upon by the county commissioners. After the annual levy the clerk shall prepare assessment and levy books for each election district with entries arranged alphabetically by the names of taxpayers and showing for each the aggregate assessment and amount of state and county taxes due. Clerk shall maintain account books showing daily financial transactions of the county and amounts of moneys, securities, and unaccounted taxes in the hands of the treasurer and showing accounts for each appropriation and warrant drawn by the county commissioners and payments by the treasurer and other financial agents. Clerk shall keep a warrant book from which to prepare warrants authorizing payments. Stubs therein shall show the number, date, and amount of each warrant, to whom issued, upon whom drawn, appropriation against which drawn, and reference to the journal where the warrant was ordered. Clerk shall give bond. Clerk shall examine reports of the county treasurer.
- Sec. 8: After the annual levy the clerk of the county commissioners shall deliver to the treasurer a list of taxpayers showing for each the state and county taxes due.

### **Acts of 1927, Ch. 513**

An act to add a section to Art. 20, Public Local Laws, finances in SO, approved 4-26-1927, effective 6-1-

1927

- Sec. 31A: SO Board of County Commissioners shall employ a person to audit accounts of any county official having custody of public funds.

**Acts of 1927, Ch. 518**

An act to establish a police in PG, approved 4-5-1927

- Sec. 1: There shall be a police force in PG, composed of the sheriff, deputy sheriff, and three to six constables at large.
- Sec. 2: Sheriff shall be the chief and the deputy sheriff the lieutenant.
- Sec. 3: Biennially in April the county commissioners shall appoint, on the recommendation of the sheriff, three to six constables at large.
- Sec. 5: Each constable shall give bond, to be recorded by the clerk of the county circuit court. All members of the police force shall be required to execute process and writs issued by the police justices, justices of the peace, and circuit court.

**Acts of 1931, Ch. 231**

An act to repeal and reenact Acts of 1927, Ch. 518, re police in PG, approved 4-6-1931

- Sec. 2: Police force in PG shall consist of eleven constables at large.
- Sec. 3: They shall be appointed biennially in June by the county commissioners who may also remove them after a hearing and shall fill vacancies.
- Sec. 4: County commissioners shall designate one of the constables as the chief.
- Sec. 5: County commissioners shall designate two of the constables as sergeants.
- Sec. 7: Members of the police force shall be under the supervision of the chief. All members shall give bond, to be recorded by the clerk of the circuit court, and execute process and writs issued by police justices and justices of the peace.

**Acts of 1931, Ch. 321**

An act to repeal and reenact Sec. 106 of and to add sections to Art. 6, Public Local Laws, re finances in CA, approved 4-17-1931

- Sec. 106: CA Board of County Commissioners shall annually by July 1 levy state and county taxes.
- Sec. 106A: The fiscal year shall begin on July 1 and end on June 30.
- Sec. 106B: Annually in June the county commissioners shall be constituted the CA Board of Estimates, and the clerk of the county commissioners shall be secretary and clerk to the board. The board shall make a schedule of all sources of revenue for the ensuing FY, which shall be filed with the county treasurer. The board shall estimate disbursements for the ensuing FY, showing in detail each purpose and amount to be expended, which shall be filed with the county treasurer. Both lists shall be published.

- Sec. 106C: Officials and agencies expending county funds shall provide the board with estimates of appropriations for the next FY.
- Sec. 106D: The budget prepared by the board of estimates shall be used by county commissioners in setting the county levy. The budget shall include a sum for emergencies.
- Sec. 106F: At the end of each FY the county commissioners shall prepare and publish an itemized statement of the emergency fund, showing the amount levied, amounts expended, and balance.
- Sec. 106G: County commissioners shall not borrow money in any form without special legislative authority. Instead, if necessary, appropriations may be abated except for the payment of state taxes, principal and interest of county debts, and salaries and obligations fixed by law. For unexpected contingencies the county commissioners may borrow temporarily on promissory notes.

### **Acts of 1933, Ch. 33**

An act to repeal and reenact Sec. 325 of Art. 17, Public Local Laws, re county commissioners in PG, approved 3-16-1933

- Sec. 325: PG Board of County Commissioners shall lay the annual levy by the last Monday in April 1933 and thereafter by the last Monday in March.

### **Acts of 1933, Ch. 116**

An act to repeal and reenact Sec. 355 of Art. 17, Public Local Laws, re finances in PG, approved 3-31-1933

- Sec. 355: PG Treasurer shall credit taxes to the respective appropriations. Treasurer shall report receipts and disbursements to the county commissioners in May, July, and October 1933 and in January, April, July, and October thereafter.

### **Acts of 1933, Ch. 278**

An act to repeal and reenact Sec. 109 of Art. 6, Public Local Laws, re treasurer in CA, approved 4-21-1933, effective 6-1-1933

- Sec. 109: In November 1934 and every four years thereafter the CA Treasurer shall be elected, to take office on the first Monday in July. No one shall be eligible for reelection until one full term has elapsed and all business of the former term has been settled.

### **Acts of 1935, Ch. 3**

An act to repeal and reenact Sec. 325 of Art. 17, Public Local Laws, re county commissioners in PG, approved 3-23-1935

- Sec. 325: PG Board of County Commissioners shall lay the annual levy by the second Monday in April.

### **Acts of 1935, Ch. 216**

An act to add a section to Art. 9, Public Local Laws, re finances in CH, approved 5-17-1935, effective 6-1-1935

- Sec. 84A: CH Board of County Commissioners shall appoint a CPA to audit the books of the county treasurer at the end of each fiscal year, beginning with 1935-1936.

### **Acts of 1935, Ch. 238**

An act to repeal and reenact Sec. 25 of Art. 18, Public Local Laws, re finances in QA, approved 5-17-1935, effective 6-1-1935

- Sec. 25: QA Circuit Court shall annually during the May term appoint three persons to an audit committee which shall examine the financial records of the school commissioners and treasurer, trustees of the poor, county treasurer, and county commissioners. Committee shall file one copy of the report with the circuit court clerk and one with the county commissioners who shall publish it in a newspaper. If the county commissioners appoint a CPA to do the auditing before the May term, the judges shall not appoint an auditing committee.

### **Acts of 1935, Ch. 415**

An act to repeal and reenact Sec. 2 of Acts of 1931, Ch. 231, re police in PG, approved 5-23-1935

- Sec. 2: Police force in PG shall consist of fifteen constables at large.

### **Acts of 1937, Ch. 50**

An act re police in PG, approved 3-17-1937

- Sec. 1: Acts of 1927, Ch. 518, Acts of 1931, Ch. 231, and Acts of 1935, Ch. 415 are repealed.
- Sec. 2: PG Board of County Commissioners shall ex officio constitute the police commissioners and as such meet monthly.
- Sec. 3: Police commissioners shall appoint not over eighteen police officers, including a superintendent and two sergeants. Superintendent may suspend and discipline the officers, subject to appeal to the police commissioners. Police commissioners shall conduct mental and physical examinations of applicants.
- Sec. 4: Police commissioners shall provide for training during the six month probationary period.
- Sec. 7: Members of the police force shall give bond, to be recorded by the circuit court clerk. They shall execute writs, warrants, and subpoenas issued by justices of the peace.
- Sec. 11: At the headquarters in Upper Marlboro and the substation in the upper county there shall be maintained a blotter for each arrest which shall include subsequent actions.

### **Acts of 1937, Ch. 155**

An act to add a section to Art. 25, Public General Laws, re recreation, approved 4-15-1937, effective 6-1-

1937

- Sec. 2A: County commissioners and legislative bodies of incorporated towns may establish and maintain facilities for public recreation.

### **Acts of 1941, Ch. 457**

An act to repeal and reenact Sec. 46 of Art. 19, Public Local Laws, re county commissioners in SM, approved 4-23-1941, effective 6-1-1941

To conform with constitutional provisions re terms of office.

- Sec. 26: SM shall be divided into three commissioner districts: District 1 composed of Election Districts 1-2 and 8-9, District 2 composed of Election Districts 3 and 6, and District 3 composed of Election Districts 4-5 and 7. One county commissioner shall be elected by all voters of the county from each district for a four year term. County commissioners shall be ineligible for reelection for four years thereafter.

### **Acts of 1941, Ch. 809**

An act to repeal and reenact Sec. 60 of Art. 19, Public Local Laws, re finances in SM, approved 5-2-1941, effective 6-1-1941

To conform with constitutional provisions re terms of office.

- Sec. 60: SM Treasurer shall be elected for a four year term. Treasurer shall be ineligible for reelection until after an interval of one full term and completion of all business of the former term. Treasurer shall take office in April and give two bonds, to be recorded by the circuit court clerk.

### **Acts of 1943, Ch. 286**

An act to add sections to Art. 19, Public Local Laws, re finances in SM, approved 4-1-1943, effective 6-1-1943

- Sec. 8A: Annually the SM Board of County Commissioners shall appoint an auditor to audit persons and offices handling county funds.
- Sec. 8C: By September 1 the audit report shall be filed with the county commissioners who shall publish it.

### **Acts of 1947 Special Session, Ch. 63**

An act to repeal and reenact Sec. 50 of Art. 19, Public Local Laws, re finances in SM, approved and effective 11-10-1947

- Sec. 50: Fiscal year in SM shall be the calendar year.

### **Acts of 1947, Ch. 328**

An act to add sections to Art. 19, Annotated Code, re uniform system of accounts, approved 4-16-1947, effective 6-1-1947

- Sec. 49: By June 30, 1948 each county, incorporated town, and taxing district shall adopt as the period for reporting fiscal transactions the calendar year or the fiscal year of July to June.
- Sec. 50: Commission on Uniform Accounts is created to be composed of the Comptroller of the Treasury or the deputy comptroller, State Auditor, deputy state auditor, BC budget director, two persons selected by the Maryland Association of CPAs, and three persons nominated by the county commissioners and appointed by the governor.
- Sec. 52: By October 1, 1948 the commission shall establish a uniform system of accounting for local jurisdictions.
- Sec. 53: By October 1, 1948 the commission shall establish a forms for financial reports for local jurisdictions.
- Sec. 54: Local jurisdictions shall adopt the system as soon as possible after January 1, 1950.
- Sec. 56: State funds may be lost if the system is not adopted.
- Sec. 58: Records shall be audited annually by state auditors, CPAs, or approved local auditors.

### **Acts of 1947, Ch. 730**

An act to add sections to Art. 25, Annotated Code, re powers and duties in CR, GA, HA, and MO, approved 4-25-1947, effective 6-1-1947

- Sec. 2A: County commissioners in CR, GA, HA, and MO shall have the following additional powers:
  - To acquire by purchase or condemnation property for public purposes and to erect buildings thereon and to sell the property when no longer needed.
  - To authorize discounts or impose penalties in tax collections.
  - To provide for the printing and publication of local laws and audits.
  - To have competitive bidding for contracts over \$500.
  - To prevent and remove nuisances.
  - To provide for road and sidewalk work by county levy or from the county share of the state gasoline tax and to establish an office of county roads engineer.
  - To provide for the appointment of county police.
  - All acts and resolutions passed under this act must be advertised for hearings.
- Sec. 2B: Copies of all acts and ordinances passed under this act shall be filed with the clerk of the circuit court for recording in a book kept for that purpose.

### **Acts of 1950, Ch. 47**

An act to repeal and reenact Sec. 50 of Art. 19, Public Local Laws, re finances in SM, approved and effective 3-28-1950

Despite enactment of Acts of Special Session 1947, Ch. 63, several SM offices are still on a fiscal year basis instead of a calendar year. Accounts are thus confusing and estimates of revenue and expenditures are difficult to make.

- Sec. 50: SM Board of County Commissioners shall define the fiscal year by June 30, 1950, per provisions of Sec. 49 of Art. 19, Public Local Laws.

### **Acts of 1953, Ch. 97**

An act to repeal and reenact Sec. 46 of Art. 19, Public Local Laws, re county commissioners in SM, approved 3-23-1953, effective 6-1-1953

- Sec. 26: SM shall be divided into three commissioner districts: District 1 composed of Election Districts 1-2 and 8-9, District 2 composed of Election Districts 3 and 6, and District 3 composed of Election Districts 4-5 and 7. One county commissioners shall be elected by all voters of the county from each district for a four year term. County commissioners shall be eligible to succeed themselves.

### **Acts of 1958, Ch. 29**

An act to add a section to Art. 25, Annotated Code, re officers, approved and effective 3-7-1958

- Sec. 51A: County treasurer, comptroller, or collector of taxes in every county or BC shall have the right to succeed oneself in office.

## **COURT ADMINISTRATION, LOWER COURTS**

### **Acts of 1809, Ch. 76**

An act re records, passed 1-6-1810

- Sec. 4: Justices of the peace shall keep a docket of their proceedings.

### **Acts of 1814, Ch. 82**

An act re records, passed 1-17-1815

- Sec. 1: Upon leaving office, justices of the peace shall deposit their dockets, notes, bonds, accounts, and papers with the county court clerks who shall maintain them.
- Sec. 2: Commissions of the justices of the peace shall be sent by the clerk of the council to the county court clerks who shall record them and notify the appointees. The county court clerks shall also record the certificates of qualifications in a separate book.

### **Acts of 1818, Ch. 209**

An act re justices of the peace in BC, passed 2-19-1819, effective 5-1-1819

- Sec. 1: Each ward in BC shall have one or two justices of the peace who shall keep an office in their respective wards and maintain dockets.

### **Acts of 1821, Ch. 249**

An act re justices of the peace in BC, passed 2-19-1822

- Sec. 1: Governor and council shall appoint thirty-six justices of the peace for BC.

### **Acts of 1823, Ch. 14**

An act re constables in HA, passed 12-13-1823

Boundaries of hundreds in HA have become defaced by vacating old roads and opening new ones.

- HA Levy Court shall annually appoint as many constables in each election district as deemed necessary.

### **Acts of 1825, Ch. 189**

An act re justices of the peace in BC and BA, passed 3-6-1826

- Governor and council may appoint four justices of the peace for BA who reside in BC who shall exercise their powers and duties in both BC and BA, except for issuing process for the recovery of small debts and conducting trials of civil actions.

### **Acts of 1834, Ch. 289**



An act re justices of the peace in BC, passed 3-20-1835

- Governor and council may appoint as many justices of the peace as necessary for BA who reside in BC who shall exercise their powers and duties in both BC and BA, except for issuing process for the recovery of small debts, conducting trials of civil actions, and acknowledging deeds.

### **Acts of 1835, Ch. 201**

An act re district courts, passed 3-18-1836, effective 5-1-1836

- Sec. 1: Justices of the peace shall be appointed by the governor so that there are at least three resident in each election district in the counties, and they will be called district justices. Each justice out of court shall exercise throughout the county all powers and duties of other justices of the peace.
- Sec. 2: District justices shall constitute a District Court.
- Sec. 6: The justice named first in the commission shall be the chief justice of that district court. Any two justices may hold court. Any one justice upon application out of court may issue process to compel appearance of parties or witnesses, in the same manner as do justices of the peace now.
- Sec. 7: District courts shall maintain dockets of all cases, suits, actions, complaints, pleas, subpoenas, attachments, and final judgments.
- Sec. 9: The openings, closings, and adjournments of the district courts shall be entered in minute books.
- Sec. 16: District justices may act as justices of the peace out of court within their county. When doing so, they shall keep separate dockets as now required of justices of the peace. Constables shall pay collected fines to the district courts.
- Sec. 18: District justices shall qualify and take an oath.
- Sec. 24: By June 1, 1837 and annually thereafter each chief district court justice shall prepare a statement showing the number of days each justice attended in court and fees received by them and file it with the levy court [or county commissioners].
- Sec. 26: Governor shall fill vacancies among the district court justices.

### **Acts of 1835, Ch. 202**

An act supplemental to Acts of 1835, Ch. 201, re district courts, passed 3-22-1836

- Governor is not obligated to meet the May 1, 1836 deadline to appoint district court justices. It may be done at any time.

### **Acts of 1835, Ch. 366**

An act re justices of the peace in BC, passed 4-2-1836

- Sec. 1: Annually the governor and council shall appoint, in place of justices of the peace now authorized to be appointed for BC, fifteen persons to be called BC Aldermen who shall have the jurisdiction and powers and duties of justices of the peace in BC. This act shall not repeal or

affect Acts of 1825, Ch. 189.

- Sec. 2: Aldermen shall take the same oath as justices of the peace.
- Sec. 3: Aldermen shall receive a salary from the mayor and city council.
- Sec. 4: Monthly the aldermen shall pay all fees collected to the BC Register.
- Sec. 5: Quarterly the aldermen shall report to the mayor the number of civil and criminal cases acted on, acknowledgments of deeds taken, and days absent.
- Sec. 7: Mayor shall send these reports to the governor, with remarks.
- Sec. 9: Governor and council shall fill vacancies.
- Sec. 11: Commissions shall designate the ward in which each alderman shall hold office.
- This act shall not take effect until accepted by the BC Mayor and City Council who may after such approval increase the fees charged by the aldermen by up to 25% in order to raise their salaries. [Not accepted by April 1839, and probably never was since aldermen are not referenced in subsequent legislation.]

### **Acts of 1835, Ch. 397**

An act supplemental to Acts of 1835, Ch. 201, re district courts, passed 6-4-1836

- Sec. 1: Where the district courts are not yet organized, the county courts shall exercise the jurisdiction given them.
- Sec. 2: Qualifications of the district court justices shall be filed with the county court clerks.
- Sec. 3: If a justice does not file a certificate of qualification within thirty days of the appointment, the appointment shall be void. Annually the county court clerks shall send lists of qualified justices to the governor.
- Sec. 4: An additional court shall be organized in Port Deposit in CE with the power to take recognizance of cases brought within the village limits, together with suits in Election Districts 3 and 4 as parties wish to be heard by this court. Governor shall appoint three justices to this court.

### **Acts of 1836, Ch. 275**

An act supplemental to Acts of 1835, Ch. 201, re district courts, passed 3-20-1837

- Sec. 4: Hereafter the governor shall not be restricted to the list of justices of the peace in appointing district court justices. Each district court justice shall possess the powers and authority of a justice of the peace.
- Sec. 5: Hereafter commissions of the district court justices shall be sent to the county court clerks who shall record them and deliver the originals to the appointees.

### **Acts of 1837, Ch. 110**

An act supplemental to Acts of 1835, Ch. 201, re district courts in SO, passed 3-1-1838, effective 5-1-1838

- Sec. 2: Instead of a district court in each election district, there shall be three district courts in SO:
  - District Court 1 - Barren Creek, Salisbury, Quantico, and Tyaskin Election Districts

- District Court 2 - Trappe, Princess Anne, Hungry Neck, and Dame Quarter Election Districts
- District Court 3 - Brinkleys, Dublin, and Smith Island Election Districts

### **Acts of 1837, Ch. 119**

An act supplemental to Acts of 1835, Ch. 201, re district courts in CE, passed 3-1-1838

Since passage of Acts of 1838, Ch. 201, three more election districts have been created in CE and under the law each would get a district court. Additional district courts are unnecessary.

- CE shall be divided into five district court districts.

### **Acts of 1837, Ch. 202**

An act supplemental to Acts of 1835, Ch. 201, re district courts in DO, passed 3-21-1838, 5-1-1838

Acts of 1835, Ch. 201 requires the district courts to sit at least once a month. DO courts do not have enough business to warrant this frequency.

- Sec. 1: Districts courts in DO shall be required to hold court at least once every three months or oftener.

### **Acts of 1837, Ch. 271**

An act re constables in AA, passed 3-22-1838, effective 4-1-1838

- Sec. 1: AA Board of County Commissioners shall not appoint over three constables in each election district.
- Sec. 3: Constables shall keep a docket for entering cases given them for service or collection, that shall annually be deposited with the chief justices of the district courts.
- Sec. 4: Constables dockets shall be kept for furnishing transcripts.

### **Acts of 1837, Ch. 274**

An act supplemental to Acts of 1835, Ch. 201, re district courts in CE, passed 3-23-1838

Sec. 4 of Acts of 1835, Ch. 201 established a district court in Port Deposit to handle cases in Election Districts 3-4, and Port Deposit is now in Election District 6.

- Sec. 1: The district court in Port Deposit shall have jurisdiction in Election District 6 in CE.

### **Acts of 1837, Ch. 276**

An act supplemental to Acts of 1835, Ch. 201, re district courts in CE, passed 3-29-1838

- Sec. 1: A district court shall be established in Election District 2 in CE.
- Sec. 2: Governor with consent of the Senate shall appoint three justices for the court.

### **Acts of 1838, Ch. 157**

## An act re district courts in CA, passed 2-23-1839

- Sec. 1: Acts of 1835, Ch. 201, establishing district courts, and its supplements are repealed as far as they relate to CA.
- Sec. 2: Pending cases involving amounts not over \$50 shall be heard by a justice of the peace.
- Sec. 3: Chief justices of the district courts shall file their dockets and papers with the county court clerk. Upon application of a plaintiff where the amount does not exceed \$50 the court clerk shall prepare a copy of the judgment upon which a justice of the peace may issue execution. When the amount exceeds \$50, the clerk may issue execution.
- Sec. 4: Pending cases involving amounts over \$50 shall be heard by the county court.

## Acts of 1838, Ch. 222

### An act re district courts in CE, passed 2-26-1839

- Sec. 1: Acts of 1835, Ch. 201, establishing district courts, and its supplements are repealed as far as they relate to CE.
- Sec. 2: Pending cases involving amounts not over \$50 shall be heard by a justice of the peace.
- Sec. 3: Chief justices of the district courts shall file their dockets and papers with the county court clerk. Upon application of a plaintiff where the amount does not exceed \$50 the court clerk shall prepare a copy of the judgment upon which a justice of the peace may issue execution. When the amount exceeds \$50, the clerk may issue execution.
- Sec. 4: Pending cases involving amounts over \$50 shall be heard by the county court.

## Acts of 1839, Ch. 77

### An act re district courts in AL, passed 3-3-1840, effective 5-1-1840

- Sec. 1: Acts of 1835, Ch. 201, establishing district courts, and its supplements are repealed as far as they relate to AL.
- Sec. 5: Chief justices of the district courts shall deliver their dockets to the county court clerk.
- Sec. 7: Cases pending in the district courts that are within the jurisdiction of a single justice of the peace under this act shall be sent to that individual, and all others to the county court.

## Acts of 1839, Ch. 78

### An act re district courts in AA and Howard District, passed 3-3-1840

- Sec. 1: Acts of 1835, Ch. 201, establishing district courts, and its supplements are repealed as far as they relate to AA and Howard District.
- Sec. 2: Chief justices of the district courts shall transfer pending cases involving amounts not over \$50 to a justice of the peace.
- Sec. 3: Chief justices of the district courts shall transfer pending cases involving amounts over \$50 to the AA Court or Howard District Court.
- Sec. 4: Chief justices of the district courts in Election Districts 1-4 and 7 shall file their dockets

and papers with the AA Court clerk. Upon application of a plaintiff where the amount does not exceed \$50 the court clerk shall prepare a copy of the judgment upon which a justice of the peace may issue execution. When the amount exceeds \$50, the clerk may issue execution.

- Sec. 5: Chief justices of the district courts in Election Districts 5-6 shall file their dockets and papers with the Howard District Court clerk. Upon application of a plaintiff where the amount does not exceed \$50 the court clerk shall prepare a copy of the judgment upon which a justice of the peace may issue execution. When the amount exceeds \$50, the clerk may issue execution.

### **Acts of 1840, Ch. 91**

An act re justices of the peace in CE, passed 2-18-1841

- Sec. 1: Governor with consent of the Senate shall annually appoint twenty-four justices of the peace in CE as follows: three each for Election Districts 1-2 and 4-5 and four each for Election Districts 3 and 6-7.

### **Acts of 1840, Ch. 202**

An act supplemental to Acts of 1835, Ch. 201, re district courts, passed 3-6-1841

- Where the district courts are not yet organized, the county courts shall exercise the jurisdiction given them, except for the cases excluded from their authority before passage of Acts of 1835, Ch. 201.

### **Acts of Mar. 1841, Ch. 29**

An act re district courts in PG, passed 4-5-1841, effective 8-1-1841

- Sec. 1: Acts of 1835, Ch. 201, establishing district courts, and its supplements are repealed as far as they relate to PG.
- Sec. 3: Jurisdiction of the justices of the peace shall be the same as before passage of Acts of 1835, Ch. 201.

### **Acts of Mar. 1841, Ch. 33**

An act re district courts in MO, passed 4-5-1841, effective 7-1-1841

- Sec. 1: Acts of 1835, Ch. 201, establishing district courts, and its supplements are repealed as far as they relate to MO.
- Sec. 4: Pending cases shall be transferred to justices of the peace or the county court, depending upon which has jurisdiction.
- Sec. 5: Chief justices of the district courts shall file their dockets and papers with the county court clerk.

### **Acts of Mar. 1841, Ch. 64**

An act re district courts in CA and WA, passed 4-6-1841, effective 5-1-1841

- Sec. 1: Acts of 1835, Ch. 201, establishing district courts, and its supplements are repealed as far as they relate to CA and WA.
- Sec. 6: Chief justices of the district courts shall file their dockets and papers with the county court clerk.
- Sec. 8: Pending cases in the district courts shall be transferred to a justice of the peace or the county court, depending upon which has jurisdiction.

### **Acts of Dec. 1841, Ch. 59**

An act re district courts in KE, passed 2-2-1842

- Sec. 1: Acts of 1835, Ch. 201, establishing district courts, and its supplements are repealed as far as they relate to KE.
- Sec. 2: Pending cases shall be transferred to justices of the peace.
- Sec. 3: Chief justices of the district courts shall file their dockets and papers with the county court clerk.

### **Acts of Dec. 1841, Ch. 95**

An act re district courts in SM, passed 2-11-1842, effective 3-1-1842

- Sec. 1: Acts of 1835, Ch. 201, establishing district courts, and its supplements are repealed as far as they relate to SM.
- Sec. 4: Chief justices of the district courts shall file their dockets and papers with the county court clerk.

### **Acts of Dec. 1841, Ch. 127**

An act re district courts in DO, passed 2-23-1842, effective 4-1-1842

- Sec. 1: Acts of 1835, Ch. 201, establishing district courts, and its supplements are repealed as far as they relate to DO.
- Sec. 2: Pending cases shall be transferred to justices of the peace.
- Sec. 4: Chief justices of the district courts shall file their dockets and papers with the county court clerk.

### **Acts of Dec. 1841, Ch. 199**

An act re district courts in PG, passed 3-3-1842, effective 5-1-1842

- Sec. 1: Acts of 1835, Ch. 201 and its supplements, re district courts, are revived for PG and to have the same effect as if Acts of Mar. 1841, Ch. 29, repealing them, had not passed. County court shall have concurrent jurisdiction with the district courts in cases that before the 1835 legislation did not fall within the jurisdiction of a single justice.

## **Acts of 1842, Ch. 20**

An act re justices of the peace in BC, passed 1-19-1843

- Acts of 1834, Ch. 289, re justices of the peace for BA residing in BC, is repealed.

## **Acts of 1842, Ch. 88**

An act supplemental to Acts of 1835, Ch. 201, re district courts in HA, passed 2-14-1843

- Sec. 2: An additional court shall be organized in Havre de Grace in HA. Governor shall appoint three justices for the court.

## **Acts of 1842, Ch. 285**

An act re district courts in TA, passed 3-8-1843, 11-1-1843

- Sec. 1: Acts of 1835, Ch. 201, establishing district courts, and its supplements are repealed as far as they relate to TA.
- Sec. 5: District courts shall determine and close all cases by November 1. Those still pending will be handled by the county court or justices of the peace.
- Sec. 9: At the next general election the voters of TA shall vote for or against this act. Election judges shall file election returns with the county commissioners. [result unknown]

## **Acts of 1844, Ch. 212**

An act re justices of the peace in CE, passed 2-18-1841

- Sec. 1: Governor with consent of the Senate shall annually appoint twenty-eight justices of the peace in CE as follows: three each for Election Districts 1-2 and 4; five each for Election Districts 3 and 6-7; and four each for Election District 5.

## **Acts of 1845, Ch. 222**

An act re indexes, passed 3-2-1846

- Hereafter justices of the peace shall keep indexes to their dockets.

## **Acts of 1846, Ch. 267**

An act re district courts in SO, passed 3-5-1847, effective 6-1-1847

- Sec. 1: Acts of 1835, Ch. 201, establishing district courts, and its supplements are repealed as far as they relate to SO.
- Sec. 2: Justices of the peace shall assume the jurisdictions of the district courts. Decisions may be appealed to the county court.
- Sec. 3: Pending cases shall be heard by a justice of the peace in the appropriate election district.
- Sec. 4: Chief justices of the district courts shall file their dockets and papers with the county court

clerk.

### **Acts of 1847, Ch. 77**

An act re justices of the peace in BC, passed 2-11-1848

- Sec. 1: Governor with consent of the Senate shall appoint sixteen justices of the peace in and for BC, instead of thirty-six.
- Sec. 3: The term of office shall be three years. Each justice shall take an oath and give bond, to be approved by the BA Court and filed with the BA Court clerk.
- Sec. 4: Governor shall designate the district in which each justice shall conduct business. Districts and numbers of justices shall be as follows: three for Wards 1-4, three for Wards 5-8, four for Wards 9-11 and 13, three for Wards 12, 14, and 19-20, and three for Wards 15-18.
- Sec. 5: In lieu of fees and emoluments, each justice shall receive an annual salary. If the amount of the fees collected is insufficient to pay each justice \$1000, the total shall be divided equally by the BC Register.
- Sec. 6: Monthly the justices shall pay the fees collected to the BC Register, and quarterly report on the number of civil and criminal cases heard, acknowledgments of deeds and other papers, and days absent and why.
- Sec. 9: Annually the BA Court clerk shall report to the BC Register the names of the justices taking acknowledgments and how many each took.

### **Acts of 1847, Ch. 177**

An act justices of the peace in AL, passed 3-3-1848

- Sec. 2: Election Districts 5-6 in AL shall each have five justices of the peace and all others three each.

### **Acts of 1847, Ch. 316**

An act supplemental to Acts of 1847, Ch. 77, re justices of the peace in BC, passed 3-10-1848

- Sec. 1: If necessary, the governor may appoint up to four more justices of the peace in BC, in addition to those authorized by Acts of 1847, Ch. 77.

### **Acts of 1849, Ch. 410**

An act re justices of the peace in CE, passed 3-2-1850

- Sec. 1: Governor with consent of the Senate shall annually appoint justices of the peace in CE as follows: three each for Election Districts 1-2 and 4; five each for Election Districts 5-7; and seven each for Election District 3.

### **Acts of 1849, Ch. 330**

An act re district courts in CH, passed 3-7-1850, 6-1-1850



- Sec. 1: Acts of 1835, Ch. 201, establishing district courts, and its supplements are repealed as far as they relate to CH.
- Sec. 2: Chief justices of the district courts shall file their dockets and papers with the county court clerk.
- Sec. 4: District court justices shall complete those cases of judgment on which executions have been issued and upon judgments under \$50. On judgments for amounts over \$50, the county court clerk shall issue execution upon application of the plaintiff. On judgments for lesser amounts, justices of the peace shall issue executions.

## **Constitution of 1851, Art. IV**

- Sec. 19: At the first session after adoption of this Constitution the General Assembly shall determine the number of justices of the peace and constables for each election district in the counties and each ward in BC and may change the numbers at any later time. The justices and constables shall be elected at the next election for delegates for two year terms. Governor shall fill vacancies among the justices and the county commissioners and BC mayor and city council among the constables. [Implementation of this section abolished the district courts.]
- Sec. 29: Governor shall issue commissions after receiving the certificates of election.

## **Acts of 1852, Ch. 136**

An act re district courts, passed and effective 5-10-1852

- Sec. 2: Dockets and papers in possession of the district courts shall be delivered to the circuit court clerks. Justices of the peace shall complete the unfinished cases.

## **Acts of 1852, Ch. 274**

An act to determine the number of justices of the peace and constables, passed 5-26-1852

- Sec. 1: At the next general election and every two years thereafter there shall be elected for each ward in BC the following number of justices of the peace: Ward 1, two, one to reside in Canton; Wards 2-9, one each; Ward 10, two each; and Wards 11-20, one each.
- Sec. 2: At the next general election and every two years thereafter there shall be elected for each election district the following number of justices of the peace:
  - AL: Election Districts 1-14, two each
  - AA: Election Districts 1-5, five each and Election District 6, two
  - BA: Election Districts 1, 3, 8-9, and 12, four each and Election Districts 2, 4-7, and 10-11, three each
  - CV: Election Districts 1-3, three each
  - CA: Election Districts 1-3, two each
  - CR: Election Districts 1, 4-6, and 9, three each; Election Districts 2 and 7, four each; and Election Districts 3, 8, 10 two each

- CE: Election Districts 1-2 and 4, two each and Election Districts 3 and 5-7, three each
- CH: Election Districts 1-4, four each
- DO: Election Districts 1, 5-6, and 8-10, two each; Election Districts 2-3 and 7, four each; and Election District 4, three
- FR: Election Districts 1 and 3-11, three each; Election District 2, four; and Election Districts 12-14, two each
- HA: Election Districts 1-2 and 4-5, four each; Election District 3, five; and Election District 6, two
- HO: Election Districts 1-5, two each
- KE: Election District 1, two and Election Districts 2-3, three each
- MO: Election Districts 1-5, three each
- PG: Election Districts 1-8, four each
- QA: Election Districts 1-2 and 4-5, two each and Election District 3, three
- SM: Election Districts 1 and 5, two each and Election Districts 2-4, three each
- SO: Election Districts 1-2, 4-5, 7-9, and 11, two each; Election District 3, three; Election District 6, four; and Election District 10, one
- TA: Election Districts 1-4, two each
- WA: Election Districts 1 and 4-12, two each; Election District 2, three; and Election District 3, four
- WO: Election Districts 1 and 3-4, three each and Election Districts 2 and 5-10, two each
- Sec. 3: For each election district and ward created hereafter there shall be two justices of the peace and two constables unless a different number is specified by law.

### **Acts of 1853, Ch. 102**

An act re justices of the peace in BA, passed 4-12-1853

- Sec. 1: There shall be six justices of the peace each in Election Districts 1, 3, 9, and 12 in BA.
- Sec. 3: At least two of the justices in these election districts shall have their offices within 1/2 mile of BC.

### **Acts of 1854, Ch. 302**

An act re justices of the peace in AL, AA, BA, FR, HA, HO, and TA, passed 3-10-1854

- Sec. 1: There shall be the following changes in the number of justices of the peace:
  - three in Election District 4 in AL
  - four in Election District 5 and three in Election District 6 in AA
  - four each in Election Districts 11 and 13 in BA
  - four in Election District 8 and three in Election District 12 in FR
  - five in Election District 5 in HA
  - five each in Election Districts 1-5 in HO
  - three in Election District 1 in TA

### **Acts of 1856, Ch. 100**

An act records in AL, CA, CE, HA, and SO, passed 3-6-1856

- Sec. 1: Justices of the peace in AL, CA, CE, HA, and SO shall deliver their dockets and papers to their successors instead of to the circuit court clerks.

### **Acts of 1856, Ch. 205**

An act re justices of the peace in FR, passed 3-8-1856

- Sec. 1: There shall be an additional justice of the peace for Jackson Election District in FR.
- Sec. 2: The justice shall be elected in May 1856 and hold office until the next general election when voters in that election district shall elect three justices.

### **Acts of 1856, Ch. 316**

An act re justices of the peace in TA, passed 3-10-1856

- Sec. 1: There shall be an additional justice of the peace for Election District 2 in TA.
- Sec. 2: At the next general election voters in that election district shall elect three justices.

### **Acts of 1858, Ch. 180**

An act re justices of the peace in KE, passed 3-5-1858

- Sec. 1: Governor with consent of the Senate shall appoint additional justices of the peace for Election Districts 2 and 3 in KE who shall serve until the next general election when the two offices will be filled by the voters.

### **Acts of 1860, Ch. 76**

An act to amend Sec. 203 of Art. 21, Public Local Laws, re justices of the peace in WA, passed 2-23-1860

- Sec. 203: There shall be the following number of justices of the peace in WA: two each for Election Districts 1, 4, and 6-13; three each for Election Districts 2 and 5; and four for Election District 3. One justice in Election District 3 shall sit in Hancock.

### **Acts of 1860, Ch. 127**

An act re justices of the peace in CA, passed 3-2-1860

- Sec. 1: There shall be an additional justice of the peace for Election District 2 in CA.
- Sec. 2: At the next general election voters in Election District 2 shall elect three justices.

### **Acts of 1861, Ch. 99**

An act to amend Sec. 124 of Art. 10, Public Local Laws, re justices of the peace in DO, passed 8-7-1861

- Sec. 124: There shall be the following number of justices of the peace in DO: two each for Election Districts 1-2, 5-6, and 8-13; four for Election District 3; and three each for Election Districts 4 and 7.

### **Acts of 1864, Ch. 12**

An act re justices of the peace in DO, passed 2-4-1864

- Sec. 1: Election District 7 in DO shall have an additional justice of the peace, to be appointed by the governor for a term until the next election.
- Sec. 2: Of the four justices elected at the next election for Election District 7, two shall be residents of Cambridge.

### **Acts of 1864, Ch. 194**

An act to amend Sec. 92 of Art. 17, Public Local Laws, re justices of the peace in QA, passed 3-2-1864

- Sec. 92: There shall be the following number of justices of the peace in QA: two each for Election Districts 1-2 and 4-5 and three for Election District 3.

### **Constitution of 1864, Art. IV**

- Sec. 47: Governor with consent of the Senate shall appoint such number of justices of the peace and the county commissioners and BC mayor and city council such number of constables for election districts and wards as prescribed by law. Justices and constables shall be subject to removal by the judge having criminal jurisdiction in the county or BC. The term of office shall be two years. Judgments of justices of the peace may be appealed.
- Sec. 48: Vacancies shall be filled by the body that made the original appointments.

### **Acts of 1867, Ch. 13**

An act re justices of the peace in TA, passed 1-17-1867

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 2 in TA and one more for Election District 3.

### **Acts of 1867, Ch. 203**

An act re justices of the peace in SM, passed 3-1-1867

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 4 in SM.

### **Acts of 1867, Ch. 321**

An act to repeal and reenact Sec. 65 of Art. 19, Public Local Laws, re justices of the peace in SO, passed 3-22-1867

- Sec. 25: There shall be the following number of justices of the peace in SO: two each for Election Districts 1-2, 7-9, and 11-13; four each for Election Districts 3 and 6; one each for Election Districts 4, 10, and 15; and three each for Election Districts 5 and 14.
- The additional justice for Election District 4 shall also maintain order at Crisfield.

### **Acts of 1867, Ch. 323**

An act to repeal and reenact Sec. 25 of Art. 13, Public Local Laws, re justices of the peace in HO, passed 3-18-1867

- Sec. 25: There shall be the following number of justices of the peace in HO: four each for Election Districts 1 and 3 and three each for Election Districts 2 and 4-5.

### **Acts of 1867, Ch. 421**

An act re justices of the peace in QA, passed 3-12-1867

- Sec. 92: There shall be the following number of justices of the peace in QA: three each for Election Districts 1-3 and two each for Election Districts 4-5.

### **Constitution of 1867, Art. IV**

- Sec. 42: Governor with consent of the Senate shall appoint such number of justices of the peace and the county commissioners and BC mayor and city council such number of constables for election districts and wards as prescribed by law. The term of office shall be two years.
- Sec. 48: Vacancies shall be filled by the body that made the original appointments.

### **Acts of 1868, Ch. 10**

An act to repeal and reenact Sec. 92 of Art. 17, Public Local Laws, re justices of the peace in QA, approved 3-2-1864

- Sec. 92: There shall be the following number of justices of the peace in QA: three each for Election Districts 1-3 and two each for Election Districts 4-5.

### **Acts of 1868, Ch. 69**

An act to repeal and reenact Sec. 55 of Art. 22, Public Local Laws, re justices of the peace in WO, approved 2-26-1868

- Sec. 55: There shall be the following number of justices of the peace in WO: two each for Costons, Snow Hill, Newark, St. Martins, Coulbournes, Atkinsons, and Sandy Hill Election Districts and three for Berlin Election District.

### **Acts of 1868, Ch. 86**

An act to repeal and reenact Sec. 65 of Art. 19, Public Local Laws, re justices of the peace in SO, approved 3-3-1868

- Sec. 25: There shall be the following number of justices of the peace in SO: four each for Election Districts 1 and 3; two each for Election Districts 2, 4, and 6-7; one each for Election Districts 5 and 9; and three for Election District 8.

### **Acts of 1868, Ch. 95**

An act to repeal and reenact Sec. 32 of Art. 5, Public Local Laws, re justices of the peace in CV, approved 3-3-1868

- Sec. 32: There shall be four justices of the peace in each of the three election districts in CV.

### **Acts of 1868, Ch. 131**

An act to repeal and reenact Sec. 138 of Art. 6, Public Local Laws, re justices of the peace in CA, approved 3-17-1868

- Sec. 138: There shall be the following number of justices of the peace in CA: two each for Election Districts 1 and 4 and three each for Election Districts 2-3.

### **Acts of 1868, Ch. 177**

An act to repeal and reenact Sec. 619 of Art. 4, Public Local Laws, re justices of the peace in BC, approved 3-20-1868

- Sec. 619: Governor with consent of the Senate shall appoint for each ward in BC the following number of justices of the peace: two each for Wards 1-2, 7, 10, 15, and 18 and one each for Wards 3-6, 8-9, 11-14, 16-17, and 19-20.

### **Acts of 1870, Ch. 1**

An act re justices of the peace in FR, approved 1-20-1870

- Sec. 1: Governor shall appoint two additional justices of the peace for Election District 2 in FR, making the total six.

### **Acts of 1870, Ch. 9**

An act to repeal and reenact Sec. 25 of Art. 13, Public Local Laws, re justices of the peace in HO, approved 2-19-1870

- Sec. 25: There shall be the following number of justices of the peace in HO: two each for Election Districts 1 and 6, three each for Election Districts 2 and 4-5, and four for Election

### District 3.

#### **Acts of 1870, Ch. 11**

An act to repeal and reenact Sec. 204 of Art. 21, Public Local Laws, re justices of the peace in WA, passed 2-19-1870

- Sec. 204: There shall be the following number of justices of the peace in WA: two each for Election Districts 1, 4, and 6-17 and three each for Election Districts 2-3 and 5. One justice in Election District 3 shall sit in Hancock.

#### **Acts of 1870, Ch. 36**

An act re justices of the peace in FR, approved 2-19-1870

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 11 in FR.

#### **Acts of 1870, Ch. 37**

An act re justices of the peace in BA, approved 2-19-1870

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 5 in BA.

#### **Acts of 1870, Ch. 39**

An act to amend Sec. 10 of Art. 51, Public General Laws, re records in BC, approved 2-19-1870

- Sec. 10: When a justices of the peace in BC dies, resigns, or is removed, the dockets and papers shall be delivered to the clerk of the BC Court. The clerk of the BC Court of Common Pleas shall transfer the dockets of justices of the peace now in that office to the the clerk of the BC Court.

#### **Acts of 1870, Ch. 45**

An act to repeal and reenact Sec. 619 of Art. 4, Public Local Laws, re justices of the peace in BC, approved 2-19-1870

- Sec. 619: Governor with consent of the Senate shall appoint four justices of the peace for each ward in BC and four justices at large.

#### **Acts of 1870, Ch. 49**

An act to repeal and reenact Sec. 138 of Art. 6, Public Local Laws, re justices of the peace in CA, approved 2-19-1870

- Sec. 138: There shall be the following number of justices of the peace in CA: one each for

Election Districts 1-2, three for Election District 3, and two each for Election Districts 4-5.

### **Acts of 1870, Ch. 55**

An act re justices of the peace in WO, approved 2-19-1870

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 1 in WO and one more for Election District 8.

### **Acts of 1870, Ch. 57**

An act to repeal and reenact Sec. 50 of Art. 9, Public Local Laws, re justices of the peace in CH, approved 2-19-1870

- Sec. 138: There shall be the following number of justices of the peace in CH: one each for Election Districts 1, 5, 7, and 9; two each for Election Districts 2, 4, and 6; and three each for Election Districts 3 and 8.

### **Acts of 1870, Ch. 244**

An act re justices of the peace in BA, approved 4-7-1870

- Sec. 1: Governor shall appoint an additional justice of the peace for Election District 11 in BA.

### **Acts of 1870, Ch. 253**

An act re justices of the peace in DO, approved 4-4-1870

- Sec. 1: Governor shall appoint an additional justice of the peace for Election District 1 in DO, making the total three, and one more for Election District 5.

### **Acts of 1870, Ch. 276**

An act to repeal and reenact Sec. 187 of Art. 11, Public Local Laws, re justices of the peace in FR, approved 4-4-1870

- Sec. 187: There shall be the following number of justices of the peace in FR: three each for Election Districts 1, 3-6, 9-10, and 12; seven for Election District 2; four each for Election Districts 7-8 and 11; and two each for Election Districts 13-17.

### **Acts of 1870, Ch. 319**

An act re justices of the peace in CV, approved 4-4-1870

- Sec. 1: Governor shall appoint an additional justice of the peace for Election District 1 in CV.

### **Acts of 1872, Ch. 44**



An act to repeal and reenact Sec. 204 of Art. 21, Public Local Laws, re justices of the peace in WA, approved 2-21-1872

- Sec. 204: There shall be the following number of justices of the peace in WA: two each for Election Districts 1, 6-16, and 18; three each for Election Districts 2-4 and 17; and four for Election District 5. One justice in Election District 3 shall sit in Hancock.

### **Acts of 1872, Ch. 57**

An act to repeal and reenact Sec. 65 of Art. 19, Public Local Laws, re justices of the peace in SO, approved 3-1-1872

- Sec. 25: There shall be the following number of justices of the peace in SO: four each for Election Districts 1, 3, and 8; two each for Election Districts 2, 4, 6-7, and 9; and one for Election District 5.

### **Acts of 1872, Ch. 155**

An act to repeal and reenact Sec. 50 of Art. 9, Public Local Laws, re justices of the peace in CH, approved 4-1-1872

- Sec. 138: There shall be the following number of justices of the peace in CH: one for Election District 1; two each for Election Districts 2, 4-7, and 9; three for Election District 3; and four for Election District 8.

### **Acts of 1872, Ch. 181**

An act to repeal and reenact Sec. 21 of Art. 7, Public Local Laws, re justices of the peace in CR, approved 4-1-1872

- Sec. 21: There shall be the following number of justices of the peace in CR: three each for Election Districts 1-2, 4, and 6; two each for Election Districts 3, 8, and 10-12; and four each for Election Districts 5, 7, and 9.

### **Acts of 1872, Ch. 293**

An act re justices of the peace in FR, approved 4-1-1872

- Sec. 1: The governor is authorized to appoint additional justices of the peace in FR, one each for Election Districts 2 and 9.

### **Acts of 1872, Ch. 315**

An act re justices of the peace in BA, approved 4-1-1872

- Sec. 1: The governor is authorized to appoint additional justices of the peace in BA, one each for Election Districts 1 and 3-4.

### **Acts of 1872, Ch. 358**

An act re justices of the peace in HA, approved 4-1-1872

- Sec. 1: Governor shall appoint an additional justice of the peace for Election District 3 in HA.

### **Acts of 1874, Ch. 29**

An act to amend Sec. 204 of Art. 21, Public Local Laws, re justices of the peace in WA, passed 3-3-1874

- Sec. 204: There shall be the following number of justices of the peace in WA: two each for Election Districts 1, 6-7, 9-16, and 18-19; three each for Election Districts 3-4, 8, and 17; and four each for Election Districts 2 and 5. One justice in Election District 3 shall sit in Hancock.

### **Acts of 1874, Ch. 49**

An act re justices of the peace in DO, approved 3-3-1874

- Sec. 1: Governor shall appoint an additional justice of the peace for Election District 6 in DO.

### **Acts of 1874, Ch. 105**

An act re justices of the peace in DO, approved 3-26-1874

- Sec. 1: Governor shall appoint an additional justice of the peace for Election District 2 in DO.

### **Acts of 1874, Ch. 108**

An act to repeal and reenact Sec. 21 of Art. 7, Public Local Laws, re justices of the peace in CR, approved 3-27-1874

- Sec. 21: There shall be the following number of justices of the peace in CR: three each in Election Districts 1-2, 4, 6, and 11; two each in Election Districts 3, 8, 10, and 12; four each in Election Districts 5 and 9; and five in Election District 7. One justice in Election District 7 shall reside in or near Warfieldsburg.

### **Acts of 1874, Ch. 116**

An act to repeal and reenact Sec. 25 of Art. 13, Public Local Laws, re justices of the peace in HO, approved 3-27-1874

- Sec. 25: There shall be the following number of justices of the peace in HO: three each for Election Districts 1-2 and 5-6 and four for Election District 3. [Election District 4 accidentally omitted]

### **Acts of 1874, Ch. 133**

An act re justices of the peace in FR, approved 3-27-1874

- Sec. 1: The governor is authorized to appoint additional justices of the peace in FR, one each for Election Districts 9 and 15.

### **Acts of 1874, Ch. 335**

An act to repeal and reenact Sec. 124 of Art. 10, Public Local Laws, re justices of the peace in DO, approved 4-11-1874

- Sec. 21: There shall be the following number of justices of the peace in DO: three each in Election Districts 1-2, 4, and 6; four each in Election Districts 3 and 7; and two each in Election Districts 5 and 8-12.

### **Acts of 1874, Ch. 461**

An act re justices of the peace in SO, passed 4-11-1874

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Tangier Election District in SO.

### **Acts of 1874, Ch. 489**

An act re justices of the peace in SM, passed 4-11-1874

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 2 in SM.

### **Acts of 1876, Ch. 9**

An act re justices of the peace in TA, passed 2-4-1876

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Easton Election District in TA.

### **Acts of 1876, Ch. 28**

An act to repeal and reenact Secs. 619-620 and 625-628 of Art. 4, Public Local Laws, re justices of the peace in BC, approved 2-23-1876

- Sec. 619: Governor with consent of the Senate shall appoint justices of the peace for BC as follows:
  - Legislative District 1 - seven justices, one for each ward
  - Legislative District 2 - seven justices, one for each ward
  - Legislative District 3 - six justices, one for each ward
  - At large - six justices, appointed from such wards as determined by the governor
- Sec. 620: Each justice shall give bond, to be approved by the judge of the BC Superior Court.

- Sec. 626: Governor shall select from the appointees one justice to sit at each station house to handle criminal matters.

### **Acts of 1876, Ch. 75**

An act re justices of the peace in QA, approved 3-22-1876

- Sec. 1: Governor shall appoint two justices of the peace for Election District 6 in QA.

### **Acts of 1876, Ch. 117**

An act re justices of the peace in SO, passed 3-23-1876

- Sec. 1: Governor shall appoint an additional justice of the peace for Election District 8 in SO.

### **Acts of 1876, Ch. 192**

An act re justices of the peace in WA, approved 3-30-1876

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Cavetown Election District in WA.

### **Acts of 1876, Ch. 299**

An act re justices of the peace in CH, approved 4-8-1876

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 4 in CH.

### **Acts of 1878, Ch. 68**

An act re justices of the peace in KE, approved 3-13-1878

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 2 in KE.

### **Acts of 1878, Ch. 108**

An act to add Art. 12, Public Local Laws, re justices of the peace in GA, approved 3-20-1878

- Sec. 46: There shall be the following number of justices of the peace in GA: two each for Election Districts 1-3, and 5-8 and one each for Election Districts 4 and 9.

### **Acts of 1878, Ch. 137**

An act re justices of the peace in QA, approved 3-27-1878

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election

District 2 in QA, who shall sit in Crumpton.

### **Acts of 1878, Ch. 189**

An act re justices of the peace in CA, approved 3-29-1878

- Sec. 1: Governor shall appoint an additional justice of the peace for Election District 3 in CA.

### **Acts of 1878, Ch. 191**

An act to repeal and reenact Sec. 21 of Art. 7, Public Local Laws, re justices of the peace in CR, approved 3-29-1878

- Sec. 21: There shall be the following number of justices of the peace in CR: four each for Election Districts 1, 4-5, 7, and 9; three each for Election Districts 2-3 and 6; and two each for Election Districts 8 and 10-12.

### **Acts of 1878, Ch. 246**

An act re justices of the peace in TA, approved 4-5-1878

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 4 in TA.

### **Acts of 1878, Ch. 357**

An act re justices of the peace in TA, approved 4-1-1878

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 5 in TA.

### **Acts of 1878, Ch. 389**

An act re justices of the peace in SO, passed 4-5-1878

- Sec. 1: Governor shall appoint an additional justice of the peace for Election District 1 in SO.

### **Acts of 1880, Ch. 13**

An act re justices of the peace in QA, approved 2-26-1880

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 1 in QA.

### **Acts of 1880, Ch. 58**

An act re justices of the peace in FR, approved 3-25-1880

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 5 in FR.

### **Acts of 1880, Ch. 98**

An act to repeal and reenact Sec. 21 of Art. 7, Public Local Laws, re justices of the peace in CR, approved 3-30-1880

- Sec. 21: There shall be the following number of justices of the peace in CR: four each for Election Districts 1, 4-5, and 9; three each for Election Districts 2-3, 6, and 11; five for Election District 7; and two each for Election Districts 8, 10, and 12.

### **Acts of 1880, Ch. 291**

An act to repeal and reenact Sec. 25 of Art. 13, Public Local Laws, re justices of the peace in HO, approved 4-10-1880

- Sec. 25: There shall be the following number of justices of the peace in HO: three each for Election Districts 1-2 and 4-5, four for Election District 3, and six for Election District 6.
- All official acts done by the justices in Election District 4 since the passage of Acts of 1874, Ch. 116 are hereby made valid.

### **Acts of 1880, Ch. 416**

An act to repeal and reenact Sec. 204 of Art. 21, Public Local Laws, re justices of the peace in WA, passed 4-10-1880

- Sec. 204: There shall be the following number of justices of the peace in WA: two each for Election Districts 1, 6, 9-16, and 18-20; four each for Election Districts 2-3 and 5; and three each for Election Districts 4, 7-8, and 17. One justice in Election District 5 shall sit in Hancock.

### **Acts of 1882, Ch. 16**

An act re justices of the peace in FR, approved 2-17-1882

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 1 in FR who shall reside at Point of Rocks.

### **Acts of 1882, Ch. 133**

An act re justices of the peace in BA, approved 3-30-1882

- Sec. 1: The governor is authorized to appoint two additional justices of the peace for Election District 9 in BA and one for Election District 12.

### **Acts of 1882, Ch. 244**

An act re justices of the peace in QA, approved 5-3-1882

- Sec. 1: Governor shall appoint two justices of the peace for Election District 7 in QA.

### **Acts of 1882, Ch. 270**

An act to repeal and reenact Sec. 21 of Art. 7, Public Local Laws, re justices of the peace in CR, approved 5-3-1882

- Sec. 21: There shall be the following number of justices of the peace in CR: four each for Election Districts 1, 4-5, and 9; three each for Election Districts 2-3, 6, and 11-12; six for Election District 7; and two each for Election Districts 8 and 10.

### **Acts of 1882, Ch. 404**

An act re justices of the peace in CH, approved 5-3-1882

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 6 in CH.

### **Acts of 1884, Ch. 55**

An act re justices of the peace in BC, approved 3-4-1884

- Sec. 1: Governor with consent of the Senate shall appoint an additional justice of the peace for Legislative District 3 in BC.

### **Acts of 1884, Ch. 110**

An act re justices of the peace in BA, approved 3-20-1884

- Sec. 1: The governor is authorized to appoint two additional justices of the peace for Precinct 1 and one for Precinct 3 of Election District 9 in BA.

### **Acts of 1884, Ch. 127**

An act re justices of the peace in QA, approved 3-31-1884

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 7 in QA.

### **Acts of 1884, Ch. 148**

An act re justices of the peace in DO, approved 3-27-1884

- Sec. 1: Governor shall appoint an additional justice of the peace for Election District 1 in DO.

### **Acts of 1884, Ch. 236**

An act to repeal and reenact Sec. 25 of Art. 13, Public Local Laws, re justices of the peace in HO, approved 3-31-1884

- Sec. 25: There shall be the following number of justices of the peace in HO: four each for Election Districts 1, 3, and 5-6 and three each for Election Districts 2 and 4.

### **Acts of 1884, Ch. 375**

An act re justices of the peace in CA, approved 4-8-1884

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 5 in CA.

### **Acts of 1884, Ch. 380**

An act re justices of the peace in BC, approved 4-8-1884

- Sec. 1: Governor with consent of the Senate shall appoint two additional at large justices of the peace in BC.

### **Acts of 1884, Ch. 484**

An act re justices of the peace in BA, approved 4-8-1884

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 6 in BA.

### **Acts of 1886, Ch. 1**

An act re justices of the peace in BC, approved 3-10-1886

- Sec. 1: Governor with consent of the Senate shall appoint an additional justice of the peace for Legislative District 1 in BC.

### **Acts of 1886, Ch. 16**

An act re justices of the peace in BA, approved 3-10-1886

- Sec. 1: The governor is authorized to appoint two additional justices of the peace for Election District 11 in BA.

### **Acts of 1886, Ch. 66**

An act to repeal and reenact Sec. 619 of Art. 4, Public Local Laws, re justices of the peace in BC, approved 3-18-1886

- Sec. 619: Governor with consent of the Senate shall appoint justices of the peace for BC as



follows:

- Legislative District 1 - seven justices, one for each ward and two at large
- Legislative District 2 - six justices, one for each ward and three at large
- Legislative District 3 - seven justices, one for each ward and three at large
- Additional at large - seven justices, appointed from such wards as determined by the governor

### **Acts of 1886, Ch. 104**

An act re justices of the peace in BA, approved 3-24-1886

- Sec. 1: The governor is authorized to appoint two additional justices of the peace for Election District 12 and one for Election District 2 in BA.

### **Acts of 1886, Ch. 336**

An act re justices of the peace in CA, approved 4-7-1886

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 3 in CA.

### **Acts of 1886, Ch. 379**

An act re justices of the peace in QA, approved 4-7-1886

- Sec. 1: Acts of 1880, Ch. 13, authorizing an additional justice of the peace for Election District 1 in QA, is repealed.

### **Acts of 1888, Ch. 22**

An act re justices of the peace in DO, approved 2-15-1888

- Sec. 1: Acts of 1874, Ch. 335 and Acts of 1884, Ch. 148 are repealed so that Election District 1 in DO shall have two justices of the peace.

### **Acts of 1888, Ch. 62**

An act to repeal and reenact Sec. 93 of Art. 21, Public Local Laws, re justices of the peace in TA, approved 3-7-1888

- Sec. 25: There shall be the following number of justices of the peace in TA: four each for Election Districts 1-3 and three each for Election Districts 4-5.

### **Acts of 1888, Ch. 87**

An act re justices of the peace in SO, approved 3-14-1888

- Sec. 1: Governor shall appoint two additional justices of the peace in SO, one each for Election

Districts 5 and 6.

### **Acts of 1888, Ch. 105**

An act re justices of the peace in BA, approved 3-23-1888

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 3 in BA.

### **Acts of 1888, Ch. 191**

An act re justices of the peace in AA, approved 3-31-1888

- Sec. 1: Governor shall appoint an additional justice of the peace for Election District 5 in AA and another for Election District 6.

### **Acts of 1888, Ch. 200**

An act re justices of the peace in CA, approved 3-31-1888

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 1 in CA, to hold office in Goldsborough.

### **Acts of 1888, Ch. 212**

An act re justices of the peace in WO, approved 3-31-1888

- Sec. 1: Governor shall appoint an additional justice of the peace for Election District 2 in WO, making the total three.

### **Acts of 1888, Ch. 314**

An act re justices of the peace in BC, approved 3-31-1888

- Sec. 1: The governor is authorized to appoint two additional at large justices of the peace in BC.

### **Acts of 1888, Ch. 492**

An act re justices of the peace in FR, approved 4-5-1888

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 17 in FR, who shall reside at Johnsville.

### **Acts of 1890, Ch. 94**

An act to repeal and reenact Sec. 137 of Art. 3, Public Local Laws, re justices of the peace in BA, approved 3-14-1890

- Sec. 137: There shall be the following number of justices of the peace in BA: seven each for Election Districts 1 and 11; four each for Election Districts 2, 4-6, and 8; eight for Election District 3; three each for Election Districts 7, 10, and 13; ten for Election District 9; and nine for Election District 12.

### **Acts of 1890, Ch. 125**

An act re justices of the peace in BC, approved 3-27-1890

- Sec. 1: The governor is authorized to appoint three additional at large justices of the peace in BC.

### **Acts of 1890, Ch. 175**

An act to repeal and reenact sec. 185 of Art. 17, Public Local Laws, re justices of the peace in PG, approved 3-27-1890

- Sec. 185: Quarterly the justices of the peace in PG shall pay fines and penalties collected to the county commissioners and submit a statement showing from whom, at what time, and on what accounts the sums were received.

### **Acts of 1890, Ch. 346**

An act to repeal and reenact Sec. 289 of Art. 11, Public Local Laws, re justices of the peace in FR, approved 4-3-1890

- Sec. 289: There shall be the following number of justices of the peace in FR: four each for Election Districts 1, 5, 7-9, and 11; five for Election District 2; three each for Election Districts 3-4, 6, 10, 12, 15, and 17; and two each for Election Districts 13-14, 16, and 18-20. One in Election District 1 shall reside at Point of Rocks and one in Election District 17 at Johnsville.

### **Acts of 1892, Ch. 58**

An act re justices of the peace in BA, approved 3-8-1892

- Sec. 1: Governor shall appoint an additional justice of the peace for Election District 11 in BA.

### **Acts of 1892, Ch. 70**

An act re justices of the peace in FR, approved 3-9-1892

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 5 in FR.

### **Acts of 1892, Ch. 74**

An act to add a section to Art. 11, Public Local Laws, re police justice in FR, approved 3-9-1892

- Sec. 289A: Governor shall designate one of the five justices of the peace for Election District 2 in

FR as a police justice who shall be paid a salary by the county commissioners and have the same jurisdiction as other justices in the county.

### **Acts of 1892, Ch. 75**

An act re justices of the peace in FR, approved 3-9-1892

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 12 in FR.

### **Acts of 1892, Ch. 121**

An act re justices of the peace in CH, approved 3-15-1892

- Sec. 1: The governor is authorized to appoint three additional justices of the peace in CH, one each for Election Districts 1, 4, and 7.

### **Acts of 1892, Ch. 223**

An act to repeal and reenact Sec. 607 of Art. 4, Public Local Laws, re justices of the peace in BC, approved 3-30-1892

- Sec. 607: Governor with consent of the Senate shall appoint justices of the peace for BC as follows:
  - Legislative District 1 - seven justices, one for each ward and two at large
  - Legislative District 2 - seven justices, one for each ward and four at large
  - Legislative District 3 - eight justices, one for each ward and four at large
  - Additional at large - twelve justices, appointed from such wards as determined by the governor
- Acts of 1890, Ch. 125 is repealed.

### **Acts of 1892, Ch. 334**

An act to repeal and reenact Secs. 171-173 and 176 of and to add sections to Art. 2, Public Local Laws, re justices of the peace in AA, approved 4-7-1892, effective 5-1-1892

- Sec. 171: AA shall have thirty-two justices of the peace - five each for Election Districts 1-5 and 8 and two for Election District 6.
- Sec. 171B: Justices in Election District 6 shall have their offices in Annapolis.
- Sec. 173: No justice appointed for any other election district shall have any jurisdiction in Annapolis.

### **Acts of 1892, Ch. 476**

An act re justices of the peace in SO, approved 4-7-1892

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Princess Anne

Election District in SO, who shall reside near Habuah Post Office.

### **Acts of 1892, Ch. 675**

An act re justices of the peace in DO, approved 4-7-1892

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 12 in DO.

### **Acts of 1894, Ch. 200**

An act re justices of the peace in BA, approved 4-3-1894

- Sec. 1: There shall be three additional justices of the peace in BA, one each for Election Districts 8-9 and 12.

### **Acts of 1894, Ch. 301**

An act to add sections to Art. 2, Public Local Laws, re police justice in AA, approved 4-6-1894

- Sec. 171C: Governor shall designate one of the justices of the peace for Election District 5 in AA as a police justice.
- Sec. 171D: The police justice shall have an office in Brooklyn and South Baltimore.
- Sec. 172A: The police justice shall retain civil jurisdiction, but have exclusive jurisdiction in hearing criminal offenses or handling the recovery of fines, penalties, and forfeitures within Precinct 1 of Election District 5.
- Governor shall designate one of the current justices of the peace in Election District 5 as the police justice.

### **Acts of 1894, Ch. 303**

An act re justices of the peace in FR, approved 4-6-1894

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 10 in FR.

### **Acts of 1894, Ch. 328**

An act re justices of the peace in CA, approved 4-6-1894

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 1 in CA.

### **Acts of 1896, Ch. 4**

An act to repeal and reenact Sec. 289 of Art. 11, Public Local Laws, re justices of the peace in FR, approved 2-12-1896

- Sec. 289: There shall be the following number of justices of the peace in FR: four each for Election Districts 1, 5, 7-9, and 11-12; three each for Election Districts 2-4, 10, 15, and 17; six for Election District 6; and two each for Election Districts 13-14, 16, and 18-21. One in Election District 1 shall reside at Point of Rocks, one in Election District 12 at Brunswick, and one in Election District 17 at Johnsville.

### **Acts of 1896, Ch. 68**

An act to repeal and reenact Sec. 289A of Art. 11, Public General Laws, re justices of the peace in FR, approved 3-23-1896, effective 5-1-1896

- Sec. 289A: The three justices of the peace in Election District 2 in FR shall be paid a salary by the county commissioners for hearing criminal cases and for issuing warrants for arrests of persons violating state laws.

### **Acts of 1896, Ch. 83**

An act re justices of the peace in BA, approved 3-23-1896

- Sec. 1: There shall be an additional justice of the peace for Election District 7 in BA.

### **Acts of 1896, Ch. 117**

An act re justices of the peace in BC, approved 3-27-1896

- Sec. 1: The governor is authorized to appoint three additional justices of the peace in BC, one for each of the legislative districts.

### **Acts of 1896, Ch. 368**

An act re justices of the peace in WO, approved 4-4-1896

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 3 in WO.

### **Acts of 1896, Ch. 390**

An act re justices of the peace in WO, approved 4-4-1896

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 8 in WO.

### **Acts of 1896, Ch. 400**

An act re justices of the peace in CA, approved 4-4-1896

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election

District 4 in CA, to hold office in Choptank.

### **Acts of 1898, Ch. 123**

An act to repeal and reenact Art. 4, Public Local Laws, re justices of the peace in BC, approved 3-30-1892

- Sec. 623: Governor with consent of the Senate shall appoint justices of the peace for BC as follows:
  - Legislative District 1 - seven justices, one for each ward and three at large
  - Legislative District 2 - seven justices, one for each ward and five at large
  - Legislative District 3 - eight justices, one for each ward and five at large
  - Additional at large - twelve justices, appointed from such wards as determined by the governor
- Sec. 624: Each justice shall give bond, to be approved by the judge of the BC Superior Court.
- Sec. 648: When a justice of the peace dies, resigns, or is removed, the dockets and papers shall be delivered to the clerk of the BC Court.

### **Acts of 1898, Ch. 140**

An act to repeal and reenact Sec. 132 of Art. 20, Public Local Laws, re justices of the peace in SO, approved 4-2-1898

- Sec. 132: There shall be the following number of justices of the peace in SO: four for Election District 1; one each for Election Districts 2, 5, 8, and 10-12; three each for Election Districts 3 and 6; and two each for Election Districts 4, 7, and 9.

### **Acts of 1898, Ch. 316**

An act to add a section to Art. 11, Public Local Laws, re police justice in FR, approved 4-7-1898

- Sec. 289B: Governor shall designate the justice of the peace at Brunswick in Election District 12 in FR as a police justice who shall retain civil and criminal jurisdiction.

### **Acts of 1898, Ch. 360**

An act to add a section to Art. 17, Public Local Laws, re justices of the peace in PG, approved 4-7-1898

- Sec. 188A: Each justice of the peace in PG shall give bond.

### **Acts of 1898, Ch. 382**

An act re justices of the peace in BA, approved 4-9-1898

- Sec. 1: There shall be three additional justices of the peace in BA, one each for Election Districts 12 and 14-15.

### **Acts of 1900, Ch. 38**

An act re justices of the peace in MO and PG, approved 3-13-1900

- Sec. 1: Governor shall appoint a justice of the peace for Takoma Park, situated in MO and PG, whose jurisdiction shall be confined to that town.

### **Acts of 1900, Ch. 103**

An act re justices of the peace in CR, approved 3-20-1900

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 8 in CR.

### **Acts of 1900, Ch. 147**

An act to repeal and reenact Secs. 137-138 of Art. 3, Public Local Laws, re justices of the peace in BA, approved 4-7-1900

- Sec. 137: There shall be the following number of justices of the peace in BA: eight each for Election Districts 1 and 3; five for Election District 2; four each for Election Districts 4-7; six each for Election Districts 8 and 12; eleven for Election District 9; three each for Election Districts 10 and 13-14; nine for Election District 11; and seven for Election District 15. At the end of the constables term of office, the BA Board of County Commissioners may appoint a lesser number than that specified by law, provided there is at least one per election district.
- Sec. 138: Governor shall select one justice of the peace to sit at each of the following station houses: Canton in Election District 12 and St. Denis and Mt. Winans in Election District 13.

### **Acts of 1900, Ch. 517**

An act to add sections to Art. 21, Public Local Laws, re police justice in TA, approved 4-7-1900

- Sec. 117A: Governor shall designate one of the justices of the peace from Easton District in TA as a police justice who shall have criminal, but not civil, jurisdiction.
- Sec. 117C: Temporary absences shall be filled by another justice of the peace designated by the states attorney.

### **Acts of 1900, Ch. 604**

An act re justices of the peace in MO, approved 4-10-1900

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 5 in MO and another for Election District 7 who shall reside in Chevy Chase.

### **Acts of 1902, Ch. 3**

An act re justices of the peace in DO, approved 2-13-1902



- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 10 in DO.

### **Acts of 1904, Ch. 16**

An act to repeal and reenact Sec. 623 of Art. 4, Public Local Laws, re justices of the peace in BC, approved 2-24-1904

- Sec. 623: Governor shall appoint for each legislative district in BC twelve justices of the peace, one from each ward and six at large. Governor shall also appoint twelve justices at large from any ward.

### **Acts of 1904, Ch. 31**

An act re justices of the peace in DO, approved 3-3-1904

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 7 in DO.

### **Acts of 1904, Ch. 70**

An act to repeal and reenact Secs. 137-142D of Art. 3, Public Local Laws, re justices of the peace in BA, approved 3-15-1904

- Sec. 137: There shall be the following number of justices of the peace in BA: eight each for Election Districts 1 and 3; five each for Election Districts 2, 11, and 14; four each for Election Districts 4-7; six each for Election Districts 8 and 12; eleven for Election District 9; three each for Election Districts 10 and 12-13; and seven for Election District 15. At the end of the constables term of office, the BA Board of County Commissioners may appoint a lesser number than that specified by law, provided there is at least one per election district.
- Sec. 138: Each justice shall give bond.
- Sec. 139: Governor shall select one justice of the peace to sit at each of the following station houses: Canton in Election District 12 and St. Denis and Mt. Winans in Election District 13.

### **Acts of 1906, Ch. 12**

An act to repeal and reenact Sec. 132 of Art. 20, Public Local Laws, re justices of the peace in SO, approved 2-16-1906

- Sec. 132: There shall be from one to three justices of the peace for each election district in SO.

### **Acts of 1906, Ch. 116**

An act re justices of the peace in CH, approved 3-22-1906

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 5 in CH.

### **Acts of 1908, Ch. 301**

An act to repeal and reenact Sec. 139 of Art. 3, Public Local Laws, re justices of the peace in BA, approved 4-6-1908

- Sec. 139: Governor shall select one justice of the peace to sit at each of the following station houses: Towson in Election District 9, Canton in Election District 12, and St. Denis and Mt. Winans in Election District 13.

### **Acts of 1908, Ch. 524**

An act to add sections to Art. 2, Public Local Laws, re police justice in AA, approved 4-13-1908

- Sec. 171E: Governor shall designate one of the justices of the peace for Election District 2 in AA as a police justice.
- Sec. 171F: The police justice shall have an office in Germantown.
- Sec. 172C: The police justice shall retain civil jurisdiction, but have exclusive jurisdiction in hearing criminal offenses or handling the recovery of fines, penalties, and forfeitures within Precinct 1 of Election District 2.
- There shall be two justices of the peace for Election District 2, one in each precinct. Until the next appointment cycle, the Governor shall designate one of the current justices of the peace in Election District 2 as the police justice.

### **Acts of 1910, Ch. 87**

An act re indexes in PG, approved 4-5-1910

- Sec. 3: PG Circuit Court clerk shall make a general index of all judgments rendered by justices of the peace that have been and may be hereafter recorded in the circuit court. It shall include the names of all parties, date of recovery, and whether settled and satisfied.
- Sec. 4: Court clerk shall continue to maintain this index.

### **Acts of 1910, Ch. 320**

An act to add sections to Art. 21, Public Local Laws, re police justice in TA, approved 4-7-1910

- Sec. 117J: Governor shall appoint the following number of justices of the peace for Election District 2 in TA: two for Precinct 1 and one each for Precincts 2-3. One of those for Precinct 1 shall be designated as a police justice who shall have criminal, but not civil, jurisdiction.
- Sec. 117L: Temporary absences shall be filled by another justice of the peace designated by the states attorney.

### **Acts of 1910, Ch. 474**

An act to repeal and reenact Sec. 202 of Art. 3, Public Local Laws, re justices of the peace in BA, approved 4-8-1910

- Sec. 202: Governor shall select one justice of the peace to sit at each of the following station houses: Catonsville in Election District 1, Towson in Election District 9, Canton in Election District 12, St. Denis and Mt. Winans in Election District 13, and Gardenville in Election District 14.

### **Acts of 1912, Ch. 823**

An act to repeal and reenact Secs. 206, 623, 625, 627, and 648 of and to add sections to Art. 4, Public Local Laws, re BC Peoples Court and justices of the peace in BC, approved 4-11-1912, effective 5-2-1912

- Sec. 206: Mayor shall appoint one constable from each ward in BC for two year terms. One shall be designated chief constable who shall have custody of the dockets and papers of the BC Peoples Court and collect and account for fees and costs payable to justices of the peace and constables, except those in criminal cases. Five constables shall act as clerks for the BC Peoples Court. Eleven constables shall serve process for the court.
- Sec. 623: Governor shall appoint for each legislative district in BC twelve justices of the peace, one for each ward and six at large. Governor shall also appoint fifty-three justices at large from any ward.
- Sec. 625: Governor shall select one justice of the peace as the presiding justice of the BC Peoples Court and four as associate justices. They shall receive a salary.
- Sec. 627: Every process issued by a justice of the peace shall be made returnable before that justice or the BC Peoples Court. Any plaintiff or defendant may have a case removed to the BC Peoples Court.
- Sec. 648: When a justice of the peace dies, resigns, or is removed, the dockets and papers shall be delivered to the clerk of the BC Court. Records of the BC Peoples Court shall be retained in the custody of the chief constable.

### **Acts of 1916, Ch. 67**

An act re justices of the peace in PG, approved 3-21-1916, effective 6-1-1916

- Sec. 1: Every six months the PG Board of County Commissioners shall have audited the dockets and papers of the justices of the peace to ascertain the fees earned and amounts due the county.

### **Acts of 1917, Ch. 38**

An act re justices of the peace in AA, approved 6-27-1917

Federal government is establishing a military camp in Election District 4 in AA.

- Sec. 1: Governor shall appoint an additional justice of the peace for Election District 4 in AA as a police justice. The first appointee shall hold office until May 1, 1918 when the normal cycle of appointments is made.
- Sec. 2: The police justice shall have an office at or near Admiral.
- Sec. 3: The police justice shall retain civil jurisdiction, but have exclusive jurisdiction in hearing

criminal offenses or handling the recovery of fines, penalties, and forfeitures within Election District 4.

### **Acts of 1918, Ch. 21**

An act re records in CH, approved 3-22-1918, effective 6-1-1918

- Sec. 1: Annually in January justices of the peace in CH shall bring their dockets and papers to the circuit court clerk who shall audit them, ascertain fees earned, and determine the amounts, if any, due the county commissioners.

### **Acts of 1918, Ch. 168**

An act re justices of the peace in CH, approved 4-10-1918, effective 6-1-1918

- Sec. 1: Governor shall appoint an additional justice of the peace for Election District 10 in CH.

### **Acts of 1918, Ch. 376**

An act to repeal and reenact Sec. 312 of Art. 3, Public Local Laws, re justices of the peace in BA, approved 4-10-1918, effective 6-1-1918

- Sec. 137: There shall be the following number of justices of the peace in BA: eight each for Election Districts 1, 3, and 15; five each for Election Districts 2, 11, and 14; four each for Election Districts 4-7; six each for Election Districts 8 and 12; eleven for Election District 9; and three each for Election Districts 10 and 12-13. BA Board of County Commissioners may appoint a lesser number on constables than that specified by law, provided there is at least one per election district.

### **Acts of 1920, Ch. 123**

An act to repeal and reenact Sec. 312 of Art. 3, Public Local Laws, re justices of the peace in BA, approved 4-16-1920

- Sec. 314: Governor shall select one justice of the peace to sit at each of the following locations in BA:
  - Election District 1: station house in Catonsville
  - Election District 9: Towson and sitting as a committing magistrate
  - Election District 12: place selected by the county commissioners and sitting as a committing magistrate
  - Election District 13: station house at St. Denis
  - Election District 13: place selected by the county commissioners in Pikesville and sitting as a committing magistrate
  - Election District 14: place selected by the county commissioners

### **Acts of 1920, Ch. 131**

An act to repeal Secs. 171C and 172A of Art. 2, Public Local Laws, re police justice in AA, approved 4-16-1920, effective 6-1-1920

- Sec. 1: Secs. 171C and 172A of Art. 2, Public Local Laws, are repealed, thus abolishing the police justice in Election District 5 in AA.

### **Acts of 1922, Ch. 362**

An act re justices of the peace in MO and PG, approved 4-13-1922

- Sec. 1: Governor shall appoint a justice of the peace for Takoma Park, situated in MO and PG, whose jurisdiction shall be confined to that town. Takoma Park mayor and council shall recommend an appointee. In MO the justice shall have concurrent jurisdiction with the police justice in Rockville. In PG the justice shall have concurrent jurisdiction with other justices in the county.

### **Acts of 1922, Ch. 420**

An act to repeal and reenact Sec. 488 of Art. 11, Public Local Laws, re police justices in FR, approved 4-13-1922, effect 6-1-1922

- Sec. 488: The three justices of the peace in Election District 2 in FR and the justice in Election District 25 that sits in Brunswick shall be paid a salary by the county commissioners for hearing criminal cases and for issuing warrants for arrests of persons violating state laws.

### **Acts of 1927, Ch. 426**

An act re police justice in PG, approved 4-5-1927, effective 6-1-1927

- Sec. 1: Governor with consent of the Senate shall biennially appoint a justice of peace at large for PG, to be designated a police justice.
- Sec. 2: Police justice shall give bond, to be recorded by the circuit court clerk.
- Sec. 3: Police justice shall maintain offices in Upper Marlboro, Hyattsville, Laurel, and temporary locations as needed. The justice shall sit one day per week in each of the three towns and in the Seat Pleasant Election District.
- Sec. 9: Police justice shall monthly report to the county commissioners on civil and criminal cases heard, stating the particulars of each, and pay over fines, penalties, and costs collected.
- Sec. 10: Temporary absences shall be filled by the judges of the circuit court by designating one of the other justices of peace. Vacancies shall be filled by the governor.
- Sec. 12: County commissioners shall biennially appoint a clerk of the police court, who shall give bond and whose duties shall be the same as the circuit court clerk.

### **Acts of 1927, Ch. 646**

An act to repeal and reenact Sec. 1 of and to add a section to Art. 52, Public General Laws, re bonds of justices of the peace, approved 4-26-1927, effective 6-1-1927

- Sec. 1: In addition to an oath, each justice of the peace shall file a bond with the court clerk receiving the commission.
- Sec. 1A: Court clerk shall record the bond.

### **Acts of 1929, Ch. 18**

An act re justices of the peace in QA, approved 3-8-1929, effective 6-1-1929

- Sec. 1: The governor is authorized to appoint an additional justice of the peace for Election District 4 in QA.

### **Acts of 1929, Ch. 69**

An act re police justice in QA, approved 4-11-1929, effective 5-1-1929

- Sec. 1: Governor shall appoint a justice of the peace at large for QA, to be designated a police justice.
- Sec. 4: Police justice shall have no civil jurisdiction and exclusive criminal jurisdiction over misdemeanors including town ordinances.

### **Acts of 1929, Ch. 291**

An act re justices of the peace in MO and PG, approved 4-11-1929, effective 6-1-1929

- Sec. 1: Governor shall appoint a justice of the peace for Takoma Park, situated in MO and PG, whose jurisdiction shall be confined to that town. Takoma Park mayor and council shall recommend an appointee. In MO the justice shall have concurrent jurisdiction with the police justice in Rockville. In PG the justice shall have concurrent jurisdiction with the police justice.

### **Acts of 1933, Ch. 433**

An act to add a section to Art. 16, Public Local Laws, re justices of the peace in MO, approved 4-21-1933, effective 6-1-1933

- Sec. 489A: There shall be four justices of the peace for Election District 13 in MO. The fourth one shall have the additional power to hear cases in violation of ordinances of Takoma Park. The town mayor and council may require that justice to give bond.

### **Acts of 1933, Ch. 461**

An act to add a section to Art. 4, Public Local Laws, re records in BC, approved 4-21-1933, effective 6-1-1933

- Sec. 206A: The chief constable of the BC Peoples Court shall maintain the dockets and papers of the court. With the justices approval, the chief constable may destroy papers twelve years after they are filed.

### **Acts of 1933, Ch. 576**

An act to repeal and reenact Sec. 394 of and to add a section to Art. 3, Public Local Laws, re justices of the peace in BA, approved 4-1-1933, effective 6-1-1933

- Sec. 392A: Governor shall designate some justices of the peace in BA as justices at large: one for Election District 1, 2, or 13; one for Election District 3, 8, or 9; and one for Election District 14 or 15. They shall have the additional duty of sitting at station houses when the justices assigned there are absent.
- Sec. 394: Governor shall designate one justice of the peace to sit at the following station houses: Catonsville in Election District 1, Pikesville in Election District 3, Towson in Election District 9, Dundalk in Election District 12, Halethorpe in Election District 13, Fullerton in Election District 14, and Essex in Election District 15.

### **Acts of 1935, Ch. 544**

An act to add sections to Art. 5, Public Local Laws, re justices of the peace and jurisdiction in CV, approved 4-29-1935, effective 6-1-1935

- Sec. 174A: Governor with consent of the Senate shall biennially appoint a justice of the peace at large for CV, designated as a police justice. Justice named in this act shall be the police justice until 5-1-1937.
- Sec. 174B: Police justice shall give bond, to be recorded by the circuit court clerk.
- Sec. 174C: Police justice shall have an office in Prince Frederick, but be required to hold court there only on Saturdays.

### **Acts of 1937, Ch. 134**

An act to repeal Secs. 346-347, 349, 358, 367, and 372-377 of Art. 2, Public Local Laws, re police justices in AA, approved 5-18-1937, effective 6-1-1937

- Sec. 1: Secs. 346-347, 349, 358, 367, and 372-377 of Art. 2, Public Local Laws, are repealed, thus abolishing the police justices in Election Districts 2 and 4 in AA.

### **Acts of 1937, Ch. 276**

An act to repeal and reenact Sec. 578-596 of Art. 17, Public Local Laws, re police justice in PG, approved 4-15-1937

- Sec. 578: Governor with consent of the Senate shall biennially appoint one to three justices of peace at large for PG.
- Sec. 579: One shall be designated a police justice who shall give bond, to be recorded by the circuit court clerk.
- Sec. 580: Police justice shall maintain offices in Upper Marlboro, Hyattsville, Laurel, Capital Heights, and temporary locations as needed. The justice shall sit one day per week in each of the

four towns and in the Seat Pleasant Election District.

- Sec. 583: Police justice shall have civil jurisdiction.
- Sec. 586: Police justice shall monthly report to the county commissioners on civil and criminal cases heard, stating the particulars of each, and pay over fines, penalties, and costs collected.
- Sec. 587: Governor shall fill temporary absences by designating one of the other justices of the peace as police justice.
- Sec. 589: County commissioners shall biennially appoint a clerical assistant to the police justice, who shall give bond.
- Sec. 590: An individual is named in this act to fill any vacant police justice position that may occur before the appointment by the governor.

### **Acts of 1939, Ch. 137**

An act to repeal Secs. 716-717 and 719-720 of and to add sections to Art. 4, Public Local Laws, re BC Peoples Court, approved 5-3-1939, effective 6-1-1939

- Sec. 716: Governor shall appoint additional justices of the peace at large for BC - one to be the chief judge of the BC Peoples Court and two as associate judges. This section shall become inoperative if the constitutional amendment for a BC Peoples Court is adopted.
- Sec. 716B: Every process issued in any civil case by any justice of the peace or BC Peoples Court shall be returnable before the court. BC Peoples Court shall have civil jurisdiction as now exercised by justices of the peace in BC.
- Sec. 716K: Dockets and papers shall be in the custody of the chief constable of the BC Peoples Court.

### **Acts of 1939, Ch. 163**

An act to propose amendments to Art. IV of the Constitution under a new subtitle, Peoples Court, approved 4-26-1939, adopted by voters 11-1940

- Sec. 41A: BC Peoples Court is created. It shall consist of a chief judge and two associate judges, to first take office on the first Monday in May 1941. Governor shall appoint one associate judge for a term ending December 31, 1942, another for a term ending December 31, 1944, and a chief judge for a term ending December 31, 1946. Governor shall fill vacancies occurring during these original terms. After expiration of the original terms, the terms of office shall be eight years. An incumbent shall be eligible for reelection. Only incumbents shall be listed on the ballot. Vacancies shall be filled by the governor, and appointees must be listed on the ballot at the next general election. Votes shall be for or against continuing a judge in office. BC Peoples Court shall not be a court of record. A chief constable shall act as clerk and be appointed by the judges. Hereafter no constable shall be appointed by the mayor and city council as provided under Secs. 42-43 of Art. IV of the Constitution.
- Sec. 41B: General Assembly shall have the power to establish a peoples court in any county or part thereof, excepting BC, to prescribe the number, qualifications, tenure, and method of selections of the judges, and to outline the jurisdiction of the court. After adoption of this section, the governor shall not be required to appoint a particular number of justices of the peace in any



county or election district as now provided by Sec. 42 of the Constitution.

## **Acts of 1939, Ch. 770**

An act to add sections to Art. 52, Public General Laws, re trial magistrates, approved 5-17-1939, effective 6-1-1939

Retention of fees as compensation for justices of the peace is unsatisfactory. It is desirable to abolish this fee system, reduce the number of justices of the peace who actually perform judicial duties, and centralize magistrates in a few convenient centers.

- Sec. 91: Governor with consent of the Senate shall appoint for each election district in each county one justice of the peace, and additional justices at large, as specified in Sec. 98. They shall be called Trial Magistrates.
- Sec. 92: Authority, powers, and civil and criminal jurisdiction shall be the same as justices of the peace now have, except as herein modified. It shall not include juvenile cases which may now by law be conferred upon a justice of the peace designated for that purpose. In cases of commitment to jail in default of payment of fines, the trial magistrates may order the prisoner released upon payment of the fine and costs, giving \$1 credit for each day served. Trial magistrates shall keep records of such releases and credits.
- Sec. 94: Fees, costs, fines, forfeitures, and penalties imposed and collected by the trial magistrates shall be paid to the county commissioners, except for violation of the motor vehicle laws, which amounts shall be remitted to the Commissioner of Motor Vehicles. In AA and FR the county commissioners shall pay to incorporated towns 50% of the moneys arising from violations of ordinances; in AL, CV, CR, PG, SM, and WA 100%.
- Sec. 95: Trial magistrates and other justices of the peace shall be paid salaries by the county commissioners.
- Sec. 96: County commissioners may appoint one constable for each election district and such number at large as shall hereafter be specified.
- Sec. 98: Number of trial magistrates and places where they shall sit shall be as follows:
  - AL: one each in Barton, Cresaptown, Lonaconing, Midland, and Mt. Savage; two in Cumberland; two in Frostburg with one sitting part-time in Mt. Savage; one in Westernport but sitting part-time in McCool; and four at large
  - AA: one each in Annapolis, Ferndale, and Galesville
  - BA: one each in Catonsville, Cockeysville, Dundalk, Edgemere, Essex, Fullerton, Halethorpe, Kingsville, Parkton, Pikesville, Reisterstown, Sparrows Point, Towson, and Woodlawn
  - CV: one in Chesapeake Beach or North Beach and one in Prince Frederick but sitting part-time in Sunderland
  - CA: one in Denton but sitting part-time in Ridgely and Greensboro and one in Federalsburg but sitting part-time in Preston
  - CR: one in Westminster and one for Manchester, Mt. Airy, Sykesville, Taneytown, and Union Bridge
  - CE: one each in Chesapeake City, Elkton, Port Deposit, and Rising Sun
  - CH: one in La Plata

- DO: one in Cambridge but sitting part-time in Hurlock
- FR: one each in Brunswick, Emmitsburg, and Thurmont and two in Frederick but sitting part-time in Buckeystown, Middletown, and New Market
- GA: one each in Friendsville, Grantsville, Kitzmillersville, and Oakland
- HA: one each in Aberdeen, Bel Air, Darlington, and Havre de Grace and a substitute who when not substituting shall sit in Bel Air and Edgewood
- HO: one in Ellicott City but sitting part-time in Lisbon and one each in Elkridge and Savage
- KE: one in Chestertown
- MO: one each in Bethesda and Rockville and one in Silver Spring but sitting part-time in Takoma Park
- PG: one in Hyattsville but sitting part-time in Laurel and one in Upper Marlboro but sitting part-time in Seat Pleasant Election District. Sheriff and deputies shall serve process.
- QA: one in Centreville
- SM: one in Leonardtown
- SO: one each in Crisfield and Princess Anne
- TA: one in Easton but sitting part-time in St. Michaels
- WA: two in Hagerstown, one in Boonsboro but sitting part-time in Smithsburg, one Hancock but sitting part-time in Clear Spring, and one in Williamsport but sitting part-time in Sharpsburg
- WI; one in Salisbury. This magistrate shall be known as the judge of the Peoples Court who shall biennially appoint a clerk to keep the dockets and supervise the court. Sheriff and deputies shall serve process.
- WO: one each in Berlin, Ocean City, Pocomoke, and Snow Hill. No constables shall be assigned to the trial magistrates.
- Sec. 100: Justices of the peace other than trial magistrates shall be paid by the county commissioners for actions in civil and criminal cases, but may retain fees charged for taking acknowledgments or affidavits unrelated to cases.
- Sec. 101: Except in BA the county commissioners may increase the salaries of the trial magistrates.
- Sec. 108: Governor with consent of the Senate shall appoint one justice of the peace at large for each county who shall be designated a substitute trial magistrate who shall also post bond. The substitute will replace a regular trial magistrate who temporarily cannot serve.
- Sec. 109: Each trial magistrate and other justices of the peace shall give bond, to be approved by the county commissioners and filed with the circuit court clerk.
- Sec. 110: Monthly each trial magistrate shall file with the county commissioners a report of all civil and criminal cases stating for each the names of the parties, nature of the case or charge, number of witnesses summoned, name of the officer serving the warrant or summons, judgment rendered, amount of the fine, penalty or forfeiture, and fees and costs imposed and collected. The fees and costs shall be paid to the county commissioners.

## COURT ADMINISTRATION

### Acts of 1773, Ch. 6

An act for the establishment of HA, passed 12-23-1773, effective 3-2-1774

- Sec. 2: Boundaries of HA defined in this act.
- Sec. 10: All pending cases on March 2, 1774 may be completed in the BA Court.
- Sec. 11: BA justices may issue executions and other process on all judgments obtained in the BA Court against HA inhabitants.

### Constitution of 1776

- Art. 10: Judges and court clerks shall hold commissions for terms of good behavior.
- Art. 47: Justices shall appoint court clerks. If vacancies occur between court terms, governor and council may appoint replacements until the next meeting of the court.
- Art. 48: Governor and council shall appoint judges and justices.

### Acts of Feb. 1777, Ch. 15

An act to open courts of justice, effective 7-1-1777

Conventions in 1775 ceased most civil and equity actions until conditions improved for the payment of debts.

- Sec. 2: Convention resolutions ceasing civil and equity actions are repealed.
- Sec. 6: Those actions pending in 1775 shall be reinstated.
- Sec. 7: The time span of ceased court activity shall not be used in the consideration of court actions and orders.

### Acts of 1789, Ch. 29

An act for the establishment of AL, passed 12-25-1789

- Sec. 4: Cases pending in the WA Court before December 1790 shall be heard in that court.
- Sec. 6: AL Court shall first be held in April 1791.

### Acts of 1790, Ch. 33

An act re administration of justice, passed 12-21-1790

- Sec. 2: The state is divided into five judicial districts - District 1 composed of CV, CH, PG, SM; District 2 composed of CE, KE, QA, and TA; District 3 composed of AA, BA, and HA; District 4 composed of CA, DO, SO, and WO; and District 5 composed of AL, FR, MO, and WA.
- Sec. 4: Governor and council shall appoint a chief justice for each judicial district, two associate justices for each county in the district, and justices of the peace for each county.

## **Acts of 1790, Ch. 48**

An act re CE records, passed 12-21-1790

- Sec. 1: In 1777 the British Army took some records of the CE Court to NY. Some remain lost and others were returned, but in disrepair.
- Sec. 2: Justices of the court shall these records transcribed.

## **Acts of 1790, Ch. 61**

An act supplemental to Acts of 1790, Ch. 33, re administration of justice, passed 12-22-1790

- Associate justices of the county courts shall not exercise the power of a justice of the peace under the act for the recovery of small debts out of court.

## **Acts of 1793, Ch. 57**

An act to establish BA Court of Oyer and Terminer and Goal Delivery, passed 12-28-1793

- Sec. 1: Governor and council shall appoint and commission one chief justice and four associate justices for the BA Court of Oyer and Terminer and Goal Delivery. They shall hold office for a term of good behavior. Vacancies shall be filled by governor and council. Each justice is constituted a justice of the peace. This court, not the BA Court, shall hear all crimes, offenses, and misdemeanors committed in BA.
- Sec. 4: BA Court clerk shall be the clerk for this court.
- Sec. 26: Justices may appoint any number of constables deemed necessary and displace them and appoint others.
- Sec. 27: Justices shall annually publish a statement of receipts and disbursements and send a copy to the General Assembly.

## **Acts of 1796, Ch. 43**

An act re administration of justice, passed 12-30-1796

- Sec. 2: The state is divided into five judicial districts - District 1 composed of CV, CH, PG, SM; District 2 composed of CE, KE, QA, and TA; District 3 composed of AA, BA, and HA; District 4 composed of CA, DO, SO, and WO; and District 5 composed of AL, FR, MO, and WA.
- Sec. 3: Two court terms shall be held annually in each county court.
- Sec. 4: Governor and council shall appoint a chief justice for each judicial district, two associate justices for each county in the district, and justices of the peace for each county.
- Sec. 5: Each county court shall be composed of the chief justice of the district and the two associate justices of the county. Chief justice alone or the two associates shall have the same powers and duties now vested in the county courts except in cases hereafter noted. An appeal or writ of error shall lie to the General Court. Powers of any one associate justice shall include the following:
  - hold and adjourn court

- impanel and charge grand jury
- direct process to issue on presentments, indictments, petitions, or complaints
- direct subpoenas to witnesses
- direct attachments of contempt to issue against witnesses or jurors for nonattendance
- receive presentments and indictments from grand juries
- take recognizances for appearances of witnesses or persons presented or indicted
- commit any of the latter for want of security
- direct judgments to be entered on confession or non sum informatus and on default or americiaments of sheriffs or coroners
- direct commitments to be entered against persons brought in on executions
- take special bail
- take recognizances for appearance and security of persons filing petitions for freedom
- Sec. 6: Acknowledgment of deeds may be taken by any one justice, general court judge, or two justices of the peace.
- Sec. 16: Hereafter no commission shall issue to a person to be a justice of the county court, but only to be a justice of the peace of a county.
- Sec. 18: Governor and council shall fill vacancies among justices.
- Sec. 19: Within the district the chief justice shall have all the powers of a justice of the peace, except for hearing small debt cases out of court. Associate justices shall have the same powers within the county with the added exception of sitting as a justice of the levy court.
- Sec. 20: Any justice may direct the county court clerk to enter judgment by confession or non sum informatus when the court is not sitting.

### **Acts of 1797, Ch. 88**

An act re records of QA Court, passed 1-20-1798

- Sec. 1: Commissioners appointed by a resolution passed at the 1795 session to examine the records of the register of will and court clerk in QA report that many records are in ruinous condition and many papers are unrecorded.
- Sec. 2: Chief justice of the QA Court shall determine which records should be transcribed and which papers should be recorded, and have the court clerk perform the work.
- Sec. 8: This act shall remain in effect until April 15, 1801.

### **Acts of 1797, Ch. 121**

An act to establish BC Court, passed 1-21-1798, effective 3-1-1798

- Sec. 2: Criminal matters arising in BC, now heard by the BA Court of Oyer and Terminer and Goal Delivery, shall be handled by the BC Court which shall consist of two associate justices appointed by the governor and council.
- Sec. 3: Sheriff shall summon jurors from BC and its precincts.
- Sec. 6: BA Court clerk shall act as clerk for the BC Court, and BA sheriff shall serve process.
- Sec. 7: BA Court shall handle criminal matters occurring in BA outside the BC limits.

## **Acts of 1799, Ch. 58**

An act to re-establish BA Court of Oyer and Terminer and Goal Delivery, passed 1-3-1800

- Sec. 1: Governor and council shall appoint and commission one chief justice and two associate justices for the BA Court of Oyer and Terminer and Goal Delivery. They shall hold office for a term of good behavior. Vacancies shall be filled by governor and council. Each justice is constituted a justice of the peace. This court, not the BA Court, shall hear all crimes, offenses, and misdemeanors committed in BA.
- Sec. 2: All criminal proceedings pending in BA Court and BC Court shall be heard by the justices of above court.
- Sec. 3: BA Court clerk shall be the clerk for this court.
- Sec. 13: Acts of 1797, Ch. 121, re BC Court, is repealed.

## **Acts of 1801, Ch. 74**

An act re administration of justice, passed 12-31-1801

- Sec. 1: The state is divided into five judicial districts - District 1 composed of CV, CH, PG, SM; District 2 composed of CE, KE, QA, and TA; District 3 composed of AA, BA, and HA; District 4 composed of CA, DO, SO, and WO; and District 5 composed of AL, FR, MO, and WA.
- Sec. 2: Two court terms shall be held annually in each county court.
- Sec. 3: Governor and council shall appoint a chief justice for each judicial district and two associate justices for each county in the district.
- Sec. 4: Each county court shall be composed of the chief justice of the district and the two associate justices of the county. Chief justice alone or the two associates shall have the same powers and duties now vested in the county courts except in cases hereafter noted. An appeal or writ of error shall lie to the General Court. Nothing herein shall change the powers of the BA Court of Oyer and Terminer and Goal Delivery or give the BA Court criminal jurisdiction. Powers of any one associate justice shall include the following:
  - hold and adjourn court
  - impanel and charge grand jury
  - direct process to issue on presentments, indictments, petitions, or complaints
  - direct subpoenas to witnesses
  - direct attachments of contempt to issue against witnesses or jurors for nonattendance
  - receive presentments and indictments from grand juries
  - take recognizances for appearances of witnesses or persons presented or indicted
  - commit any of the latter for want of security
  - direct judgments to be entered on confession or non sum informatus and on default or americiaments of sheriffs or coroners
  - direct commitments to be entered against persons brought in on executions
  - take special bail
  - take recognizances for appearance and security of persons filing petitions for freedom
- Sec. 5: Acknowledgment of deeds may be taken by any one justice, general court judge, or two justices of the peace.

- Sec. 13: No commission shall issue to a person to be a justice of the county court, but only to be a justice of the peace of a county.
- Sec. 15: Governor and council shall fill vacancies among justices.
- Sec. 16: Within the district the chief justice shall have all the powers of a justice of the peace, except for hearing small debt cases out of court. Associate justices shall have the same powers with the county with the added exception of sitting as a justice of the levy court.
- Sec. 17: Any justice may direct the county court clerk to enter judgment by confession or non sum informatus when the court is not sitting.

### **Acts of 1804, Ch. 55**

An act to amend the Constitution re courts, passed 1-13-1805, confirmed by Acts of 1805, Ch. 16

- Sec. 1: The state is divided into six judicial districts - District 1 composed of CH, PG, SM; District 2 composed of CE, KE, QA, and TA; District 3 composed of AA, CV, and MO; District 4 composed of CA, DO, SO, and WO; District 5 composed of AL, FR, and WA; and District 6 composed of BA and HA. Governor and council shall appoint a chief judge and two associate judges for each district, who shall make up the county courts in each district. The term of office shall be good behavior. Judges may be removed by the governor upon concurrence of two-thirds of the Senate or House of Delegates.
- Sec. 5: Court of Appeals shall be composed of the chief judges of each judicial district. There shall be a court on the Eastern Shore and one on the Western Shore. In appeals from the county court the judge that participated in that decision shall withdraw from the hearing.
- Sec. 6: General Court is abolished.

### **Acts of 1804, Ch. 65**

An act supplemental to Acts of 1799, Ch. 58, re BA Court of Oyer and Terminer and Goal Delivery, passed 1-12-1805, effective 2-1-1805

- Sec. 4: Justices of the BA Court of Oyer and Terminer and Goal Delivery shall appoint their own clerk who shall give bond to be approved by the court and take an oath.

### **Acts of 1805, Ch. 65**

An act re organization of courts, passed 1-25-1806

- Sec. 1: This act shall carry into effect Acts of 1804, Ch. 55.
- Sec. 3: Oaths of judges shall be recorded in the court where they are members.
- Sec. 5: County courts in each judicial district shall be composed of all the judges appointed for the district. Any one or more shall have full power to hold the court and exercise the powers and duties that could be done by all the judges when present.
- Sec. 21: In PG court terms shall begin on the first Mondays in April and September.
- Sec. 23: All civil and criminal causes, pleas, processes, and procedures pending on November 30, 1805 before the General Court shall be continued and returned to the appropriate county court to

be heard and determined there.

- Sec. 30: Original papers for pending cases and copies of docket entries shall be sent from the General Court to the county courts.

### **Acts of 1806, Ch. 16**

An act re bonds of sheriffs, passed 12-31-1806

- Sec. 2: Justices of the orphans courts may take bonds of sheriffs, as done by the chief or associate judges of the county court, to be recorded by the county court clerk.

### **Acts of 1809, Ch. 181**

An act re county court judges, passed 1-7-1810

- Sec. 2: County court clerks shall annually in December report to the General Assembly the duration of each court term and the number of days each judge attended.

### **Acts of 1815, Ch. 62**

An act re oaths of sheriffs, passed 1-8-1816

- Sec. 1: Justices of the orphans courts may qualify sheriffs and send certificates to the county court clerks for recording.

### **Acts of 1816, Ch. 193**

An act to re-establish BC Court, passed 2-3-1817, effective 3-1-1817

- Sec. 1: Crimes and misdemeanors arising within BC shall be heard and determined by the BC Court which shall consist of a chief judge and two associate judges who shall be appointed by the governor and council for terms of good behavior. Powers and duties of the BA Court of Oyer and Terminer and Goal Delivery within BC and its precincts shall be vested in BC Court.
- Sec. 3: Judges shall appoint a clerk.
- Sec. 4: Clerk of BA Court of Oyer and Terminer and Goal Delivery shall remain in office until the clerk of the BC Court is appointed.
- Sec. 5: Boundaries of BC and its precincts are defined in this act. BC Court shall have the area surveyed and two plats made, one to be filed with the clerk of the BC Court and one with the BC Register.
- Sec. 6: Powers and duties of the BA Court of Oyer and Terminer and Goal Delivery over BA outside the BC limits shall be vested in the BA Court.
- Sec. 7: Judges shall determine the court terms and change them as necessary.
- Sec. 9: BA Sheriff shall summon grand and petit jurors.
- Sec. 12: Judges may appoint any number of constables deemed necessary.

### **Acts of 1817, Ch. 190**



An act re constables in BC, passed 2-14-1818

- Sec. 1: Constables appointed by the BC Court shall take an oath before the court or one of its judges and give bond which shall be approved by the court and filed with its clerk.

### **Acts of 1823, Ch. 146**

An act to tax officials, passed 2-13-1824, effective March 1, 1824

- Sec. 1: Clerks of state and county courts and registers of wills shall keep accounts of all fees received by them or others in office for them. Fees earned before March 1, 1824 are excluded.
- Sec. 2: Semi-annually in October and April returns of such accounts shall be sent to the Treasurer of the Western Shore or Treasurer of the Eastern Shore.
- Sec. 3: When the amount exceeds \$1500 per year, the state treasurers shall charge 25% on the excess for use of the state.
- Sec. 4: Above officials shall pay the tax to the state treasurers semi-annually within sixty days of the return.
- Sec. 5: Fees collected by successors shall be charged to the predecessors' accounts.
- Sec. 12: Attorney General shall prosecute officials not complying.

### **Acts of 1823, Ch. 195**

An act re bonds of officials, passed 2-22-1824

- Sec. 1: Every two years on August 1 the clerks of state and county courts and registers of wills shall renew their bonds. Bonds of the county clerks and registers shall be recorded by the county court clerks.
- Sec. 2: Certified copies shall be sent to the governor and council.

### **Acts of 1824, Ch. 190**

An act supplemental to Acts of 1823, Ch. 146, re taxes on officials, passed 2-10-1825

- Sec. 1: Returns of officials accounts shall be filed annually in May so that the annual sums can be more readily determined.

### **Acts of 1826, Ch. 71**

An act re records of SO Court, passed 1-17-1827

Many records of the SO Court have become damaged and defaced because of long use and lack of a suitable depository.

- Sec. 1: Three persons are named in this act as commissioners to inspect the records of the SO Court clerk and ascertain which ones need to be transcribed, rebound, or reindexed. They shall direct the court clerk to perform the necessary tasks.

## **Acts of 1826, Ch. 246**

An act re taxes on officials, passed 3-13-1827

- Sec. 1: Acts of 1823, Ch. 146 and Acts of 1824, Ch. 190 are repealed.
- Sec. 2: This act shall not affect money still due the state treasury.

## **Acts of 1829, Ch. 125**

An act re records in HA Court, passed 2-22-1830

HA grand jury at the August term 1829 found certain dockets and record books of the HA Court in dilapidated condition.

- Sec. 1: Two judges of the HA Court and another person, all named in this act, are appointed commissioners to inspect the records of the court and ascertain which ones need to be transcribed, reindexed, or rebound. They shall contract with the court clerk or someone else to do the work.

## **Acts of 1835, Ch. 256**

An act for the establishment of CR, passed 3-25-1836, confirmed by Acts of 1836, Ch. 19

- Sec. 1: The parts of BA and FR outlined in this act shall be established as CR. The seat of justice shall be at Westminster.
- Sec. 4: Cases pending in FR and BA when this act is confirmed may be heard in that county court.
- Sec. 5: CR shall be part of the 3rd judicial district. For the time being the judges of that district shall be the judges of the CR Court.

## **Acts of 1836, Ch. 224**

An act to amend the Constitution, re court clerks and registers of wills, passed 3-17-1837, confirmed by Acts of 1837, p. 161

- Sec. 1: Governor with consent of the Senate shall appoint the clerks of state, county, and BC courts and registers of wills for terms of seven years. Present officials are exempt until 1845.

## **Acts of 1837, Ch. 116**

An act re court rules, passed 3-1-1838

- Sec. 2: Within two weeks after final adjournment of the spring term of the county court the court clerk shall published the rules of the court.

## **Acts of 1838, Ch. 22**

An act re establishment of Howard District, passed 1-25-1839, confirmed by Acts of 1839, Ch. 49

- Sec. 1: Boundaries of Howard District of AA are defined in this act.

- Sec. 2: There shall be appointed or elected a register of wills, sheriff, and court clerk for the district.
- Sec. 3: Sheriff shall be elected thirty days after this act is confirmed and shall serve until the next general election.
- Sec. 4: There shall be established a Howard District Court and judges of the 3rd judicial district shall serve thereon.

### **Acts of 1838, Ch. 124**

An act re bonds of clerks, passed 2-5-1839

- Sec. 1: When a county court clerk is commissioned during the recess of the county court, justices of the orphans court may take the bond provided the county court judges endorse it at the next term, or a new one must be given.
- Sec. 2: The bond shall be recorded in the county court.
- Sec. 3: Register of wills shall also record the bond.

### **Acts of 1838, Ch. 275**

An re oaths of sheriffs, passed 3-28-1839

- Sec. 1: Each county court clerk at the beginning of each court term shall administer an oath to the sheriff.

### **Acts of 1839, Ch. 8**

An act supplemental to Acts of 1837, Ch. 116, re court rules, passed 2-11-1840

- Sec. 1: The part of Acts of 1837, Ch. 116 requiring annual publication of court rules is repealed.
- Sec. 2: Court rules shall be published every five years. County court clerks shall also keep a printed copy of the rules in their offices for public information.

### **Acts of 1839, Ch. 98**

An act re Howard District Court, passed 3-6-1840

- Sec. 17: All civil, criminal, and equity cases now pending in AA Court shall remain there for determination and execution.
- Sec. 34: The first regular session of the Howard District Court shall take place in September.

### **Acts of 1840, Ch. 230**

An act to amend the Constitution re appointments, passed 3-9-1841, confirmed by Acts of 1841, Ch. 62

- Sec. 3: When the Senate is not in session, the governor may fill vacancies among judges and all other state officials authorized by the Constitution. Senate will then vote on consent at the next regular session. If more than one year passes before a new session, the governor shall make a

new appointment or renew it.

### **Acts of 1843, Ch. 284**

An act re tax on commissions, passed 3-7-1844

- Sec. 1: Separate commissions shall be issued to officials, except for justices of the peace and coroners. Secretary of State shall send commissions to the county court clerks for delivery.
- Sec. 2: Commissions shall encompass both state and local officials, including county court judges, county court clerks, registers of wills, sheriffs, county surveyors, tobacco inspectors, wood corders, and orphans court judges. Each official shall pay the county court clerk a specific sum when the commission is delivered.
- Sec. 3: Clerks shall send the amounts collected to the Treasurer of the Western Shore within twenty days.
- Sec. 4: Justices of the peace and justices of the district courts may be grouped in one or more commissions. When they pay the tax, the clerk shall issue a certificate of appointment.

### **Acts of 1844, Ch. 240**

An act re BC Court, passed 3-6-1845

- Sec. 1: After the next vacancy on the BC Court, the court shall consist of a chief judge and one associate judge.

### **Acts of 1844, Ch. 244**

An act re court rules, passed 3-8-1845

- Sec. 1: Acts of 1837, Ch. 166 and Acts of 1839, Ch. 8, re publication of court rules, are repealed.

### **Acts of 1847, Ch. 62**

An act re records in Howard District Court, passed 2-8-1848

- Sec. 1: Two persons are named in this act to inspect records of the clerk of the Howard District Court and ascertain which dockets and record books are incomplete and employ the clerk to bring them up to date.

### **Constitution of 1851, Art. IV**

- Sec. 8: The state shall be divided into eight judicial circuits: 1st composed of CH, PG, and SM; 2nd composed of AA, CV, HO, and MO; 3rd composed of CR and FR; 4th composed of AL and WA; 5th composed of BC; 6th composed of BA, CE, and HA; 7th composed of CA, KE, QA, and TA; and 8th composed of DO, SO, and WO. One judge shall be elected for each circuit, except in the 5th. Judges shall hold a court term at least twice a year in each county, or oftener if required by law. Each shall be called a circuit court.

- Sec. 9: Circuit court judges shall hold office for ten years.
- Sec. 10: BC shall have a court of law called Court of Common Pleas which shall have civil jurisdiction where the debt or damages claimed is between \$100 and \$500, hear appeals from judgments of justices of the peace, and handle applications for benefit of insolvent laws.
- Sec. 11: BC shall have another court of law called the Superior Court which shall have jurisdiction where the debt or damages claimed exceeds \$500 and all other civil cases not assigned to the Court of Common Pleas. Superior Court shall also have equity jurisdiction.
- Sec. 12: BC Superior Court and BC Court of Common Pleas shall each have one judge, elected for a term of ten years. General Assembly may provide for another court of law and a judge for it.
- Sec. 13: BC shall have a Criminal Court, consisting of one judge elected for a ten year term, which shall have all jurisdiction now exercised by the BC Court.
- Sec. 14: Clerks of the county circuit courts shall be elected for six year terms. Judges shall fill vacancies until the next election. Each of the BC courts shall have a clerk, elected for a six year term.
- Sec. 15: Clerk of the BC Court of Common Pleas shall issue marriage and all other licenses. Clerk of the BC Superior Court shall have custody of all deeds, conveyances, and other papers remaining in the office of the clerk of the BA Court and shall hereafter receive such papers for BC. Clerk shall also have custody of law and equity papers of the BA Court relating to BC.
- Sec. 19: At the first session after adoption of this constitution the General Assembly shall determine the number of justices of the peace and constables for each election district in the counties and each ward in BC and may change the numbers at any later time. The justices and constables shall be elected at the next election for delegates for two year terms. Governor shall fill vacancies among the justices, and the county commissioners and BC mayor and city council among the constables.
- Sec. 24: The first election for judges and clerks shall be in November 1851.
- Sec. 25: Governor with consent of the Senate shall fill vacancies among the judges until the next election.
- Sec. 29: Elections of officers shall be certified and returned to the governor who shall issue commissions.

## **Acts of 1852, Ch. 172**

An act re oaths, passed 5-24-1852

- Sec. 1: Oaths required of elected and appointed officials shall be taken and subscribed before the clerks of the county circuit courts and BC Superior Court, or one of their deputies.
- Sec. 2: Clerks shall keep a test book in which shall be printed the oaths or affirmations that officials shall sign, annexing thereto the title of the office and date.

## **Acts of 1852, Ch. 316**

An act re burnt records in DO, passed 5-27-1852

When the DO courthouse burned, all records of the register of wills and county commissioners were destroyed and many in the county clerk's office.

- Sec. 1: A commissioner shall be appointed to take and receive testimony to establish records of the three DO offices, that were destroyed.
- Sec. 10: With nonauthenticated copies of records the commissioner shall take proof on their genuineness. If authenticity is still in dispute, the commissioner shall return the evidence to the circuit court for its decision.
- Sec. 13: Commissioner may receive and take testimony on any paper destroyed and appertaining to the circuit court and report to the circuit court.
- Sec. 14: Decisions of the circuit court may be appealed to the Court of Appeals.
- Sec. 16: Commissioner may summon witnesses.
- Sec. 18: Commissioner may issue commissions to take testimony of witnesses residing outside the county.
- Sec. 19: Commissioner may appoint a clerk to keep a record of proceedings and to make copies of testimony.
- Sec. 20: Commissioner is named in this act and shall hold office for one year. DO Orphans Court shall fill any vacancy.
- Sec. 21: Commissioner shall take an oath.
- Sec. 25: This act shall remain in effect until July 1, 1853.

### **Acts of 1853, Ch. 122**

An act to establish BC Circuit Court, passed 4-22-1853

- Sec. 1: BC Circuit Court is established and shall consist of one judge.
- Sec. 2: The court shall have concurrent equity jurisdiction with the BC Superior Court.
- Sec. 5: The court shall have a clerk who shall give bond to be approved by the judge.
- Sec. 6: The first election for the judge and clerk shall be in November 1853.

### **Acts of 1853, Ch. 223**

An act re burnt records in DO, passed 5-18-1853

- Acts of 1852, Ch. 316, re re-establishment of destroyed records in DO, is continued to February 1, 1854.

### **Acts of 1853, Ch. 242**

An act re PG Circuit Court, passed 5-23-1853

- Sec. 1: The terms of the PG Circuit Court in the 1st judicial district shall be in April and November.
- Sec. 2: Judge of the 1st judicial district may hold intermediate terms for equity and other business not requiring a jury, at which process may be made returnable.

### **Acts of 1853, Ch. 396**

An act re circuit court judges, passed 5-30-1853

- Acts of 1809, Ch. 181, re reports on court terms and judges attendance, is repealed.

### **Acts of 1853, Ch. 409**

An act re court clerks in BC, passed 5-31-1853

- Sec. 1: Clerk of the BC Court of Common Pleas shall within thirty days after passage of this act file with the Comptroller of Treasury a bond with securities approved and certified by the judge of the court and approved by the comptroller.
- Sec. 2: Clerk of the BC Superior Court shall within thirty days after passage of this act file with the Comptroller of Treasury a bond with securities approved and certified by the judge of the court and approved by the comptroller.
- Sec. 5: Hereafter each clerk of the two courts shall give bond as specified in Secs. 1-2.

### **Acts of 1853, Ch. 444**

An act re emoluments, passed 5-31-1853

- Sec. 1: Clerks of county circuit courts and BC courts and registers of wills, whenever the annual emoluments of the office exceed \$2500, after office expenses, shall pay the excess into the state treasury.
- Sec. 2: Clerks and registers shall account to the Comptroller of the Treasury for emoluments and expenses at least twice a year.
- Sec. 3: At the same time they shall prepare a list of clerks and deputies on their staff, stating their rates of compensation and duties.
- Sec. 4: Periodically the comptroller shall determine the number of assistant clerks and deputies and their compensation.
- Sec. 7: Acts of 1844, Ch. 302 and Acts of 1846, Ch. 253 [neither abstracted], imposing taxes on court clerks and registers of wills, are repealed.

### **Acts of 1854, Ch. 46**

An act re burnt records in DO, passed 2-24-1854

- Acts of 1852, Ch. 316, re re-establishment of destroyed records in DO, is continued to April 1, 1856.

### **Acts of 1854, Ch. 148**

An act re constables in BC, passed 3-10-1854

- Sec. 1: Bonds of constables, elected or appointed for BC, shall be approved by the judge of the BC Superior Court.

### **Acts of 1856, Ch. 103**

An act re burnt records in DO, passed 3-6-1856

- Acts of 1852, Ch. 316, re re-establishment of destroyed records in DO, is continued to March 10, 1858.

### **Acts of 1856, Ch. 286**

An act to amend Acts of 1853, Ch. 409, re court clerks in BC, passed 3-10-1856

Acts of 1853, Ch. 409 makes no provision for the duration or renewal of the bonds of the court clerks in BC.

- Sec. 1: Within thirty days after passage of this act the clerks of the BC Superior Court and BC Court of Common Pleas shall each file with the Comptroller of the Treasury a bond to be approved and certified by the respective judges and comptroller. This section shall not apply to a clerk who has given bond in the past two years.
- Sec. 2: Hereafter the clerks shall give new bonds every two years.
- Sec. 4: Certificates of approval from the judges and comptroller shall be entered in the proceedings of the courts.

### **Acts of 1858, Ch. 114**

An act re burnt records in DO, passed 3-3-1858

- Acts of 1852, Ch. 316, re re-establishment of destroyed records in DO, is continued to March 10, 1860.

### **Acts of 1862, Ch. 281**

An act to restore records in BA, passed 3-6-1862

- Sec. 1: Three persons are named in this act to be Commissioners of Records for the purpose of restoring and reestablishing records destroyed or damaged by a fire in the office of the BA Circuit Court clerk.
- Sec. 2: Commissioners may appoint a clerk to keep a record of their proceedings which at the completion of their work shall be filed with the circuit court clerk.
- Sec. 5: When original papers or certified copies are produced, commissioners shall order them re-recorded by the court clerk.
- Sec. 6: When a record or paper has been completely burned and no originals or copies are procured, the commissioners shall hear and receive other evidence. If this is satisfactory and the grantor supplies a new instrument correspondent to and confirmatory of the one destroyed, the commissioners shall order it recorded. If grantors do not, the commissioners shall execute a confirmatory instrument.
- Sec. 7: When records only partially destroyed can be restored by intrinsic and other evidence, the commissioners shall have them re-recorded.
- Sec. 8: Orders of the commissioners may be appealed to the circuit court.



- Sec. 9: When a docket has been wholly or partially destroyed, the commissioners shall recreate it from trial papers, auxiliary dockets, and other evidence in the clerk's office. Circuit court judge shall examine it for correctness.
- Sec. 10: When law or equity papers have been destroyed or damaged, the commissioners shall reestablish them by consent of the parties, if so proposed, and by evidence of other records in the clerk's office. Court clerk shall refile them and make the proper docket entries. If necessary, the commissioners may hear extrinsic evidence. Orders of the commissioners may be appealed to the circuit court.
- Sec. 11: Commissioners shall also restore and reestablish judicial records.
- Sec. 17: Vacancies among the commissioners shall be filled by the county commissioners.
- Sec. 19: Commissioners shall complete their duties within 200 days.
- Sec. 20: Anyone having deeds or other papers relating to land which had been recorded and was burned may have them re-recorded by the court clerk.
- Sec. 21: If original deeds cannot be found, interested parties may apply to the clerk of the court of appeals for extracts which shall then be recorded in the BA land records.
- Sec. 23: Provisions of Sec. 21 shall also apply to personal property records.

## **Acts of 1864, Ch. 138**

An act to restore records in BA, passed 2-3-1864, effective 3-1-1864

- Sec. 1: One person is named in this act to be the Commissioner of Records for the purpose of restoring and reestablishing records destroyed or damaged by a fire in the office of the BA Circuit Court clerk.
- Sec. 2: Commissioner may appoint a clerk to keep a record of proceedings which at the completion of the work shall be filed with the circuit court clerk.
- Sec. 5: When original papers or certified copies are produced, commissioner shall order them re-recorded by the court clerk.
- Sec. 6: When a record or paper has been completely burned and no originals or copies are procured, the commissioner shall hear and receive other evidence. If this is satisfactory and the grantor supplies a new instrument correspondent to and confirmatory of the one destroyed, the commissioner shall order it recorded. If grantors do not, the commissioner shall execute a confirmatory instrument.
- Sec. 7: When records only partially destroyed can be restored by intrinsic and other evidence, the commissioner shall have them re-recorded.
- Sec. 8: Orders of the commissioner may be appealed to the circuit court.
- Sec. 9: When a docket has been wholly or partially destroyed, the commissioner shall recreate it from trial papers, auxiliary dockets, and other evidence in the clerk's office. Circuit court judge shall examine it for correctness.
- Sec. 10: When law or equity papers have been destroyed or damaged, the commissioners shall reestablish them by consent of the parties, if so proposed, and by evidence of other records in the clerk's office. Court clerk shall refile them and make the proper docket entries. If necessary, the commissioner may hear extrinsic evidence. Orders of the commissioner may be appealed to the circuit court.

- Sec. 11: Commissioner shall also restore and reestablish judicial records.
- Sec. 17: Vacancies shall be filled by the county commissioners.
- Sec. 19: Commissioner shall complete the work within 300 days.
- Sec. 20: Anyone having deeds or other papers relating to land which had been recorded and was burned may have them re-recorded by the court clerk.
- Sec. 21: If original deeds cannot be found, interested parties may apply to the clerk of the court of appeals for extracts which shall then be recorded in the BA land records.
- Sec. 23: Provisions of Sec. 21 shall also apply to personal property records.

## **Constitution of 1864, Art. IV**

- Sec. 3: Judges of the judicial circuits shall be elected for fifteen year terms, but must retire at age seventy.
- Sec. 5: Governor with consent of the Senate shall fill vacancies among judges to serve until the next election.
- Sec. 14: Election returns for judges shall be filed with the circuit court clerks to be sent to the governor who shall issue commissions.
- Sec. 15: Contested elections for judges shall be decided by the House of Delegates.
- Sec. 24: There shall be 13 judicial circuits: 1st composed of CH and SM, 2nd composed of AA and CV, 3rd composed of MO and PG, 4th composed of FR, 5th composed of WA, 6th of AL, 7th composed of CR & HO, 8th composed of BA, 9th composed of CE and HA, 10th composed of KE and QA, 11th composed of CA and TA, 12th composed of DO, SO, and WO, and 13th composed of BC.
- Sec. 25: One court shall be held in each county.
- Sec. 26: For each circuit, except the 13th, there shall be one judge who shall reside in one of the counties in the circuit and shall hold court terms in each county of the circuit, as fixed by law, but at least twice a year. Special terms may be held if necessary.
- Sec. 27: Current judges of the 1st, 2nd, 3rd, 4th, 6th, and 8th circuits shall continue respectively in the new 1st, 2nd, 4th, 5th, 9th, and 12th circuits. Judges for the other new circuits, except the 13th, shall be elected in November 1864.
- Sec. 29: There shall be a clerk of the circuit court for each county who shall be elected for a six year term. Circuit Court judges shall fill vacancies to serve until the next election.
- Sec. 31: The 13th circuit shall consist of four courts: BC Superior Court, BC Court of Common Pleas, BC Circuit Court, and BC Criminal Court. Each court shall have one judge, elected for a fifteen year term.
- Sec. 33: The jurisdiction of the BC Superior Court shall include cases where the debt or damages claimed exceeds \$1000, equity concurrent with the BC Circuit Court, all other civil cases not assigned to the BC Court of Common Pleas, and appeals from commissioners for opening streets.
- Sec. 34: The jurisdiction of the BC Court of Common Pleas shall include cases where the debt or damages claimed are between \$100 and \$1000, appeals from judgments of justices of the peace, and insolvencies.
- Sec. 35: The jurisdiction of the BC Circuit Court shall include equity concurrent the BC Superior Court and commissions involving estates.

- Sec. 36: The jurisdiction of the BC Criminal Court shall include criminal cases and appeals from justices of the peace for the recovery of fines, forfeitures, and penalties.
- Sec. 37: Present BC judges shall continue in office.
- Sec. 39: There shall be a clerk for each BC court, elected for a six year term. Judges shall fill vacancies.
- Sec. 40: Present clerks of the BC Superior Court, BC Court of Common Pleas, and BC Criminal Court shall complete their terms of office. Present clerk of the BC Circuit Court shall serve until the next election for county officers.
- Sec. 41: The General Assembly may provide for another court in BC and may reapportion civil jurisdiction.
- Sec. 42: Clerk of the BC Court of Common Pleas shall issue all marriage and other licenses. Clerk of the BC Superior Court shall receive and record all deeds, conveyances, and other papers required to be recorded.

## **Acts of 1865, Ch. 146**

An act to restore records in BA, passed 3-20-1864

- Sec. 1: One person is named in this act to be the Commissioner of Records for the purpose of restoring and reestablishing records destroyed or damaged by a fire in the office of the BA Circuit Court clerk.
- Sec. 2: Commissioner shall keep a record of proceedings which at the completion of the work shall be filed with the circuit court clerk.
- Sec. 6: When original papers or certified copies are produced, commissioner shall order them re-recorded by the court clerk.
- Sec. 7: When a record or paper has been completely burned and no originals or copies are procured, the commissioner shall hear and receive other evidence. If this is satisfactory and the grantor supplies a new instrument correspondent to and confirmatory of the one destroyed, the commissioner shall order it recorded. If grantors do not, the commissioner shall execute a confirmatory instrument.
- Sec. 8: When records only partially destroyed can be restored by intrinsic and other evidence, the commissioner shall have them re-recorded.
- Sec. 9: Orders of the commissioner may be appealed to the circuit court.
- Sec. 10: When a docket has been wholly or partially destroyed, the commissioner shall recreate it from trial papers, auxiliary dockets, and other evidence in the clerk's office. Circuit court judge shall examine it for correctness.
- Sec. 11: When law or equity papers have been destroyed or damaged, the commissioners shall reestablish them by consent of the parties, if so proposed, and by evidence of other records in the clerk's office. Court clerk shall refile them and make the proper docket entries. If necessary, the commissioner may hear extrinsic evidence. Orders of the commissioner may be appealed to the circuit court.
- Sec. 12: Commissioner shall also restore and reestablish judicial records.
- Sec. 19: Commissioner shall complete the work within one year.
- Sec. 20: If necessary, the commissioner may obtain extracts of records from any other court and

have them recorded.

## **Acts of 1867, Ch. 234**

An act to restore records in BA, passed 3-19-1867

- Sec. 1: One person is named in this act to be the Commissioner of Records for the purpose of restoring and reestablishing records destroyed or damaged by a fire in the office of the BA Circuit Court clerk.
- Sec. 2: Commissioner shall keep a record of proceedings which at the completion of the work shall be filed with the circuit court clerk.
- Sec. 6: When original papers or certified copies are produced, commissioner shall order them re-recorded by the court clerk.
- Sec. 7: When a record or paper has been completely burned and no originals or copies are procured, the commissioner shall hear and receive other evidence. If this is satisfactory and the grantor supplies a new instrument correspondent to and confirmatory of the one destroyed, the commissioner shall order it recorded. If grantors do not, the commissioner shall execute a confirmatory instrument.
- Sec. 8: When records only partially destroyed can be restored by intrinsic and other evidence, the commissioner shall have them re-recorded.
- Sec. 9: Orders of the commissioner may be appealed to the circuit court.
- Sec. 10: When a docket has been wholly or partially destroyed, the commissioner shall recreate it from trial papers, auxiliary dockets, and other evidence in the clerk's office. Circuit court judge shall examine it for correctness.
- Sec. 11: When law or equity papers have been destroyed or damaged, the commissioners shall reestablish them by consent of the parties, if so proposed, and by evidence of other records in the clerk's office. Court clerk shall refile them and make the proper docket entries. If necessary, the commissioner may hear extrinsic evidence. Orders of the commissioner may be appealed to the circuit court.
- Sec. 12: Commissioner shall also restore and reestablish judicial records.
- Sec. 14: Anyone possessing proceedings or papers of former commissioners of records shall deliver them to the person named in Sec. 1
- Sec. 19: Commissioner shall remain in office for one year.
- Sec. 20: If necessary, the commissioner may obtain extracts of records from any other court and have them recorded.

## **Constitution of 1867, Art. IV**

- Sec. 3: Judges of the judicial circuits shall be elected for fifteen year terms.
- Sec. 5: Governor with consent of the Senate shall fill vacancies among judges to serve until the next election.
- Sec. 19: There shall be 8 judicial circuits: 1st composed of DO, SO, and WO; 2nd composed of CA, CE, KE, QA, and TA; 3rd composed of BA and HA; 4th composed AL and WA; 5th composed of AA, CR, and HO; 6th of FR and MO; 7th composed of CV, CH, PG, and SM; and

8th composed of BC.

- Sec. 20: One court shall be held in each county.
- Sec. 21: For circuits 1-7 there shall be a chief judge and two associate judges. They must hold at least two court terms a year in each county and may fix and alter the times for holding them. One judge shall be a quorum.
- Sec. 25: There shall be a clerk of the circuit court for each county who shall be elected for a six year term. Circuit Court judges shall fill vacancies to serve until the next election.
- Sec. 27: The 8th circuit shall consist of six courts: BC Supreme Bench, BC Superior Court, BC Court of Common Pleas, BC Court, BC Circuit Court, and BC Criminal Court.
- Sec. 28: BC Superior Court, BC Court of Common Pleas, and BC Circuit Court shall have concurrent jurisdiction in civil cases, with the following exceptions. BC Court shall have exclusive jurisdiction in cases of appeals from civil and criminal judgments of justices of the peace and arising under ordinances of the BC Mayor and City Council. BC Court of Common Pleas shall have exclusive jurisdiction in insolvency cases.
- Sec. 29: BC Circuit Court shall have exclusive jurisdiction in equity cases, except for applications for writs of habeas corpus in criminal cases.
- Sec. 30: BC Criminal Court shall have exclusive jurisdiction in criminal cases, except for appeals assigned to the BC Court.
- Sec. 31: BC Supreme Bench shall consist of one chief judge and four associate judges, elected for fifteen year terms.
- Sec. 32: BC Supreme Bench shall provide for holding each of the courts and assign one or more judges to each.
- Sec. 33: The powers and duties of the BC Supreme Bench shall include providing for the general court terms to be held by at least three judges, making rules and regulations for the conduct of court business, and hearing and determining motions for new trials and motions in arrest of judgment.
- Sec. 34: No appeal shall be taken to the BC Supreme Bench from a decision of the BC Court in cases of appeal from justices of the peace.
- Sec. 37: There shall be a clerk for each BC court, except for the Supreme Bench, elected for a six year term. Judges shall fill vacancies until the next general election.
- Sec. 38: Clerk of the BC Court of Common Pleas shall issue all marriage and other licenses. Clerk of the BC Superior Court shall receive and record all deeds, conveyances, and other papers required to be recorded, and act as clerk to the Supreme Bench.
- Sec. 39: The General Assembly may provide for another BC court and change the jurisdiction of the existing courts.

## **Constitution of 1867, Art. XIII**

- Sec. 5: WI shall be part of the 1st judicial circuit.

## **Acts of 1867, Ch. 401**

An act to establish BC Court, approved 3-22-1867

- Sec. 1: BC Court is established and shall consist of one judge.
- Sec. 2: BC Court shall have concurrent jurisdiction with the BC Court of Common Pleas in all civil cases, insolvencies, habeas corpus, and appeals from judgments of justices of the peace. It shall also have concurrent jurisdiction with the BC Criminal Court in criminal cases whenever cases are removed from the latter court.
- Sec. 5: The court shall have a clerk who shall give bond to be approved by the judge of the court.
- Sec. 6: Court terms of the court shall be the same as those for the BC Court of Common Pleas.
- Sec. 8: The judge and clerk of the court shall first be elected on the first Wednesday of May 1867.

### **Acts of 1872, Ch. 212**

An act re establishment of GA, approved 4-1-1872

- Sec. 5: GA shall be part of the 4th judicial circuit.

### **Acts of 1872, Ch. 420**

An act to revive, reenact, and amend part of Acts of 1852, Ch. 316, re burnt records in DO, approved 4-1-1872

- Sec. 1: Acts of 1852, Ch. 316 is hereby reenacted, except for Secs. 2-9, 15, 19-21, and 24-25.
- Sec. 2: Judges of the DO Orphans Court shall appoint a commissioner to perform the duties, who shall take an oath before the circuit court clerk. Vacancies shall be filled by the orphans court.
- Sec. 3: Commissioner shall keep a record of every case brought forth and of all papers, testimony, and proceedings. Records shall be deposited with the register of wills.
- Sec. 4: Before taking testimony, the commissioner shall give public notice.
- Sec. 5: This act shall continue in effect until June 1, 1873.

### **Acts of 1874, Ch. 468**

An act to revive and extend Acts of 1872, Ch. 420, re burnt records in DO, approved 4-11-1875

- Sec. 1: Acts of 1872, Ch. 420, re burnt records in DO, is hereby revived.
- Sec. 2: This act shall remain in effect until June 1, 1875.

### **Acts of 1880, Ch. 417**

An act to amend Sec. 5 of Art. 4 of the Constitution, approved 4-10-1880, ratified 11-1880

- Sec. 5: Judges of the judicial circuits shall be elected for fifteen year terms. Vacancies occurring that term shall be filled by the governor and a successor shall be elected at the next election for members of the General Assembly.
- Voters must approve this amendment.

### **Acts of 1888, Ch. 194**

An act to establish BC Circuit Court No. 2, approved 3-31-1888

- Sec. 1: BC Circuit Court No. 2 is established and shall have concurrent equity jurisdiction with BC Circuit Court. Both courts shall have the same court terms and return days, subject to rules and regulations of the BC Supreme Bench for the proper apportionment of business.
- Sec. 2: An additional judge of the BC Supreme Bench shall be elected in November 1888.
- Sec. 3: At the same time a clerk for the court shall be elected.

### **Acts of 1894, Ch. 284**

An act re BC Supreme Bench, approved 4-6-1894

- Sec. 1: An additional judge for the BC Supreme Bench was authorized by a constitutional amendment per Acts of 1892, Ch. 313 and approved by the voters in November 1893. The additional judge shall be elected in November 1894.

### **Acts of 1896, Ch. 95**

An act re BC Supreme Bench, approved 3-27-1896

- Sec. 1: In November 1896 an additional judge for the BC Supreme Bench shall be elected.
- Sec. 2: In November 1897 a second additional judge shall be elected.

### **Acts of 1906, Ch. 234**

An act re BC Supreme Bench, approved 3-21-1906

- Sec. 1: In November 1906 an additional judge for the BC Supreme Bench shall be elected.

### **Acts of 1922, Ch. 227**

An act to add Art. XVII to the Constitution, re elections, approved 4-13-1922, ratified 11-1922

- Sec. 1: All state officers, except judges of the circuit courts, BC Supreme Bench, and Court of Appeals from BC, and all county officers elected by voters shall hold office for four years.
- Sec. 2: Elections shall be held in November 1926 and every four years thereafter.
- Sec. 3: State and county officers elected in November 1923 for terms fixed by law at two years shall hold office for three years, as shall those whose terms are fixed at four years and six years.
- Sec. 4: All officers to be appointed by the governor in 1924 for terms fixed at two or four years shall hold office for three years; for terms fixed at six years years for five years. Thereafter, terms of office shall be as heretofore fixed by law, unless changed by legislation. All officers appointed for terms of two, four, or six years by the county commissioners after the election of November 1923 shall hold office for three years. Thereafter, appointments shall be for terms of four years, unless changed by law.
- Sec. 5: If the term of office of a judge expires in a year in which no election for the General Assembly is held, the governor shall appoint someone to hold office until the next general election for assembly members.

- This act shall be submitted to voters at the next general election.

### **Acts of 1927, Ch. 684**

An act to add a section to Art. 26, Public General Laws, approved 4-26-1927, effective 6-1-1927

- Sec. 35A: Court of Appeals shall have the power to prescribe by general rules for court of law forms of process, writs, pleadings, and motions and practices and procedure. Any such rule may be rescinded or changed by the Court of Appeals or General Assembly. This act shall not deprive courts of record of the power to establish rules for their courts as provided in Sec. 1 of Art. 26, Public General Laws, supplementary to and not in conflict with rules from the Court of Appeals.

### **Acts of 1935, Ch. 426**

An act to amend Sec. 21 of Art. IV of the Constitution, approved 4-17-1935, ratified 11-1936

- Sec. 21: For the 3rd and 6th circuits there shall be a chief judge and three associate judges. In the 6th circuit two judges shall be from each county.
- This amendment shall be voted on in November 1936.

### **Acts of 1939, Ch. 200**

An act to amend Sec. 21 of Art. IV of the Constitution, approved 5-11-1939, ratified 11-1940

- Sec. 21: For the 2nd and 7th circuits there shall be a chief judge and three associate judges. The additional judge for the 7th circuit shall be appointed by the governor immediately after adoption of this amendment and shall serve until the next election for members of the General Assembly. No two judges in the 7th circuit shall reside in the same county, except for PG which shall have two resident judges. The additional judge for the 2nd circuit shall be a resident of CE, appointed by the governor six months after this amendment is adopted, and serve until the next election for members of the General Assembly. The successor shall be chosen by voters of the whole circuit.
- This amendment shall be voted on in November 1940.

### **Acts of 1939, Ch. 298**

An act to add a section to Art. 4, Public Local Laws, re BC officials, approved 5-3-1939, effective 6-1-1939

- Sec. 749A: No public officer, special police officer, or other official appointed for BC by any authority shall take an oath of office before a justice of the peace. The oath shall be taken before the clerk of the BC Superior Court.

### **Acts of 1939, Ch. 719**

An act to repeal and reenact Sec. 35A of and to add a section to Art. 26, Public General Laws, approved 5-11-1939, effective 6-1-1939



- Sec. 35A: Court of Appeals shall prescribe by general rules the practice and procedure in all civil actions both at law and in equity in courts of record. Such rules may regulate appeals in civil actions and the form and method of taking and admitting evidence. The rules shall be reported to the General Assembly and except as changed by the legislature shall take effect September 1, 1941. They may be changed by the General Assembly or Court of Appeals at any time.
- Sec. 35C: BC Supreme Bench, county circuit courts, and orphans courts shall have the power to establish rules governing practice and procedure in their respective courts, provided they are not inconsistent with the general rules.

## **Acts of Special Session 1973, Ch. 2**

An act revise Courts and Judicial Proceedings Art., Annotated Code, approved 8-22-1973, effective 1-1-1974

- Sec. 1-201(a): Power of the Court of Appeals to make rules and regulations to govern practice and procedure and judicial administration in that court and other courts shall be liberally construed.
- Sec. 1-201(b): Except for the District Court, other courts may make rules of practice and procedure consistent with the rules of the Court of Appeals.
- Revisers note: The requirement that rules be submitted to the General Assembly is omitted because it has not been observed since at least 1945 when Sec. 18A of Art. IV of the Constitution became effective. In the District Court the chief judge, not the court, has rule making powers.

## CRIMINAL

### **Acts of Jun. 1773, Ch. 1**

An act re jurisdiction of county courts, passed 6-23-1773

- Justices of the county courts may try any offense or crime, including those with a possible sentence of death.

### **Acts of Nov. 1773, Ch. 20**

An act re criminal business of BA Court, passed 12-18-1773

- Sec. 1: Criminal and civil business of the BA Court has increased.
- Sec. 2: BA Court shall meet in February, June, and October for the trial of felonies and other offenses and misdemeanors that are triable in the county court and hear disputes between masters and servants or apprentices.

### **Acts of 1785, Ch. 87**

An act re jurisdiction of county courts, passed 3-11-1786

- Sec. 7: Justices of the county courts may try any offense or crime, including those with a possible sentence of death.
- Sec. 8: For capital crimes subject to infamous punishment, the case may be removed to the General Court by habeas corpus cum causa.

### **Acts of Nov. 1787, Ch. 1**

An act re oyer and terminer and goal delivery, passed 11-26-1787

- Sec. 1: There is a hazard and danger from keeping prisoners in jail until they can be brought to trial at stated times of holding court.
- Sec. 2: Thus, the governor, upon application being made, may issue commissions of oyer and terminer and goal delivery for the trial of crimes.

### **Acts of 1790, Ch. 50**

An act re jurisdiction of the General Court, passed 12-1790

- Sec. 1: Criminal jurisdiction of the General Court shall be limited to treason, murder, felony, and insurrection. All other offenses shall be heard only by the county courts.

### **Acts of 1793, Ch. 57**

An act to establish BA Court of Oyer and Terminer and Goal Delivery, passed 12-28-1793

- Sec. 1: Governor and council shall appoint and commission one chief justice and four associate

justices for the BA Court of Oyer and Terminer and Goal Delivery. They shall hold office for a term of good behavior. Vacancies shall be filled by the governor and council. Each justice is constituted a justice of the peace. This court, not the BA Court, shall hear all crimes, offenses, and misdemeanors committed in BA.

- Sec. 4: BA Court clerk shall be the clerk for this court.
- Sec. 17: This court and the BA Court shall have concurrent jurisdiction to hear and determine complaints between masters and servants or apprentices.
- Sec. 26: Justices may appoint any number of constables deemed necessary and displace them and appoint others.
- Sec. 27: Justices shall annually publish a statement of the funds received and expended and send a copy to the General Assembly.

### **Acts of 1797, Ch. 121**

An act to establish BC Court, passed 1-21-1798, effective 3-1-1798

- Sec. 2: Criminal matters arising in BC, now heard by the BA Court of Oyer and Terminer and Goal Delivery, shall be handled by the BC Court which shall consist of two associate justices appointed by the governor and council.
- Sec. 3: Sheriff shall summon jurors from BC and its precincts.
- Sec. 6: BA Court clerk shall act as clerk for BC Court, and BA sheriff shall serve process.
- Sec. 7: BA Court shall handle criminal matters occurring in BA outside the BC limits.

### **Acts of 1799, Ch. 58**

An act to re-establish BA Court of Oyer and Terminer and Goal Delivery, passed 1-3-1800

- Sec. 1: Governor and council shall appoint and commission one chief justice and two associate justices for the BA Court of Oyer and Terminer and Goal Delivery. They shall hold office for a term of good behavior. Vacancies shall be filled by the governor and council. Each justice is constituted a justice of the peace. This court, not the BA Court, shall hear all crimes, offenses, and misdemeanors committed in BA.
- Sec. 2: All criminal proceedings pending in BA Court and BC Court shall be heard by the justices of above court.
- Sec. 3: BA Court clerk shall be the clerk for this court.
- Sec. 13: Acts of 1797, Ch. 121, re BC Court, is repealed.

### **Acts of 1801, Ch. 74**

An act re jurisdiction of county courts, passed 12-31-1801

- Sec. 39: County courts shall hear and determine cases of treason, murder, felony, and insurrection unless removed to the General Court by habeas corpus or by a suggestion that a fair trial cannot be had in the county court.

## **Acts of 1804, Ch. 55**

An act re General Court, passed 1-12-1805, confirmed by Acts of 1805, Ch. 16

- Sec. 6: General Court of the Western Shore and General Court of the Eastern Shore are abolished.

## **Acts of 1804, Ch. 65**

An act supplemental to Acts of 1799, Ch. 58, re BA Court of Oyer and Terminer and Goal Delivery, passed 1-12-1805, effective 2-1-1805

- Sec. 1: Writs for recovery of any penalty, fine, or forfeiture imposed by the BA Court of Oyer and Terminer and Goal Delivery shall be issued by the clerk of the court and made returnable thereto.
- Sec. 4: Justices of the BA Court of Oyer and Terminer and Goal Delivery shall appoint their own clerk who shall give bond to be approved by the court and take an oath.

## **Acts of 1805, Ch. 65**

An act re General Court cases, passed 1-25-1806

- Sec. 23: All causes, pleas, processes, and proceedings pending in the General Court shall be continued and transferred to the appropriate county court.
- Sec. 30: Original papers and copies of docket entries for cases pending in the General Court shall be sent to the appropriate county courts where the clerks shall file the papers and docket the suits.

## **Acts of 1814, Ch. 82**

An act re records, passed 1-17-1815

- Sec. 1: Upon leaving office a justice of the peace shall deliver dockets, notes, bonds, accounts, and papers to the county court clerk who shall maintain them.

## **Acts of 1816, Ch. 193**

An act to re-establish BC Court, passed 2-3-1817, effective 3-1-1817

- Sec. 1: Crimes and misdemeanors arising within BC shall be heard and determined by the BC Court which shall consist of a chief judge and two associate judges who shall be appointed by the governor and council for terms of good behavior. Powers and duties of the BA Court of Oyer and Terminer and Goal Delivery within BC and its precincts shall be vested in the BC Court.
- Sec. 3: Judges shall appoint a clerk.
- Sec. 4: Clerk of BA Court of Oyer and Terminer and Goal Delivery shall remain in office until the clerk of the BC Court is appointed.
- Sec. 5: Boundaries of BC and its precincts are defined in this act. BC Court shall have the area surveyed and two plats made, one to be filed with the clerk of the BC Court and one with the BC Register.

- Sec. 6: Powers and duties of the BA Court of Oyer and Terminer and Goal Delivery over BA outside the BC limits shall be vested in the BA Court.
- Sec. 7: Judges shall determine the court terms and change them as necessary.
- Sec. 9: BA Sheriff shall summon grand and petit jurors.
- Sec. 12: Judges may appoint any number of constables deemed necessary.

### **Acts of 1817, Ch. 119**

An act re records, passed 2-4-1818

- Sec. 9: The county court clerks shall transcribe in a separate book at the end of each court term from the court minutes and docket entries those civil, criminal, and equity cases that have been terminated. Each record shall show the names of the parties, nature of the case, other memoranda deemed important, judgment, decree, order or agreement, and court costs. The books shall have numbered pages and be alphabetized.

### **Acts of 1821, Ch. 229**

An act re misdemeanors in BC, passed 2-23-1822

- Sec. 1: Justices of the peace in BC, when they commit a person for trial on a charge of assault and battery, keeping a disorderly house, or selling liquor with a license, shall endorse on the commitment the names and residences of the prosecution witnesses. Upon receiving that person, the sheriff shall enter the names and residences of the witnesses on the sheriffs docket.
- Sec. 2: A person committed to jail for lack of bail may waive the right to a jury trial and elect to have the cause heard in a summary way between terms of the BC Court by applying to the court clerk who shall docket the case.
- Sec. 3: When bringing the accused to court, the sheriff shall also bring the original commitment or a copy.

### **Acts of 1826, Ch. 247**

An act re records, passed 3-13-1827, effective 6-1-1827

- Sec. 10: County court clerks shall not record at full length the proceedings in civil, equity, and criminal actions or any verdict, judgment, or decree nor transcribe the minutes and short docket entries of any such action wherein the proceedings were not required to be so recorded as heretofore prescribed by law. An exception will be made when an interested party shall in writing require the case to be recorded or transcribed.
- Sec. 9 of Acts 1817, Ch. 119, re cases not subject to full recording, is repealed.

### **Acts of 1835, Ch. 75**

An act re misdemeanors in BC, passed 2-18-1836

- Sec. 1: BC Court or one of its judges shall have the authority, without previous presentment by

the grand jury, to hear and determine at their weekly session all complaints for assault and battery, keeping a disorderly house, violation of trader and ordinary license laws, and other small offenses.

- Sec. 2: Justices of the peace shall take recognizances from persons so accused and from witnesses conditioned for their appearance at the next day of the weekly session of the BC Court and return them to the clerk for docketing. At the same time the justices shall make a return of commitments of persons to jail for trial.
- Sec. 3: Before the weekly session the jail warden shall return to the court clerk a list of accused persons confined for offenses per Sec. 1, with copies of their commitments and lists of witnesses.
- Sec. 4: Any of the accused wanting a jury trial shall give bail to appear at the next regular court term or be committed to jail.
- Sec. 7: Acts of 1821, Ch. 229 repealed.

### **Acts of 1835, Ch. 201**

An act re district courts, passed 3-18-1836, effective 5-1-1836

- Sec. 1: Justices of the peace shall be appointed by the governor so that there are at least three resident in each election district in the counties and be called district justices. Each justice out of court shall exercise throughout the county all powers and duties of other justices of the peace.
- Sec. 2: District justices shall constitute a District Court. They shall designate places and times for holding courts, at least once a month.
- Sec. 7: District courts shall maintain dockets of all cases, suits, actions, complaints, pleas, and subpoenas, attachments, and final judgments.
- Sec. 8: Criminal jurisdiction shall include assault and battery except where committed with intent to kill. The accused party shall have the option to have the case heard by the district court or county court. The attorney general or a deputy may dissent from the district courts exercising this jurisdiction.

### **Acts of 1839, Ch. 98**

An act re Howard District Court, passed 3-6-1840

- Sec. 17: All civil, criminal, and equity cases now pending in AA Court shall remain there for determination and execution.
- Sec. 33: Crimes, misdemeanors, and penalties and forfeitures committed after January 16, 1840 shall heard and determined by the Howard District Court.

### **Acts of 1839, Ch. 106**

An act re misdemeanors in BC, passed 3-11-1840

- Sec. 2: When committing persons accused of assault and battery, keeping a disorderly house, violation of trader and ordinary license laws, and other small offenses, justices of the peace in BC shall endorse on the commitments the names and residences of prosecution witnesses and

recognizance them to appear before the BC Court at the next Saturday session. Jail warden shall enter those names and residences on the jail docket.

- Sec. 3: Warden shall bring all such accused and committed persons to the next Saturday session of the BC Court which shall hear the cases in a summary way if the accused waives the right to a jury trial.
- Sec. 4: Warden shall file with the court clerk the original commitment or a copy.
- Sec. 7: Acts of 1835, Ch. 75 repealed.

### **Acts of 1845, Ch. 222**

An act re indexes, passed 3-2-1846

- Hereafter justices of the peace shall keep indexes to their dockets.

### **Constitution of 1851, Art. IV**

- Sec. 13: BC shall have a Criminal Court, consisting of one judge elected for a ten year term, which shall have all jurisdiction now exercised by the BC Court.

### **Acts of 1852, Ch. 136**

An act re district courts, passed and effective 5-10-1852

- Sec. 2: Dockets and papers in possession of the district courts shall be delivered to the circuit court clerks. Justices of the peace shall complete the unfinished cases.

### **Acts of 1852, Ch. 344**

An act re jurisdiction, passed 5-31-1852

- Sec. 1: County circuit courts and BC Criminal Court shall have the authority to try all persons charged with committing any offense.

### **Acts of 1862, Ch. 74**

An act to add a section to Art. 19, Public Local Laws, re justices of the peace in SO, passed 2-27-1862

- Sec. 1: Justices of the peace in SO shall have criminal jurisdiction in cases of assault and battery unless it appears there was an intent to kill.

### **Constitution of 1864, Art. IV**

- Sec. 31: The 13th circuit shall consist of four courts: BC Superior Court, BC Court of Common Pleas, BC Circuit Court, and BC Criminal Court. Each court shall have one judge, elected for a fifteen year term.
- Sec. 36: The jurisdiction of the BC Criminal Court shall include criminal cases and appeals from

justices of the peace for the recovery of fines, forfeitures, and penalties.

## **Acts of 1867, Ch. 401**

An act to establish BC Court, approved 3-22-1867

- Sec. 1: BC Court is established and shall consist of one judge.
- Sec. 2: BC Court shall have concurrent jurisdiction with the BC Court of Common Pleas in all civil cases, insolvencies, habeas corpus, and appeals from judgments of justices of the peace. It shall also have concurrent jurisdiction with the BC Criminal Court in criminal cases whenever cases are removed from the latter court.

## **Constitution of 1867, Art. IV**

- Sec. 27: The 8th circuit shall consist of six courts: BC Supreme Bench, BC Superior Court, BC Court of Common Pleas, BC Court, BC Circuit Court, and BC Criminal Court.
- Sec. 28: BC Superior Court, BC Court of Common Pleas, and BC Circuit Court shall have concurrent jurisdiction in civil cases, with the following exceptions. BC Court shall have exclusive jurisdiction in cases of appeals from civil and criminal judgments of justices of the peace and arising under ordinances of the BC Mayor and City Council. BC Court of Common Pleas shall have exclusive jurisdiction in insolvency cases.
- Sec. 30: BC Criminal Court shall have exclusive jurisdiction in criminal cases, except for appeals assigned to the BC Court.
- Sec. 33: The powers and duties of the BC Supreme Bench shall include providing for the general court terms to be held by at least three judges, making rules and regulations for the conduct of court business, and hearing and determining motions for new trials and motions in arrest of judgment.
- Sec. 34: No appeal shall be taken to the BC Supreme Bench from a decision of the BC Court in cases of appeal from justices of the peace.

## **Acts of 1876, Ch. 28**

An act to repeal and reenact Secs. 619-620 and 625-628 of and to add sections to Art. 4, Public Local Laws, re justices of the peace in BC, approved 2-23-1876

- Sec. 619: Governor with consent of the Senate shall appoint justices of the peace for BC as follows:
  - Legislative District 1 - seven justices, one for each ward
  - Legislative District 2 - seven justices, one for each ward
  - Legislative District 3 - six justices, one for each ward
  - At large - six justices, appointed from such wards as determined by the governor
- Sec. 620: Each justice shall give bond, to be approved by the judge of the BC Superior Court.
- Sec. 626: Governor shall select from the appointees one justice to sit at each station house to handle criminal charges and cases where a fine, penalty, or forfeiture not over \$100 is sought to



be recovered under state law or municipal ordinance.

- Sec. 628: Each station house justice shall receive a monthly salary from the BC Register and shall charge no fees.
- Sec. 628A: When a justice fails to attend, the board of police commissioners shall require another justice to perform the duties until the official returns or the governor makes a new appointment.
- Sec. 628C: Police officers, policemen, and detectives appointed by the police commissioners shall serve and execute writs, warrants, subpoenas, and commitments issued by the station house justices.
- Sec. 628F: Quarterly each station house justice shall file with the clerk of the BC Court of Common Pleas an account of fines, forfeitures, and penalties imposed under state laws, showing the names of the defendants, laws violated, and amounts paid. The justices shall also pay the amounts received or the portions to which the state is entitled.
- Sec. 628G: Quarterly each station house justice shall file with the BC Register an account of fines, forfeitures, and penalties imposed under city ordinances, showing the names of the defendants, ordinances violated, and amounts paid. The justices shall also pay the amounts received or the portions to which the city is entitled.
- Sec. 628H: If no fine, penalty, or forfeiture is imposed, the justice shall file an affidavit to that effect.
- Sec. 628I: All court costs paid to a station house justice shall be accounted for and paid to the police commissioners.

### **Acts of 1880, Ch. 326**

An act re jurisdiction in AL, AA, CV, CA, CH, DO, FR, GA, HA, HO, KE, MO, PG, SM, SO, TA, WA, and WI, approved 4-10-1880

- Sec. 1: Justices of the peace in AL, AA, CV, CA, CH, DO, FR, GA, HA, HO, KE, MO, PG, SM, SO, TA, WA, and WI shall have additional jurisdiction concurrent with the circuit court in cases of assault without felonious intent, assault and battery, petit larceny when the value of the stolen property is not over \$5, misdemeanors not punishable by confinement in the penitentiary, and recovery of a penalty for doing or omitting to do an act that is punishable by fine or imprisonment. If a jury trial is desired, the case shall be removed to the circuit court.

### **Acts of 1882, Ch. 219**

An act to repeal and reenact Sec. 626 of and to add sections to Art. 4, Public Local Laws, re justices of the peace in BC, approved 4-3-1882

- Sec. 626: Governor shall select from appointees a justice of the peace for each station house in BC.
- Sec. 626A: These justices shall hear and determine the following cases: commission of criminal offenses, charge of being a tramp, charge of disturbing the peace, charge of drunkenness, vagrancy offenses, offenses against state laws and city ordinances punishable by a fine of not over \$100, and violation of hawker and peddler license laws. The justices shall not hear cases on violations of other license laws or of any charge of sabbath breaking.

- Sec. 626C: When a person desires a jury trial, the justice shall commit the alleged offender for trial in BC Criminal court or take bail for such appearance and shall endorse on the commitment or recognizance the names and residences of prosecution witnesses and return it to the court clerk.

### **Acts of 1882, Ch. 403**

An act to repeal and reenact Sec. 31 of Art. 88, Public General Law, re executions, approved 5-3-1882

- Sec. 31: Sheriff shall carry out a sentence of death when authorized to do so by a warrant from the governor and shall have a physician attend. Sheriff shall return the execution of the sentence and physician's certificate to the court that conducted the trial for recording in the case proceedings.

### **Acts of 1884, Ch. 510**

An act to repeal Acts of 1880, Ch. 326, re jurisdiction of justices of the peace in FR, approved 4-8-1884

- Sec. 1: Acts of 1880, Ch. 326, re additional jurisdiction for justices of the peace, is repealed as far as affects FR.

### **Acts of 1890, Ch. 230**

An act to repeal and reenact Sec. 641 of Art. 4, Public Local Laws, re justices of the peace in BC, approved 3-31-1890

- Sec. 641: Governor shall select from appointees one justice of the peace for each station house in BC and one additional justice to act at such times and places as designated by the police commissioners or states attorney.

### **Acts of 1890, Ch. 260**

An act to repeal Secs. 184-185 and 195 of Art. 4, Public Local Laws, re BC Criminal Court, approved 4-3-1890

- Sec. 1: Secs. 184-185 and 195 of Art. 4, Public Local Laws, re Saturday session of the BC Criminal Court, are repealed.

### **Acts of 1890, Ch. 369**

An act to repeal and reenact Sec. 615 of Art. 4, Public Local Laws, re justices of the peace in BC, approved 4-3-1890

- Sec. 615: Station house justices of the peace in BC shall hear and determine the following cases: commission of criminal offenses, charge of being a tramp, charge of disturbing the peace, charge of drunkenness, vagrancy offenses including children, offenses against state laws and city ordinances punishable by a fine of not over \$100, violation of hawker and peddler license laws, charge of carrying a concealed weapon, and assault and battery where the defendant has waived

the right to a jury trial, cannot give bail, and agrees to abide by the justice's determination. The justices shall not hear cases on violations of other license laws or of any charge of sabbath breaking.

### **Acts of 1890, Ch. 618**

An act to add a section to Art. 52, Public General Laws, re jurisdiction, approved 4-8-1890

- Sec. 11A: Justices of the peace, except in BC, shall have additional jurisdiction with the circuit courts in cases of assault without felonious intent, assault and battery, petit larceny when the value of the stolen property is not over \$5, misdemeanors not punishable by confinement in the penitentiary, and for recovery of a penalty for doing or omitting to do an act that is punishable by a fine or imprisonment. If a jury trial is desired, the case shall be removed to the circuit court.

### **Acts of 1892, Ch. 73**

An act to repeal Sec. 183 and to repeal and reenact Sec. 255 of Art. 11, Public Local Laws, re police justice in FR, approved 3-9-1892

- Sec. 255: All offenses against the ordinances of the city of Frederick shall be tried and determined by the police justice of Election District 2 in FR, and in his absence by the mayor.

### **Acts of 1892, Ch. 74**

An act to add a section to Art. 11, Public Local Laws, re police justice in FR, approved 3-9-1892

- Sec. 289A: Governor shall designate one of the five justices of the peace in Election District 2 in FR as a police justice who shall be paid a salary by the county commissioners. Police justice shall issue warrants for the arrest of persons charged with violating state laws and shall have the same jurisdiction as other justices of the peace in FR.

### **Acts of 1892, Ch. 334**

An act to repeal and reenact Secs. 171-173 and 176 of and to add sections to Art. 2, Public Local Laws, re justices of the peace in AA, approved 4-7-1892, effective 5-1-1892

- Sec. 171B: Justices in Election District 6 in AA shall have their offices in Annapolis.
- Sec. 173: No justice appointed for any other election district shall have any jurisdiction in Annapolis.
- Sec. 176: Justices of the peace, except for Election District 6, shall account for and pay to the county commissioners every three months money arising from fines and penalties.
- Sec. 176A: Justices in Election District 6 shall monthly report to the county commissioners on criminal cases giving the names of defendants, offenses, names of complainants, number of witnesses summoned, names of officers serving warrants and summons, judgments rendered, amounts of fines and penalties imposed, and amounts of such sums collected. Justices shall pay those moneys to the county commissioners. For offenses under the Annapolis code the justices

shall make the same type of report and pay moneys to the city.

### **Acts of 1892, Ch. 485**

An act to repeal Acts of 1890, Ch. 618, re jurisdiction of justices of the peace in FR, HA, QA, and TA, approved 4-7-1892

- Sec. 1: Acts of 1890, Ch. 618, re additional jurisdiction for justices of the peace, is repealed as far as it affects FR, HA, QA, and TA.

### **Acts of 1894, Ch. 301**

An act to add sections to Art. 2, Public Local Laws, re police justice in AA, approved 4-6-1894

- Sec. 171C: Governor shall designate one of the justices of the peace for Election District 5 in AA as a police justice.
- Sec. 171D: The police justice shall have an office in Brooklyn and South Baltimore.
- Sec. 172A: The police justice shall retain civil jurisdiction, but have exclusive jurisdiction in hearing criminal offenses or handling the recovery of fines, penalties, and forfeitures within Precinct 1 of Election District 5.
- Sec. 176D: Monthly the police justice shall report to the county commissioners all criminal cases giving the names of defendants, offenses, names of complainants, number of witnesses summoned, names of officers serving warrants and summons, judgments rendered, amounts of fines and penalties imposed, and amounts of such sums collected. Justices shall pay those moneys to the county commissioners.
- Governor shall designate one of the current justices of the peace in Election District 5 as the police justice.

### **Acts of 1894, Ch. 338**

An act to repeal Acts of 1890, Ch. 618, re jurisdiction of justices of the peace in MO, approved 4-6-1894

- Sec. 1: Acts of 1890, Ch. 618, re additional jurisdiction for justices of the peace, is repealed as far as it affects MO.

### **Acts of 1896, Ch. 68**

An act to repeal and reenact Acts of 1892, Ch. 74, re justices of the peace in FR, approved 3-23-1896, effective 5-1-1896

- Sec. 289A: The three justices of the peace for Election District 2 in FR shall be paid a salary by the county commissioners for hearing criminal cases and issuing warrants for the arrest of persons charged with violating state laws.

### **Acts of 1896, Ch. 128**

An act re justices of the peace in FR, HA, MO, and TA, approved 3-27-1896

- Justices of peace in FR, HA, MO, and TA shall exercise the jurisdiction outlined in Acts of 1880, Ch. 326.

## **Acts of 1898, Ch. 123**

An act to repeal and reenact Art. 4, Public Local Laws, re police magistrates in BC, approved 3-30-1892

- Sec. 623: Governor with consent of the Senate shall appoint justices of the peace for BC as follows:
  - Legislative District 1 - seven justices, one for each ward, and three at large
  - Legislative District 2 - seven justices, one for each ward, and five at large
  - Legislative District 3 - eight justices, one for each ward, and five at large
  - Additional at large - twelve justices, appointed from such wards as determined by the governor
- Sec. 624: Each justice shall give bond, to be approved by the judge of the BC Superior Court.
- Sec. 630: Governor shall select from appointees one justice of the peace for each station house in BC and one additional justice to act at such times and places as designated by the police commissioners or states attorney.
- Sec. 631: Station house justices are called police magistrates.
- Sec. 632: Police magistrates shall hear and determine the following cases: commission of criminal offenses, charge of being a tramp, charge of disturbing the peace, charge of drunkenness, vagrancy offenses including children, offenses against state laws and city ordinances punishable by a fine of not over \$100, violation of hawker and peddler license laws, charge of carrying a concealed weapon, and assault and battery where the defendant has waived the right to a jury trial, cannot give bail, and agrees to abide by the justice's determination. The justices shall not hear cases on violations of other license laws or of any charge of sabbath breaking.
- Sec. 636: Each police magistrate shall receive a monthly salary from the BC Register and shall charge no fees.
- Sec. 637: When a magistrate fails to attend, the board of police commissioners shall require another justice to perform the duties until the official returns or the governor makes a new appointment.
- Sec. 640: Police officers, policemen, and detectives appointed by the police commissioners shall serve and execute writs, warrants, subpoenas, and commitments issued by the police magistrates.
- Sec. 643: Quarterly each police magistrate shall file with the clerk of the BC Court of Common Pleas an account of fines, forfeitures, and penalties imposed under state laws, showing the names of the defendants, laws violated, and amounts paid. The magistrates shall also pay the amounts received or the portions to which the state is entitled.
- Sec. 644: Quarterly each police magistrate shall file with the BC Register an account of fines, forfeitures, and penalties imposed under city ordinances, showing the names of the defendants, ordinances violated, and amounts paid. The magistrates shall also pay the amounts received or the portions to which the city is entitled.

## **Acts of 1898, Ch. 316**

An act to add a section to Art. 11, Public Local Laws, re police justice in FR, approved 4-7-1898

- Sec. 289A: Governor shall designate the justice of the peace at Brunswick in Election District 12 in FR as a police justice who shall issue warrants for the arrest of persons charged with violating state laws or town ordinances and shall have the same jurisdiction as other justices of the peace in FR.

## **Acts of 1900, Ch. 517**

An act to add sections to Art. 21, Public Local Laws, re police justice in TA, approved 4-7-1900

- Sec. 117A: Governor shall select one of the justices of the peace for the Easton Election District in TA as a police justice who shall have criminal jurisdiction as do other justices of the peace in the county, but no civil jurisdiction. There shall also be the same rights to jury trials and appeals.
- Sec. 117C: Temporary absences shall be filled by the states attorney by designating another justice of the peace.
- Sec. 117D: Other justices of the peace in the Easton district may issue warrants for arrest, but made returnable to the police justice who alone shall try criminal cases in that district.
- Sec. 117F: Police justice shall quarterly file a statement with the county commissioners, showing fines, forfeitures, and penalties imposed and shall pay the amounts collected. This section shall also apply to other justices of the peace having criminal jurisdiction.

## **Acts of 1904, Ch. 70**

An act to add sections to Art. 3, Public Local Laws, re justices of the peace in BA, approved 3-15-1904

- Sec. 142I: Monthly each justice of the peace in BA shall file with the county commissioners an account of fines, forfeitures, and penalties imposed and received, showing the names of defendants, laws or charges upon which they were imposed, and amounts paid. Justices shall also pay the money collected.

## **Acts of 1908, Ch. 524**

An act to add sections to Art. 2, Public Local Laws, re police justice in AA, approved 4-13-1908

- Sec. 171E: Governor shall designate one of the justices of the peace for Election District 2 in AA as a police justice.
- Sec. 171F: The police justice shall have an office in Germantown.
- Sec. 172C: The police justice shall retain civil jurisdiction, but have exclusive jurisdiction in hearing criminal offenses or handling the recovery of fines, penalties, and forfeitures within Precinct 1 of Election District 2.
- Sec. 176G: Monthly the police justice shall report to the county commissioners all criminal cases giving the names of defendants, offenses, names of complainants, number of witnesses summoned, names of officers serving warrants and summons, judgments rendered, amounts of

finest and penalties imposed, and amounts of such sums collected. Justices shall pay those moneys to the county commissioners.

- There shall be two justices of the peace for Election District 2, one in each precinct. Until the next appointment cycle, the Governor shall designate one of the current justices of the peace in Election District 2 as the police justice.

### **Acts of 1910, Ch. 263**

An act re justices of the peace in CA, approved 4-11-1910

- Sec. 1: Annually by June 1 each justice of the peace in CA shall file with the county commissioners an account of all fines, penalties, and forfeitures imposed and shall pay to them the amounts required by law.

### **Acts of 1910, Ch. 320**

An act to add sections to Art. 21, Public Local Laws, re police justice in TA, approved 4-7-1910

- Sec. 117J: Governor shall designate one of the justices of the peace for Precinct 1 of Election District 2 in TA as a police justice who shall have no civil jurisdiction. The justice shall have exclusive jurisdiction over violations of criminal laws in Precinct 1, including violations of ordinances in St. Michaels, subject to the right to jury trial and of appeal. The justice shall also act a coroner for Precinct 1.
- Sec. 117K: Police justice shall quarterly file a statement with the county commissioners, showing fines, forfeitures, and penalties imposed and shall pay the amounts collected.
- Sec. 117L: Temporary absences shall be filled by the states attorney by designating another justice of the peace.

### **Acts of 1912, Ch. 163**

An act to repeal and reenact Art. 12, Public General Laws, re bastardy cases, approved 4-4-1912

[Previously justices of the peace heard bastardy cases which could be removed to the county circuit court or BC Criminal Court.]

- Sec. 2: Whenever a woman delivered of or pregnant with a bastard child shall in writing accuse someone before a justice of the peace of being the father, the justice shall have the man brought before that official.
- Sec. 3: Justice of the peace shall require the man to give bond conditioned for his appearance at the next term of the county circuit court or BC Criminal Court or at the term after the birth of the child.
- Sec. 4: Justice of the peace shall take testimony from the woman and sent it to the county circuit court or BC Criminal Court.
- Sec. 5: If the accused is found guilty by a jury or the court, he shall give bond conditioned for the support and maintenance of the child until age twelve. In default of the bond, he shall be committed to jail until new bond is given, but not over two years.

- Sec. 6: The court may order the mother to give bond conditioned to indemnify the county or city from charges for maintaining the child until age twelve. In default of the bond, she may be committed to jail until new bond is given, but not over one year.
- Sec. 7: Bonds and recognizances taken by a justice of the peace shall be sent to the clerk of the county circuit court or BC Criminal Court to be recorded. Justice shall keep copies.
- Sec. 8: Upon petition the court may change the order re the amount to be paid by the father.
- Sec. 9: Court may discharge the bond if the child dies or all dues are paid.
- Sec. 13: The older version of Art. 12, Public General Laws, shall remain in effect where the child was born or conceived prior to the passage of this act.

### **Acts of 1912, Ch. 777**

An act to repeal and reenact Sec. 630 of Art. 4, Public Local Laws, re police magistrates in BC, approved 4-11-1912, effective 5-1-1912

- Sec. 630: Governor shall select from appointees one justice of the peace for each station house in BC and two additional justices whose attendance shall be regulated by the police commissioners or states attorney.
- Sec. 632A: When a person is sentenced by a police magistrate to any imprisonment or a fine over \$50, the individual may appeal to the BC Criminal Court where the trial shall be de novo.

### **Acts of 1914, Ch. 425**

An act to repeal and reenact Secs. 117E-117F of Art. 21, Public Local Laws, re police justice in TA, approved 4-10-1904

- Sec. 117E: Police justice in Easton Election District in TA shall hear violations of ordinances of Easton.
- Sec. 117F: Police justice shall quarterly file a statement with the county commissioners, showing fines, forfeitures, and penalties imposed and shall pay the amounts collected. For offenses under Easton ordinances the justice shall make the same type of report and pay moneys to the city. This section shall also apply to other justices of the peace having criminal jurisdiction.

### **Acts of 1917, Ch. 38**

An act re justices of the peace in AA, approved 6-27-1917

Federal government is establishing a military camp in Election District 4 in AA.

- Sec. 1: Governor shall appoint an additional justice of the peace for Election District 4 in AA as a police justice. The first appointee shall hold office until May 1, 1918 when the normal cycle of appointments is made.
- Sec. 2: The police justice shall have an office at or near Admiral.
- Sec. 3: The police justice shall retain civil jurisdiction, but have exclusive jurisdiction in hearing criminal offenses or handling the recovery of fines, penalties, and forfeitures within Election District 4.



- Sec. 5: Monthly the police justice shall report to the county commissioners all criminal cases giving the names of defendants, offenses, names of complainants, number of witnesses summoned, names of officers serving warrants and summons, judgments rendered, amounts of fines and penalties imposed, and amounts of such sums collected. Justices shall pay those moneys to the county commissioners.

### **Acts of 1918, Ch. 85**

An act to repeal and reenact Secs. 133-163 of Art. 56, Public General Laws, re traffic court in BC, approved 3-28-1918, effective 6-1-1918

- Sec. 159: Governor shall appoint an additional justice of the peace in BC, to be called the justice of the BC Traffic Court. The court shall have exclusive jurisdiction to hear and determine violations of motor vehicle laws of the state and traffic ordinances of BC. Governor shall appoint another justice who shall fill a temporary absence in the traffic court.

### **Acts of 1920, Ch. 131**

An act to repeal Secs. 171C and 172A of Art. 2, Public Local Laws, re police justice in AA, approved 4-16-1920, effective 6-1-1920

- Sec. 1: Secs. 171C and 172A of Art. 2, Public Local Laws, are repealed, thus abolishing the police justice in Election District 5 in AA.

### **Acts of 1922, Ch. 420**

An act to repeal and reenact Secs. 488-489 of Art 11, Public Local Laws, re justices of the peace in FR, approved 4-13-1922 effective 6-1-1922

- Sec. 288: The three justices of the peace for Election District 2 and the one for Election District 25 in FR shall be paid a salary by the county commissioners for hearing criminal cases and issuing warrants for the arrest of persons charged with violating state laws.
- Sec. 289: These justices shall have the same jurisdiction as other justices in FR.

### **Acts of 1924, Ch. 410**

An act to repeal and reenact Sec. 58 of Art. 11, Public Local Laws, re police justice in FR, approved 4-9-1924

- Sec. 58: The police justice of Brunswick who shall also be the justice of the peace of Election District 25 in FR, or the mayor in the absence of that official, shall hear and determine cases in violation of town ordinances. The justice shall keep a separate docket for these municipal cases and shall report monthly on these cases and pay the fines and costs to the mayor and council.

### **Acts of 1924, Ch. 442**

An act to repeal and reenact Sec. 5 of Art. 12, Public General Laws, re bastardy cases, approved 4-9-

1924, effective 6-1-1924

- Sec. 5: If the accused is found guilty by a jury or the court, he shall give bond conditioned for the support and maintenance of the child until age fourteen. In default of the bond, he shall be committed to jail until new bond is given, but not over two years.

### **Acts of 1927, Ch. 426**

An act re police justice in PG, approved 4-5-1927, effective 6-1-1927

- Sec. 1: Governor with consent of the Senate shall biennially appoint a justice of the peace at large for PG, designated as a police justice.
- Sec. 2: Justice shall give bond, to be recorded by the circuit court clerk.
- Sec. 3: Justice shall maintain offices in Upper Marlboro, Hyattsville, Laurel, and Seat Pleasant Election District and sit at each site one day per week and in temporary locations as needed.
- Sec. 4: Justice shall have criminal jurisdiction as heretofore given justices of the peace.
- Sec. 7: Justices of the peace shall be divested of criminal jurisdiction, except for issuing warrants and summons and taking recognizances returnable to the police justice, except for violations of town ordinances and motor vehicle laws and for preliminary hearings.
- Sec. 9: Police justice shall monthly report to the county commissioners on civil and criminal cases heard, stating the particulars of each and paying the fines, penalties, and costs collected.
- Sec. 10: Temporary absences shall be filled by the circuit court judges by designating one of the justices of peace. Vacancies shall be filled by the governor.
- Sec. 12: County commissioners shall biennially appoint a clerk of the PG Police Court, who shall give bond and whose duties shall be the same as those of the county circuit clerk. Clerk of the police court shall act as secretary of the chief of the PG Police, as the same may be created by law, and keep records of the police.

### **Acts of 1929, Ch. 69**

An act re police justice in QA, approved 4-11-1929, effective 5-1-1929

- Sec. 1: Governor with consent of the Senate shall biennially appoint a justice of the peace at large for QA, to be designated as a police justice.
- Sec. 2: Police justice shall give bond, to be approved by the county commissioners and recorded by the circuit court clerk.
- Sec. 3: Justice shall have an office in the courthouse in Centreville, but may hold hearings and trials in the election district where the offense was committed.
- Sec. 4: Police justice shall have no civil jurisdiction. Justice shall have the jurisdiction of a coroner. Justice shall have exclusive criminal jurisdiction concurrent with the circuit court over misdemeanors including violations of town ordinances, all subject to the right of election to a jury trial and to right of appeal. Justice shall no jurisdiction over felonies except for arrest and commitment for a hearing or action of the grand jury.
- Sec. 5: Other justices of the peace shall have no criminal jurisdiction except for the issuance of

warrants and summons for witnesses and taking recognizances, all returnable to the police justice.

- Sec. 9: Police justice shall monthly report to the county commissioners on cases for violations of state and county laws and town ordinances, stating names of defendants, charges, names of complainants, number and names of witnesses, names of officials serving papers, judgments rendered, amounts of fines and penalties imposed, and amounts of fines and costs collected. All money collected shall be paid to the county commissioners who shall forward amounts collected for violation of municipal ordinances to the appropriate town officials.
- Sec. 10: Temporary absences shall be filled by the states attorney by designating another justice of the peace. Vacancies shall be filled by the governor.

### **Acts of 1931, Ch. 448**

An act to repeal and reenact Sec. 87 of and to add sections to Art. 87, Public General Laws, re desertion cases in BC, approved 4-17-1931

- Sec. 87: A person who deserts or neglects to provide for his wife and minor children may be charged, tried, fined, imprisoned, or ordered to make support payments.
- Sec. 87A: BC States Attorney shall be empowered upon personal knowledge, complaint, or information to investigate such home situations.
- Sec. 87B: BC States Attorney may then file an information in the BC Criminal Court, rather than proceeding by way of presentment or indictment.
- Sec. 87E: Clerk of BC Criminal Court shall maintain a domestic information docket for records of court orders re support payments, etc.

### **Acts of 1933, Ch. 562**

An act to add a section to Art. 27, Public General Laws, re procedures, approved 4-21-1933, effective 6-1-1933

- Sec. 549A: States attorneys may file criminal information in the county circuit courts or BC Criminal Court when a defendant charged with a misdemeanor desires to enter a guilty plea, thus eliminating the need for an indictment returned by a grand jury. Justices of the peace and police justices shall continue to handle cases as before.

### **Acts of 1933 Special Session, Ch. 78**

An act to repeal and reenact Secs. 318-319 of Art. 27, Public General Laws, re larceny, approved 12-15-1933

- Sec. 318: Larceny is raised from a minimum of \$5 to \$25 as to the value of the stolen property.
- Sec. 319: Theft of property under \$25 shall be a misdemeanor and may be tried before a county circuit court or a justice of the peace, but not by justices in BC. In BC jurisdiction shall remain with the BC Criminal Court. This provision shall not change the jurisdiction of justices of the peace in the counties already vested with authority to hear these cases.

**Acts of 1935, Ch. 544**

An act to add sections to Art. 5, Public Local Laws, re police justice in CV, approved 4-29-1935, effective 6-1-1935

- Sec. 174A: Governor with consent of the Senate shall biennially appoint a justice of the peace at large for CV as a police justice. The first one, named in this act, shall serve until May 1, 1937.
- Sec. 174B: Police justice shall give bond, to be recorded by the circuit court clerk.
- Sec. 174C: Police justice shall have an office in Prince Frederick, but shall be required to hold court there only on Saturdays.
- Sec. 174D: Police justice shall have jurisdiction to hear charges of any offense, crime, or misdemeanor not punishable by confinement in the penitentiary or involving felonious intent and to hear prosecutions or proceedings for recovery of any penalty for doing or omitting to do an act. When a defendant or states attorney demands a jury trial, the case shall be removed to the circuit court. Appeals may be taken to the circuit court.
- Sec. 174G: Other justices of the peace shall not have criminal jurisdiction, except for town ordinances and for issuing warrants and summons and taking recognizances. All justices may act as coroners.
- Sec. 174I: Monthly the police justice shall report to the county commissioners on all cases heard, stating the names of plaintiffs and defendants, offenses, names of complainants, number of witnesses, names of officers serving process, judgments rendered, amounts of fines and penalties imposed, and amounts of fines and costs collected. Justice shall also pay the amounts collected.
- Sec. 174J: Temporary absences shall be filled by one of the other justices of the peace by appointment from the judges of the circuit court. Vacancies shall be filled by the governor.

**Acts of 1937, Ch. 134**

An act to repeal Secs. 346-347, 349, 358, 367, and 372-377 of Art. 2, Public Local Laws, re police justices in AA, approved 5-18-1937, effective 6-1-1937

- Sec. 1: Secs. 346-347, 349, 358, 367, and 372-377 of Art. 2, Public Local Laws, are repealed, thus abolishing the police justices in Election Districts 2 and 4 in AA.

**Acts of 1937, Ch. 276**

An act to repeal and reenact Secs. 578-596 of Art. 17, Public Local Laws, re police justice in PG, approved 4-15-1937

- Sec. 578: Governor with consent of the Senate shall biennially appoint one to three justices of the peace at large for PG.
- Sec. 579: Governor shall designate one of them as a police justice who shall give bond, to be recorded by the circuit court clerk.
- Sec. 580: Justice shall maintain offices in Upper Marlboro, Hyattsville, Laurel, Capital Heights, and Seat Pleasant Election District and sit at each site one day per week and in temporary locations as needed.

- Sec. 581: Justice shall have criminal jurisdiction as heretofore given justices of the peace.
- Sec. 584: Justices of the peace shall be divested of criminal jurisdiction, except for issuing warrants and summons and taking recognizances returnable to the police justice, except for violations of town ordinances and motor vehicle laws and for preliminary hearings.
- Sec. 586: Police justice shall monthly report to the county commissioners on civil and criminal cases heard, stating the particulars of each and paying fines, penalties, and costs collected.
- Sec. 587: Governor shall fill temporary absences by designating one of the other justices of peace at large.
- Sec. 589: County commissioners shall biennially appoint a clerical assistant to the police justice, who shall give bond.
- Sec. 590: Person named in this act is designated as the police justice to fill any vacancy that may occur between now and when the governor designates the successor.

### **Acts of 1939, Ch. 182**

An act to repeal and reenact Secs. 3, 5, 7, and 10 of and to add new sections to Art. 12, Public General Laws, re bastardy cases, approved 5-3-1939

- Sec. 4A: A woman may file an accusation with the states attorney who may summon witnesses for examination. The official may then file information in the county circuit court or BC Criminal Court against the accused father or may submit the case to the grand jury.
- Sec. 4C: States attorney shall notify the accused of the inquiry so that he may appear and offer evidence.
- Sec. 5: Age of support of the child is raised to 16.
- Sec. 7: For recording court orders imposed under this article, court clerks shall maintain a bastardy information docket.

### **Acts of 1939, Ch. 369**

An act to repeal and reenact Art. 22, Public General Laws, and to repeal Public Local Laws concerning coroners, re post mortem examiners, approved 5-3-1939, effective 6-1-1939

- Sec. 1: Department of Post Mortem Examiners is hereby created. It shall be headed by a commission composed of a professors of pathology at the University of Maryland and Johns Hopkins University, state director of health, BC commissioner of health, and Attorney General. One member shall be elected chairman and another vice chairman.
- Sec. 2: Commission shall appoint a chief medical examiner and two assistant medical examiners who shall be pathologists.
- Sec. 3: Commission shall appoint a deputy medical examiner, a licensed doctor, for each county and additional ones if necessary from a list submitted by county medical societies.
- Sec. 4: Officials mentions in Secs. 2-3 shall attend all medical functions now devolving upon coroners and post mortem physicians in BC and upon coroners or justices of the peace acting as coroners in the counties.
- Sec. 5: Police and sheriffs of BC and the counties shall notify the chief, assistant, or deputy medical examiners of violent or suspicious deaths, who shall then investigate the facts.

- Sec. 6: The examiners report shall be filed with the chief examiner. Examiner may order an autopsy done, the results of which shall also be filed with the chief examiner. When the examinations are done in the counties, copies of the reports shall be sent to the chief examiner.
- Sec. 7: Chief and deputy examiners shall keep full and complete records that are properly indexed and show the name of the person if known, place where the body was found, date and cause of death, and other reports and information. When deemed necessary copies shall be delivered to a states attorney.
- Sec. 8: This act shall not apply to CE.

### **Acts of 1939, Ch. 770**

An act to add sections to Art. 52, Public General Laws, re trial magistrates, approved 5-17-1939, effective 6-1-1939

Retention of fees as compensation for justices of the peace is unsatisfactory. It is desirable to abolish this fee system, reduce the number of justices of the peace who actually perform judicial duties, and centralize magistrates in a few convenient centers.

- Sec. 91: Governor with consent of the Senate shall appoint for each election district in each county one justice of the peace, and additional justices of the peace at large, as specified in Sec. 98. They shall be called trial magistrates.
- Sec. 92: Authority, powers, and civil and criminal jurisdiction shall be the same as justices of the peace now have, except as herein modified. It shall not include juvenile cases which may now by law be conferred upon a justice of the peace designated for that purpose. In cases of commitment to jail in default of payment of fines, the trial magistrates may order the prisoner released upon payment of the fine and costs, giving \$1 credit for each day served. Trial magistrates shall keep records of such releases and credits.
- Sec. 94: Fees, costs, fines, forfeitures, and penalties imposed and collected by the trial magistrates shall be paid to the county commissioners, except for violation of the motor vehicle laws, which amounts shall be remitted to the Commissioner of Motor Vehicles. In AA and FR the county commissioners shall pay to incorporated towns 50% of the moneys arising from violations of ordinances; in AL, CV, CR, PG, SM, and WA 100%.
- Sec. 95: Trial magistrates and other justices of the peace shall be paid salaries by the county commissioners.
- Sec. 96: County commissioners may appoint one constable for each election district and such number at large as shall hereafter be specified.
- Sec. 98: Number of trial magistrates and places where they shall sit shall be as follows:
  - AL: one each in Barton, Cresaptown, Lonaconing, Midland, and Mt. Savage; two in Cumberland; two in Frostburg with one sitting part-time in Mt. Savage; one in Westernport but sitting part-time in McCool; and four at large
  - AA: one each in Annapolis, Ferndale, and Galesville
  - BA: one each in Catonsville, Cockeysville, Dundalk, Edgemere, Essex, Fullerton, Halethorpe, Kingsville, Parkton, Pikesville, Reisterstown, Sparrows Point, Towson, and Woodlawn
  - CV: one in Chesapeake Beach or North Beach and one in Prince Frederick but sitting part-

time in Sunderland

- CA: one in Denton but sitting part-time in Ridgely and Greensboro and one in Federalsburg but sitting part-time in Preston
- CR: one in Westminster and one for Manchester, Mt. Airy, Sykesville, Taneytown, and Union Bridge
- CE: one each in Chesapeake City, Elkton, Port Deposit, and Rising Sun
- CH: one in La Plata
- DO: one in Cambridge but sitting part-time in Hurlock
- FR: one each in Brunswick, Emmitsburg, and Thurmont and two in Frederick but sitting part-time in Buckeystown, Middletown, and New Market
- GA: one each in Friendsville, Grantsville, Kitzmillersville, and Oakland
- HA: one each in Aberdeen, Bel Air, Darlington, and Havre de Grace and a substitute who when not substituting shall sit in Bel Air and Edgewood
- HO: one in Ellicott City but sitting part-time in Lisbon and one each in Elkridge and Savage
- KE: one in Chestertown
- MO: one each in Bethesda and Rockville and one in Silver Spring but sitting part-time in Takoma Park
- PG: one in Hyattsville but sitting part-time in Laurel and one in Upper Marlboro but sitting part-time in Seat Pleasant district. Sheriff and deputies shall serve process.
- QA: one in Centreville
- SM: one in Leonardtown
- SO: one each in Crisfield and Princess Anne
- TA: one in Easton but sitting part-time in St. Michaels
- WA: two in Hagerstown, one in Boonsboro but sitting part-time in Smithsburg, one Hancock but sitting part-time in Clear Spring, and one in Williamsport but sitting part-time in Sharpsburg
- WI; one in Salisbury. This magistrate shall be known as the judge of the Peoples Court who shall biennially appoint a clerk to keep the dockets and supervise the court. Sheriff and deputies shall serve process.
- WO: one each in Berlin, Ocean City, Pocomoke, and Snow Hill. No constables shall be assigned to the trial magistrates.
- Sec. 100: Justices of the peace other than trial magistrates shall be paid by the county commissioners for actions in civil and criminal cases, but may retain fees charged for taking acknowledgments or affidavits unrelated to cases.
- Sec. 101: Except in BA the county commissioners may increase the salaries of the trial magistrates.
- Sec. 108: Governor with consent of the Senate shall appoint one justice of the peace at large for each county who shall be designated a substitute trial magistrate who shall also post bond. The substitute will replace a regular trial magistrate who temporarily cannot serve.
- Sec. 109: Each trial magistrate and other justices of the peace shall give bond, to be approved by the county commissioners and to be filed with the circuit court clerk.
- Sec. 110: Monthly each trial magistrate shall file with the county commissioners a report of all

civil and criminal cases stating the names of the parties, nature of the case or charge, number of witnesses summoned, name of the officer serving the warrant summons, judgment rendered, amount of the fine, penalty or forfeiture, and fees and costs imposed and collected. The fees and costs shall be paid to the county commissioners.



## **DRAINAGE**

### **Acts of 1790, Ch. 3**

An act re drainage in CA, DO, SO, and WO, passed 12-14-1790

- Sec. 1: Much land in CA, DO, SO, and WO lies unimproved because the owners lack the power to cut ditches through neighboring lands into natural drains and sinks.
- Sec. 2: After giving two months notice to the affected landowners, an owner of land that is overflowed or liable to be may apply to the county court for a commission lay out a ditch through adjacent property. Court may issue a commission to five persons agreed upon by the parties. If they cannot agree, the court shall appoint the individuals.
- Sec. 3: Commissioners shall give thirty days notice of their meeting, take an oath, and meet on the land. Anyone aggrieved by the actions of the commission or county court may appeal to the General Court whose decision shall be final.
- Sec. 4: Commissioners shall have a route for the ditch laid out by a surveyor.
- Sec. 5: Commissioners shall determine compensation to be paid the owners of the land through which the ditch shall pass, that along with all other expenses shall be paid by the applicant.
- Sec. 6: County court shall record the application and return of the commission.

### **Acts of 1799, Ch. 73**

An act re drainage in SM and TA, passed 1-3-1800

- Sec. 2: Provisions of Acts of 1790, Ch. 3 are extended to SM and TA.

### **Acts of 1812, Ch. 23**

An act re drainage in QA, passed 11-25-1812

- Provisions of Acts of 1790, Ch. 3 extended to QA.

### **Acts of 1844, Ch. 278**

An act re drainage and public ditches in DO, QA, and WO, passed 3-8-1845

- Sec. 1: A majority of the owners of swamps or low grounds in DO, QA, and WO may petition the levy court or board of county commissioners for a commission to lay out a ditch or ditches. The governing body shall appoint three persons from the community as commissioners.
- Sec. 2: Commissioners shall employ a surveyor. Together they shall view the swamps or low lands and lay out by courses and distances and breadths and depths the ditches sufficient for drainage, estimate the probable cost including damages if any, and estimate the proportion to be paid by each owner, possessor, or person benefited. Commissioners shall report this information to the governing body, along with the plat of the ditches, delineation and estimated acreage of each parcel, list of persons awarded damages and amount for each, and amount of costs and damages to be paid by each owner, possessor, or person benefited.

- Sec. 3: Damages shall be paid before cutting the ditches through that person's land.
- Sec. 4: Persons to pay costs shall include those whose lands contain the ditches and drain into them. Payments shall be proportioned on the basis of benefit. The money shall be used to construct the ditches and to pay costs incurred by the commissioners and surveyor.
- Sec. 5: Commissioners may adopt an existing ditch into those to be laid out and allow the owner or owners compensation, but taking into account their proportion of costs based on benefit to them.
- Sec. 6: Affected persons may apply to the levy court or county commissioners before confirmation of the commission return for an order of review. The governing body may appoint new commissioners to modify or do the work anew.
- Sec. 7: Commissioners, whether original or of review, shall within one month of confirmation of the return call together the taxables affected by the ditch for the purpose of choosing two managers and one treasurer for a one year term of office or until others are selected. Public notice of this meeting shall be given. Each taxable shall have from one to six votes, based on the amount of costs being paid, and may vote by proxy authorized in writing. Annually thereafter on the first Saturday in March the managers shall call a meeting for the same purpose.
- Sec. 8: Commissioners shall deliver to the treasurer a statement of the amounts levied and due from each person. Such taxes shall remain in effect for five years from confirmation of the return and shall be the basis for levying by the managers for maintenance and repairs. After five years a new assessment may be requested by a majority of the taxables by application to the county governing body who shall appoint three persons to perform the task and make a return that shall be subject to an order of review per Sec. 6.
- Sec. 9: The managers shall build, open, and maintain the ditches. They shall keep an account of expenditures and report them to the annual meeting of taxables. Any person assessed a tax may discharge it by labor, but exclusive of the share of damages.
- Sec. 10: Treasurer shall collect the taxes and may proceed against arrearages in the same way as county taxes are recoverable by law. Treasurer shall report collections at the annual meeting. Treasurer shall give bond, to be approved by the managers.
- Sec. 11: Any person taxed for a ditch not passing through his/her land may open a ditch through intervening lands into the main ditch and maintain it at private expense. No such cross ditch shall be cut through the land of another person without consent, unless it is laid out and approved and damages assessed by a commission. Any landowner benefiting from the cross ditch shall be assessed a share of the costs by the commissioners.
- Sec. 12: Every ditch cut and opened shall always remain open. If any ditch laid out is not begun within two years after confirmation of the return or begun but not completed within seven years, the order and return shall be of no effect and the power and authority under it shall cease.
- Sec. 14: Clerks of the county courts shall keep records of the orders and commission reports.
- Sec. 15: Vacancies among the commissioners shall be filled by the county governing body.
- Sec. 17: Orphans courts shall appoint guardians for minors whose lands are affected and who have no guardian.
- Sec. 18: Nonresidents affected by this act shall be notified by thirty days notice on their tenants or agents.
- Sec. 19: Decisions of the county governing bodies may be appealed to the county court where the

trial shall be by jury and whose judgment shall be final.

- Sec. 20: If a ditch cuts across a public road, inconveniencing travel, the managers shall construct and maintain a bridge over it. If the managers fail to perform either task, the supervisor in charge of that road shall proceed to build or repair the bridge and file the account of expenses with the county governing body which shall give it to the sheriff for collection from the managers.

### **Acts of 1846, Ch. 299**

An act supplemental to Acts of 1844, Ch. 278, re drainage and public ditches in DO, QA, and WO, passed 3-8-1847

- Sec. 2: Vacancies among managers and treasurer shall be filled by a special meeting of the taxables.

### **Acts of 1847, Ch. 250**

An act supplemental to Acts of 1844, Ch. 278, re drainage and public ditches in DO, QA, and WO, passed 3-9-1848

- Sec. 1: Before a final decision is made, the county commissioners, levy court, or county court may allow the parties to amend the petition or other parts of the proceedings that may be defective or informal so as to bring the true merits of the case forward.

### **Acts of 1858, Ch. 271**

An act re drainage and public ditches, passed 3-10-1858

Provisions of Acts of 1844, Ch. 278 are made applicable statewide.

- Sec. 1: If the owners of swamps or low grounds cannot agree or any owner is a feme covert, minor, non compos mentis, or nonresident, they may petition the board of county commissioners for a commission to lay out a ditch or ditches. The county commissioners shall appoint three persons from the community as commissioners.
- Sec. 2: Commissioners shall employ a surveyor. Together they shall view the swamps or low lands and lay out by courses and distances and breadths and depths the ditches sufficient for drainage, estimate the probable cost including damages if any, and estimate the proportion to be paid by each owner, possessor, or person benefited. Commissioners shall report this information to the county commissioners, along with the plat of the ditches, delineation and estimated acreage of each parcel, list of persons awarded damages and amount for each, and amount of costs and damages to be paid by each owner, possessor, or person benefited.
- Sec. 3: Damages shall be paid before cutting the ditches through that person's land.
- Sec. 4: Persons to pay costs shall include those whose lands contain the ditches and drain into them. Payments shall be proportioned on the basis of benefit. The money shall be used to construct the ditches and to pay costs incurred by the commissioners and surveyor.
- Sec. 5: Commissioners may adopt an existing ditch into those to be laid out and allow the owner or owners compensation, but taking into account their proportion of costs based on benefit to

them.

- Sec. 6: Affected persons may apply to the county commissioners before confirmation of the commission return for an order of review. The county commissioners may appoint new commissioners to modify or do the work anew.
- Sec. 7: Commissioners, whether original or of review, shall within one month of confirmation of the return call together the taxables affected by the ditch for the purpose of choosing two managers and one treasurer for a one year term of office or until others are selected. Public notice of this meeting shall be given. Each taxable shall have from one to six votes, based on the amount of costs being paid, and may vote by proxy authorized in writing. Annually thereafter on the first Saturday in March the managers shall call a meeting for the same purpose.
- Sec. 8: Commissioners shall deliver to the treasurer a statement of the amounts levied and due from each person. Such taxes shall remain in effect for five years from confirmation of the return and shall be the basis for levying by the managers for maintenance and repairs. After five years a new assessment may be requested by a majority of the taxables by application to the county commissioners who shall appoint three persons to perform the task and make a return that shall be subject to an order of review per Sec. 6.
- Sec. 9: The managers shall build, open, and maintain the ditches. They shall keep an account of expenditures and report them to the annual meeting of taxables. Any person assessed a tax may discharge it by labor, but exclusive of the share of damages.
- Sec. 10: Treasurer shall collect the taxes and may proceed against arrearages in the same way county taxes are recoverable by law. Treasurer shall report collections at the annual meeting. Treasurer shall give bond, to be approved by the managers.
- Sec. 11: Any person taxed for a ditch not passing through his/her land may open a ditch through intervening lands into the main ditch and maintain it at private expense. No such cross ditch shall be cut through the land of another person without consent, unless it is laid out and approved and damages assessed by a commission. Any landowner benefiting from the cross ditch shall be assessed a share of the costs by the commissioners.
- Sec. 12: Every ditch cut and opened shall always remain open. If any ditch laid out is not begun within two years after confirmation of the return or begun but not completed within seven years, the order and return shall be of no effect and the power and authority under it shall cease.
- Sec. 14: Clerks of the county circuit courts shall keep records of the orders and commission reports.
- Sec. 15: Vacancies among the commissioners shall be filled by the county commissioners.
- Sec. 17: Orphans courts shall appoint guardians for minors whose lands are affected and who have no guardian.
- Sec. 18: Nonresidents affected by this act shall be notified by thirty days notice on their tenants or agents.
- Sec. 19: Decisions of the county commissioners may be appealed to the county circuit court where the trial shall be by jury and whose judgment shall be final.
- Sec. 20: If a ditch cuts across a public road, inconveniencing travel, the managers shall construct and maintain a bridge over it. If the managers fail to perform either task, the supervisor in charge of that road shall proceed to build or repair the bridge and file the account of expenses with the county commissioners which shall give it to the sheriff for collection from the managers.

## **Acts of 1867, Ch. 127**

An act to add sections to Art. 28, Public General Laws, re drainage proceedings, approved 3-18-1867

- Sec. 102: Commissioners appointed to lay off a ditch shall give at least ten days notice before acting.
- Sec. 103: County commissioners shall select a day on which to hear objections to a commission return and to ratify or reject it, giving at least twenty days notice.
- Sec. 104: If taxes are not paid within thirty days, the treasurer may proceed to sell real property as do tax collectors.

## **Acts of 1878, Ch. 478**

An act to repeal and reenact Secs. 65, 70, 72, 74, and 79-80 of Art. 28, Public General Laws, re drainage procedures, approved 4-5-1878

- Sec. 65: If the owners of swamps or low grounds cannot agree or any owner is a feme covert, minor, non compos mentis, or nonresident, they may petition the board of county commissioners for a commission to lay out a ditch or ditches. The county commissioners shall appoint three persons from the community as commissioners. When the lands are situated in two or more adjoining counties, the county commissioners of the county where the application first was made shall have exclusive jurisdiction. At least one appointed commissioner shall be from each adjoining county.
- Sec. 72: Commissioners may adopt an existing ditch into those to be laid out and allow the owner or owners compensation, but taking into account their proportion of costs based on benefit to them. Commissioners may extend, straighten, enlarge, and repair that ditch and include the costs in the taxes.
- Sec. 74: Board of managers shall consist of two or more persons. When two or more counties are involved, there shall be one from each jurisdiction.
- Sec. 79: After five years a new assessment may be made by application of a majority of the taxables to the county commissioners of any one of the counties involved. The county commissioners shall appoint a commissioner to locate and open additional ditches and to proceed as did the original commissioners.

## **Acts of 1884, Ch. 334**

An act to add a subsection to Art. 28, Public General Laws, re drainage officials, approved 4-8-1884

- Sec. 76-1: A majority of taxables shall be a quorum. If there is not a quorum at meetings to elect managers and treasurer, the county commissioners shall appoint them.

## **Acts of 1892, Ch. 649**

An act to repeal and reenact Sec. 49 of Art. 25, Public General Laws, re drainage taxes, approved 4-7-1892

- Sec. 49: Commissioners shall deliver to the treasurer a statement of the amounts levied and due from each person. Such taxes shall remain in effect for ten years from confirmation of the return and shall be the basis for levying by the managers for maintenance and repairs.

### **Acts of 1900, Ch. 635**

An act to add a section to Art. 25, Public General Laws, re drainage in DO, approved 4-10-1900

- Sec. 49A: The ditch tax in DO shall be due in the same year that the county commissioners approve the statement. The ditch treasurer shall settle with the taxpayers at the annual March meeting and report to the county commissioners on receipts and expenditures. All ditch taxes and payments of damages and expenses shall be collected by the tax collector where the ditch is located. County commissioners shall forward the taxes to the ditch treasurer. Tax collector may recover ditch taxes in the same manner as county taxes. Secs. 46-47 and 75 of Art. 25, Public General Laws, are repealed as far as they relate to DO.

### **Acts of 1904, Ch. 154**

An act to repeal Secs. 49-50 of Art. 25, Public General Laws, re drainage in SO, approved 3-29-1904

- Sec. 1: Secs. 49-50 of Art. 25, Public General Laws, are repealed as far as they relate to ditches wholly within SO, and the following enacted in their place.
- Sec. 2: SO Board of County Commissioners shall deliver to the county treasurer a statement of taxes levied for making ditches wholly within the county, showing the amount due from each person. These taxes shall remain in effect for twenty years and shall be the basis upon which other taxes may be levied by the managers.
- Sec. 3: After twenty years a new assessment may be made by application of ten or more or a majority of the taxables to the county commissioners. Then the commissioners shall have the authority to enlarge, straighten, clean, or repair such ditches and shall appoint a commission as provided in Art. 25, Public General Laws, who shall make an assessment and return.

### **Acts of 1904, Ch. 391**

An act to add sections to Art. 25, Public General Laws, re drainage taxes, approved 4-8-1904

- Sec. 75A: Taxes levied for ditches shall be liens on the real property of the person assessed and shall be in arrears thirty days from the date of the levy.
- Sec. 75B: In addition to the power to sell land, the treasurer may enter suit for taxes due before a justice of the peace if the amount is under \$100 and before the circuit court if over that amount, and obtain judgment as in cases of assumpsit.

### **Acts of 1912, Ch. 64**

An act to repeal and reenact Sec. 49 of Art. 25, Public General Laws, re drainage officials, approved 4-14-1912

- Sec. 49: Managers shall annually call a meeting for the first Saturday in March. If not done, the county commissioners may appoint the new managers and treasurer.

## **Acts of 1912, Ch. 656**

An act to provide for levee or drainage districts, approved 4-11-1912

- Sec. 1: County commissioners shall have the power to establish levee or drainage districts; locate and establish levees, drains, or canals; construct or alter any ditch, drain, or water course; build levees or embankments; and erect tidewater gates and pumping plants for the purpose of draining and reclaiming wet, swamp, and overflowed lands. Drainage of swamps and surface water from farm lands and reclamation of tidal marshes shall be considered a public benefit.
- Sec. 2: A petition signed by a majority of resident landowners in a proposed drainage district or by owners of three fifths of the land may be filed with the clerk of the county commissioners. It shall state the land is subject to overflow or too wet for cultivation and show the proposed starting point, route, terminus, and lateral branches. There also shall be filed a bond conditional for payment of the costs of the proceedings in case the county commissioners do not grant the petition. Clerk of the commissioners shall issue a summons to the landowners who have not joining the petition and whose lands would be included in the proposed district. County commissioners shall appoint an engineer, recommended by the state drainage engineer or state roads engineer, and two county residents as a board of viewers to examine the lands and make a preliminary report. When the lands are located in two or more counties, the venue shall be in the county where the petition was first filed.
- Sec. 3: Board of viewers shall examine the lands and locate the improvements mentioned in the petition. The board may make surveys to determine boundaries and elevations of the district. The report shall be filed with the clerk of the county commissioners within thirty days and shall include whether the proposed drainage is practicable, will benefit public health, will benefit the lands enough to warrant the expenditures, and whether all lands that will benefit are included in the proposed district. Board shall also file a detailed map of the improvements and lands along with the names of the landowners and estimate of costs.
- Sec. 4: If the report says drainage is impractical and the county commissioners agree, the petition shall be dismissed at the cost of the petitioners. If the report is favorable and the county commissioners agree after hearing all the evidence, the county commissioners shall direct the board of viewers to make a complete survey, plans, specifications, and estimate of costs within sixty days.
- Sec. 5: Bench marks shall be established along the main ditch line and laterals and their elevations and descriptions recorded in field books and shown on a map. The drainage map shall show the ditches, other improvements, district boundaries, and any railroads, public roads, or incorporated towns. There shall also be a profile of each levee, drain, or water course, estimate of costs, and plans and specifications.
- Sec. 6: Board of viewers shall determine any damages for land taken or inconveniences imposed.
- Sec. 7: Board of viewers shall classify the lands into five categories according to benefits they will receive and determine the number of acres owned by each person in each class. Assessments shall be scaled according to the class of land.

- Sec. 9: After the final report is filed, the county commissioners shall hold a final hearing.
- Sec. 11: Any landowner may file an objection to the report for consideration by the county commissioners. If the cost of construction and damages is not greater than the benefits, the county commissioners shall confirm the report and declare the drainage district established. If the cost is greater, the commissioners shall dismiss the report and petitioners shall pay the costs incurred in the proceedings.
- Sec. 12: Clerk of the county commissioners shall record all petitions, reports, and proceedings in a drainage record and shall maintain copies of the maps and profiles.
- Sec. 13: County commissioners shall appoint three persons as a board of drainage commissioners for the district, subject to the approval of a majority of the landowners. Vacancies shall filled in the same manner. County treasurer shall be ex officio treasurer for the drainage commissioners.
- Sec. 14: Drainage commissioners shall appoint a superintendent of construction who shall give bond.
- Sec. 15: Drainage commissioners shall determine the costs and damages and maintenance expenses and interest on drainage bonds for a three year period. Clerk of the county commissioners shall record this information in the drainage record
- Sec. 16: Drainage commissioners shall prepare in duplicate ten assessment rolls, or drainage tax lists, to cover the period of the bond issue, giving the names of the landowners, descriptions of the lands assessed, and amount of assessment against each tract. First assessment roll shall provide funds for three years, and the rest for subsequent one year periods. Amounts assessed against the tracts shall be in accordance with the benefits received. One copy of each assessment roll shall be recorded in the drainage record and one delivered to the sheriff or county tax collector. These assessments shall be liens on real property, second to state and county taxes. Taxes shall be due in January and in arrears if not paid by April 30. Sheriff or tax collector may sell the lands so delinquent. Money collected shall be paid to the county treasurer who will pay the interest and principal on the drainage bonds. If the total estimated cost of improvements is less than an average of \$.25 per acre, bonds shall not be issued and taxes shall be collected in cash from landowners.
- Sec. 17: If public property shall be benefited, the state, county, or city shall also be assessed.
- Sec. 19: Rights of way and outlets over lands not in the drainage district may be acquired by purchase or condemnation.
- Sec. 21: Any landowner not wanting to pay interest on bonds may pay to the county treasurer the full amount for which the land is liable and have the land released from tax liability, except for future or increased assessments.
- Sec. 22: Drainage commissioners may issue and sell bonds of the drainage district. Bonds shall be numbered and recorded in the drainage record.
- Sec. 23: Drainage commissioners shall advertise for construction bids.
- Sec. 24: Drainage commissioners shall keep levees, ditches, drains, or water courses in good repair and shall levy assessments for this purpose in the same proportion as the original assessment.
- Sec. 27: A drainage district fund is established from which loans may be made to the county commissioners for preliminary work up to the time of the establishment of the district.



## Acts of 1914, Ch. 793

An act to add sections to Art. 17, Public Local Laws, re sewage and drainage in PG, approved 4-13-1914

- Sec. 529A: PG Board of County Commissioners are authorized to act as the PG Sewerage and Drainage Commission. Clerk of the county commissioners shall record their transactions. County treasurer shall keep an account of receipts and expenditures. County public health officer shall act as the sanitary inspector for the commission.
- Sec. 529B: Commission shall construct, establish, and maintain, by contract or otherwise and alone or in cooperation with other parties, sewerage and drainage whenever public health and welfare requires it. Commission shall develop regulations for the use, maintenance, and inspection of such systems and record them. Those affecting sanitation must be approved by the state Board of Health.
- Sec. 529C: In establishing sewerage or drainage systems the commission must do the following:
  - Define boundaries of the districts.
  - Do preliminary work in setting up the systems.
  - Before using lands covered by navigable waters, apply to the governor for a deed to the properties from the state.
  - Incorporate, condemn, close, or destroy any existing public sewers or drains including storm water sewers and drains, open ditches, natural channels, or water courses.
  - May acquire existing private or municipal systems by condemnation, purchase, or otherwise; compel repair, change, or connection with a county system; or close those harmful to public health.
  - Enter into a contract or cooperate with the MO Board of County Commissioners.
  - Enter into a contract or cooperate with the Commissioners of the District of Columbia.
  - Enter into a contract or cooperate with private individuals, corporations, or municipalities where their systems may be made to serve a county system.
  - Condemn private property for public use according to the provisions of Public General Laws including rights held by railroads.
  - Appoint a sanitary engineer for a four year term who shall also act as resident engineer of the state Bureau of Sanitary Engineering.
- Sec. 529E: Commission shall cause to be shown on a county map drainage districts as indicated by topography. Commission shall then determine which of the districts or parts thereof are most in need of sewerage and drainage facilities and have surveys and maps of the areas made, showing proposed plans which must be approved by the state Board of Health.
- Sec. 529F: Commission shall prepare plans, specifications, and cost estimates which shall be voted on by the following persons in the affected district or area - qualified voters residing in or paying taxes on property, resident taxpayers not qualified to vote, and nonresident taxpayers. Commission shall sent to the latter two groups ballots which shall be marked in the presence of a notary. Others shall vote at polling places. Voting shall be for or against a bond issue. If it is rejected, the commission may hold another election within a year.
- Sec. 529G: A sewerage and drainage system may also be established by petition from 60% of the taxpayers owning land or taxpayers representing 60% of the assessable real property in a district or area. The petition shall be filed with the commission. Petition shall state the location and

extent of the proposed system, public need, and names and residences of the signers. Commission shall have the area surveyed, a detailed map and report made, and cost estimates. This work shall be done within 120 days of the filing of the petition. The map, plans, and report shall be submitted to the state Board of Health for its approval. Commission shall then hold public hearings. Upon agreeing that public health and convenience require the system, the commission shall appoint three sewerage and drainage examiners to determine the cost of construction and damages and benefits to each resident. Commission shall assess costs upon the persons who are interested in proportion to the amounts of damages and benefits and publish these assessments. Hearings shall be held to hear objections. Appeals may be taken to the circuit court from the final order of ratification or rejection of the report or from awards by the commission. Assessments or awards shall be considered a lien on real property and personal property and may be collected by the county treasurer as an action of debt or by a bill in equity. When construction of the system authorized under a petition is delayed by nonpayment of assessments or the amount raised is insufficient and such delay is deemed dangerous to public health, the commission may borrow money and issue bonds.

- Sec. 529H: Any owner or group of owners of real property, corporation owning land, or municipality located in sewerage district may petition the commission to construct a sewerage system to serve that locality. If practical, the commission shall construct it provided the cost of construction, operation, and maintenance is borne by the petitioners. The system shall be maintained and operated under regulations of the commission, but remain the property of the petitioners unless incorporated into the county system. In that case those using the system shall be subject to an annual maintenance fee fixed by the commission.
- Sec. 529I: If an individual, corporation, or municipality installs a sewerage or drainage system that can be incorporated into the county system to serve others in the area, the commission may purchase the system by agreement with the owner or by condemnation proceedings. Commission shall charge connection and maintenance fees on persons so admitted to the county system.
- Sec. 529J: Upon approval by voters, the commission shall issue the bonds to the highest bidder. The bonds shall be a first lien upon land within the district, subject only to state, county, and municipal liens.
- Sec. 529L: Commission shall advertise for bids for construction of the sewerage or drainage system for which the bonds were issued.
- Sec. 529M: Payment of the bonds shall be provided by a sewerage and drainage tax, levied annually on assessable property in the district. County treasurer shall keep a separate tax record, listing the properties subject to this tax alphabetically with reference to the sewerage or drainage district and numerically with reference to the collection or tax district. It shall also contain references to other tax records where the property is listed. Regular tax collecting authorities of the county shall collect taxes levied by this act and laws relating to assessment, collection, and nonpayment of county taxes shall apply.
- Sec. 529N: County commissioners are authorized to levy annually on assessable property within the sewerage or drainage districts an amount sufficient to meet the expenses of planning, establishing, or acquiring systems therein.
- Sec. 529O: Upon completion or establishment of a sewerage or drainage system, the commission may upon recommendation of the state Board of Health require landowners within the area to

connect with the system. These orders may be appealed to the circuit court.

- Sec. 529P: Upon passage of this act the commission shall notify every individual, corporation, or municipality operating a sewerage or drainage system to file within ninety days a detailed plan of their system, number of people served, and cost of installation and maintenance. This information shall be made part of the sewerage and drainage records of the county. Hereafter any person, corporation, or town planning a sewerage system shall file with the commission a set of plans and specifications and estimated costs which shall be submitted to the state Board of Health for its approval. Its approval and that of the commission shall constitute a permit to do the work.
- Sec. 529Q: Commission shall have the authority to set and collect an annual sewerage maintenance tax from any person, corporation, or municipality entering the county system.

## **Acts of 1916, Ch. 313**

An act to create Washington Suburban Sanitary District for MO and PG, approved 4-11-1916

- Sec. 1: All those parts of PG and MO within the bounds described in the drawing called State of Maryland, MO and PG Sewerage Commission, Proposed Washington Suburban Sanitary District, Main Drainage Systems, Plat 1; dated January 1914; and on file with the state Department of Health is hereby incorporated as the Washington Suburban Sanitary District. It includes those parts of MO and PG adjacent to the DC line and comprises the drainage areas of Little Falls Branch, Oxon Run, Rock Creek, and Anacostia River and its tributaries.
- Sec. 2: Investigations for and design of water supply, sewerage, and drainage systems in the district shall be under the jurisdiction of a commission composed of three members - one appointed by the PG Board of County Commissioners, one by the MO Board of County Commissioners, and one by the governor. Appointments shall be made by June 15, 1916. They shall serve two year terms. Vacancies shall be filled by the original appointor. They shall be called the Washington Suburban Sanitary Commission [WSSC]. Commissioners shall elect one of themselves chair who shall also be the treasurer and appoint a chief engineer. Treasurer shall give bond.
- <>Sec. 3: WSSC shall divide the district into water, sewerage, and drainage districts and for each conduct field investigations and studies; develop plats, plans, and specifications; and estimate costs.
- <>Sec. 4: WSSC shall present to the General Assembly of 1918 a detailed report of its activities and a bill setting forth the best means of proceeding with the construction and operation of water supply, sewerage, and drainage systems.
- Sec. 5: WSSC shall hold public hearings on the proposed legislation.
- Sec. 7: To pay the costs of these studies the county commissioners of MO and PG may issue bonds.
- Sec. 8: The bonds shall be paid off by annual levies on assessable property in the sanitary district. County commissioners shall designate in the records used in the collection of state and county taxes the properties subject to this tax. These taxes shall be collected as are county taxes. For assessment purposes the WSSC shall file with the county commissioners a plat of the district.
- Sec. 9: County commissioners shall deliver to WSSC the proceeds of the bond sales.

**Acts of 1918, Ch. 161**

An act to add sections to Art. 20, Public Local Laws, re drainage in SO, approved 4-10-1918

- Sec. 1: The following sections shall follow Sec. 53 of Art. 20, Public Local Laws, and establish a uniform drainage law for SO.
- Sec. 2: Whenever owners of swamp and low grounds in SO cannot agree on having their lands drained or any owners are married women, infants, non compos mentis, or nonresidents, they may petition the county commissioners who shall appoint a board of three or more commissioners to locate and lay out the ditches.
- Sec. 4: Commissioners shall estimate the costs, including damages, of cutting the ditches and the proportion each owner, possessor, or person benefited shall be bound to pay.
- Sec. 5: Commissioners shall file their report with the county commissioners with a plat or map showing the boundary lines of the swamp or low grounds and lines and acreage of each lot or parcel of land therein. The report shall include the names of the persons to be awarded damages, amount due each, and amount to be paid by each person benefiting.
- Sec. 9: Commissioners may adopt ditches already laid out and allow their owners compensation adjusted by the benefits they may receive from new or repaired ditches.
- Sec. 10: Persons awarded damages or assessed costs may apply to the county commissioners before confirmation of the commissioners return for an order of review. County commissioners may appoint new commissioners to perform the same duties as the original commissioners.
- Sec. 11: Within one month after confirmation of a report, the commissioners shall call a meeting of taxables rated for the ditches to choose a board of two or more managers and a treasurer.
- Sec. 14: Each taxable shall have from one to six votes based on the amount of taxes paid or to be paid.
- Sec. 15: If the taxables fail to meet after being given notice, the county commissioners shall appoint the managers and treasurer. The same will apply to filling vacancies.
- Sec. 16: Annually in March the taxables shall select the managers and treasurer.
- Sec. 17: At least once every two years the managers shall clean and repair ditches and levy costs proportionally on the taxables.
- Sec. 18: Commissioners shall deliver to the treasurer a statement of taxes levied for making the ditches, showing the amount due from each person. The taxes shall remain in effect for twenty years and shall be the basis for future taxes levied by the managers.
- Sec. 19: After twenty years, a new assessment may be had by application of three or more taxables to the county commissioners who shall appoint commissioners to make the assessment and return their proceedings for review and confirmation.
- Sec. 20: Managers shall construct and repair the ditches as laid out by the commissioners.
- Sec. 21: Managers shall keep an account of expenditures and report them at the annual meeting of taxables.
- Sec. 23: Treasurer shall give bond.
- Sec. 24: Treasurer shall collect amounts levied. For nonpayment, the treasurer may recover them in the same manner as for county taxes.
- Sec. 26: After notices are given, taxables shall be given thirty days to pay.
- Sec. 27: The taxes shall be liens on real property.

- Sec. 28: Treasurer may also file suit before a justice of the peace or circuit court to obtain a judgment to enforce payment of taxes.
- Sec. 30: Vacancies among the managers and treasurer shall be filled by special meetings of the taxables.
- Sec. 36: Clerk of the county commissioners shall keep a record of orders and reports on drainage ditches.
- Sec. 42: Persons aggrieved by any determination of the county commissioners or any proceeding held under this act may appeal to the circuit court whose decision shall be final.
- Sec. 48: Provisions of this act shall apply only to land located in SO.
- Sec. 49: Drains, ditches, and proceedings established under Art. 25, Public General Laws, are to be continued and operated as if established under this act.

### **Acts of 1920, Ch. 301**

An act to repeal and reenact Sec. 81Z of Art. 25, Public General Laws, drainage loans, approved 4-9-1920, effective 6-1-1920

- Sec. 81Z: If the federal government provides for loans for drainage and reclamation work or for supervision of them, the drainage districts created under Secs. 81A-81AA may avail themselves of such provisions, but only if a majority of the landowners agree.

### **Acts of 1920, Ch. 507**

An act to add sections to Art. 25, Public General Laws, cooperative drainage districts, approved 4-9-1920, effective 6-1-1920

- Sec. 81AB: If owners of swamp or low grounds cannot agree on drainage or have any other legal disabilities, they may petition the county commissioners for the appointment of commissioners to locate or lay out ditches or drains. County commissioners shall appoint a board of three more drain commissioners who shall lay out the ditches and drains, estimate costs including damages, and estimate the proportion each landowner shall be liable to pay.
- Sec. 81AC: Drain commissioners shall prepare and return to the county commissioners a report with a map or plat showing the boundaries of the swamp and low grounds and delineations of each owner's lot and estimated acreage, and findings as specified in Sec. 81AB. If the drain commissioners cannot agree with the landowners on rights of way, they shall condemn land as specified in Art. 33A, Public General Laws, and award damages.
- Sec. 81AD: Everyone benefiting from the ditches and drains shall contribute to the costs, in proportion to the benefits and by a tax assessed by the drain commissioners.
- Sec. 81AE: Anyone who may be injured by the drainage system or who will be assessed for costs may ask the county commissioners for an order of review. County commissioners may appoint other drain commissioners to do the review.
- Sec. 81AF: Within thirty days after the county commissioners confirm the report, the drain commissioners shall call a meeting of the taxables for the purpose of choosing a board of two or more managers and a treasurer. If work is not begun within six months, the the drainage project shall become void. Each taxable shall have from one to six votes, depending on the proportion of

taxes. A majority of taxables shall be a quorum. If this fails to happen, the county commissioners shall appoint the managers and treasurer. Managers shall call an annual meeting in March for the election of new managers and treasurer, with the county commissioners having the same powers of appointment as for the original board.

- Sec. 81AG: Managers shall annually or once every two years clean out and repair ditches and drains and levy a tax for the costs. Drain commissioners shall deliver to the treasurer a statement of the taxes levied for construction of the ditches. It shall be confirmed by the county commissioners, remain in force for twenty years, and be the basis for further taxes. After twenty years, a new assessment may be had by application of three or more taxables to the county commissioners, that may include enlarging, repairing, or extending the drainage system. The procedure shall be as outlined in above sections.
- Sec. 81AH: Managers shall arrange for the construction of the ditches and drains. They shall keep an account of expenditures and report them at the annual meeting of taxables. Treasurer shall give bond, collect the taxes, and settle with taxables at the annual meeting.
- Sec. 81AI: Treasurer may sell real property for nonpayment of taxes, if not paid within thirty days.
- Sec. 81AJ: Treasurer may also collect by suit as in cases of assumpsit.
- Sec. 81AL: Taxables shall meet to fill vacancies among managers and treasurer.
- Sec. 81AQ: Clerk of county commissioners shall keep a record of their proceedings under this act and reports of the drain commissioners.
- Sec. 81AT: Decisions of the county commissioners may be appealed to the circuit court whose decision shall be final.
- Sec. 81AX: State Roads Commission may petition the county commissioners for the drainage of a road, or the commissioners may act on their own. County commissioners shall appoint a board of drain commissioners who shall act under the provisions of Sec. AB. They shall view the land and award damages, to be paid by the party instituting the action who shall also pay for the construction and maintenance.
- Sec. 81AZ: This act shall not repeal Acts of 1912, Ch. 656.

### **Acts of 1949, Ch. 71**

An act to add sections to Art. 25, Annotated Code, re drainage managers, approved 3-4-1949, effective 3-4-1949

- Sec. 57A: Each board of managers shall be a body corporate under the name of Board of Managers \_\_\_\_ Drainage District.
- Sec. 67A: Board shall have the authority to issue and sell bonds after giving fifteen days notice. During that time any taxable may pay the amount for which his/her land is liable, thus being removed from liability for the bond. Board shall certify to the county commissioners the amount of the bonds to be issued and the drainage tax roll. Annual redemption payments shall be met by the collection of appropriate drainage taxes by the county treasurer.

### **Acts of 1950, Ch. 66**

An act to add sections to Art. 25, Annotated Code, re erosion, approved 3-28-1950, effective 6-1-1950

- Sec. 167: Areas in any county, subdivided for residential or business uses and abutting the Chesapeake Bay and its tributaries or any other body of water, as shown on subdivision plats recorded in the land records, are hereby created separate taxing and assessment districts.
- Sec. 168: County commissioners shall act as the district council for each district. When necessary, the council shall acquire land in fee or as an easement for the construction, extension, or maintenance of erosion prevention works by purchase or condemnation by proceedings in the circuit court as provided in Art. 33A, Public General Laws.
- Sec. 169: Upon written application or petition of 75% of the property owners in any district, the council may construct erosion prevention works and provide the engineering agency necessary for the job. Council may finance the project through notes or bonds.
- Sec. 170: When plans and specifications are complete, hearings shall be held. Then the council shall decide whether or not to proceed. Contracts shall be awarded to the lowest bidder who shall give bond.
- Sec. 171: After the works are constructed, the council shall levy a benefit charge on affected real property, after a hearing is held. The benefit charge shall be collected annually as are county taxes and be a lien on real property.
- Sec. 172: The annual levy shall include maintenance costs.
- Sec. 173: County commissioners shall keep a separate record of its proceedings as the district council for each district.
- Secs. 559-565 of Art. 2, Public Local Laws, drainage in AA, are repealed.

### **Acts of 1953, Ch. 277**

An act to repeal Secs. 167-173 of and to add sections to Art. 25, Annotated Code, re erosion, approved 4-6-1953, effective 6-1-1953

Court of Appeals decisions have indicated that Acts of 1950, Ch. 66 may have been invalid as a possible subject because it was not statewide in scope.

- Sec. 156: Areas in any county, subdivided for residential or business uses and abutting the Chesapeake Bay and its tributaries or any other body of water, as shown on subdivision plats recorded in the land records, are hereby created separate taxing and assessment districts.
- Sec. 157: County commissioners shall act as the district council for each district. When necessary, the council shall acquire land in fee or as an easement for the construction, extension, or maintenance of erosion prevention works by purchase or condemnation by proceedings in the circuit court as provided in Art. 33A, Public General Laws.
- Sec. 158: Upon written application or petition of 75% of the property owners in any district, the council may construct erosion prevention works and provide the engineering agency necessary for the job. Council may finance the project through notes or bonds.
- Sec. 159: When plans and specifications are complete, hearings shall be held. Then the council shall decide whether or not to proceed. Contracts shall be awarded to the lowest bidder who shall give bond.
- Sec. 160: After the works are constructed, the council shall levy a benefit charge on affected real property, after a hearing is held. The benefit charge shall be collected annually as are county

taxes and be a lien on real property.

- Sec. 161: The annual levy shall include maintenance costs.
- Sec. 162: County commissioners shall keep a separate record of its proceedings as the district council for each district.

### **Acts of 1955, Ch. 581**

An act to a section to Art. 25A, Annotated Code, re drainage, approved 4-25-1955, effective 6-1-1955

- Sec. 5X: Counties with charter governments may enact local laws providing for the creation of storm drainage districts and the levying of taxes therein and for the financing, construction, and maintenance of storm drainage projects.



## EDUCATION

[See also articles in [Bites from the Archivists' Bulldog](#)]

### Acts of 1763, Ch. 32

An act re public school in FR, passed 11-26-1763

- Sec. 2: There shall be purchased one acre in Frederick and a schoolhouse built on the land. Seven persons are named in this act as visitors of the school.
- Sec. 3: Funds shall be available to the visitors from duties and taxes collected since September 29, 1763 for the use of county schools.

### Acts of 1768, Ch. 6

An act re public school in FR, passed 6-22-1768

- Sec. 1: Current visitors of the public school in Frederick live remote from each other and thus find it difficult to execute their duties.
- Sec. 2: Seven new visitors are named in this act. The acreage for the school lot is reduced to one half acre.

### Acts of 1769, Ch. 17

An act re public school in FR, passed 12-20-1769

- Sec. 1: Funds appropriated for use of the school in Frederick is insufficient to purchase land and erect a building.
- Sec. 2: FR Court shall have laid out one half acre from the public land in Frederick, which shall be vested in the school visitors. The certificate of survey shall be recorded in the land records.

### Acts of 1774, Ch. 14

An act re free schools in CH, PG, and SM, passed 4-19-1774

- Sec. 2: There shall be erected a free school for CH, PG, and SM at Cool Springs in SM, to be called Charlotte Hall.
- Sec. 3: Charlotte Hall shall be governed by a president and twenty-one trustees, seven from each county.
- Sec. 6: Trustees shall sell at public auction the schools now belonging to the three counties.

### Acts of May 1788, Ch. 6

An act re free school property in DO, passed 5-25-1788

- Sec. 1: DO has been unable to erect a poorhouse and support their poor agreeable to Acts of 1785, Ch. 57.
- Sec. 2: The free school property is hereby vested in the DO Trustees of the Poor as a fund for the

relief and support of the poor. Trustees with consent of the DO Court may lease or sell the property.

### **Acts of 1796, Ch. 65**

An act supplemental to Acts of 1763, Ch. 32, re public school in FR, passed 12-31-1796

- Sec. 1: Provisions of Acts of 1769, Ch. 17 have been carried out and a schoolhouse built in Frederick.
- Sec. 2: The school shall be called the FR School.
- Sec. 3: Seven persons are named in this act as visitors of the school.
- Sec. 4: Vacancies shall be filled by the remaining members.
- Sec. 7: School visitors shall make rules and regulations for the school and hire teachers.
- Sec. 8: School visitors shall meet at least twice a year.
- Sec. 11: When required, the proceedings and financial accounts of the school visitors shall be filed with the General Assembly.

### **Acts of 1801, Ch. 11**

An act supplemental to Acts of 1763, Ch. 32, re public school in FR, passed 12-31-1801

- Sec. 1: Present FR School in Frederick is not large enough.
- Sec. 2: School visitors may conduct a lottery to raise money.
- Sec. 3: Money shall be used to enlarge the schoolhouse.
- Sec. 5: Eight additional school visitors are named in this act.
- Sec. 9: Annually in January the school visitors shall select a treasurer, librarian, and secretary. Treasurer shall give bond, to be recorded by the county court clerk.

### **Acts of 1807, Ch. 134**

An act re schools in CH, passed 1-20-1808

- Sec. 1: Morris J. McDonough of CH devised real property and personal property to trustees and requested that his executrix petition the General Assembly to allow the CH Orphans Court to control the property and supervise its application.
- Sec. 2: CH Orphans Court is authorized to appoint five trustees for that purpose, to be recorded by the county court clerk.
- Sec. 3: These trustees of the McDonough charity school fund shall hold the property for the use of schools and may sell it and invest the proceeds.
- Sec. 4: Vacancies among the trustees shall be filled by the orphans court.
- Sec. 5: Trustees shall appoint a treasurer who shall give bond.
- Sec. 7: Trustees shall report property sales to the orphans court which shall determine how many schools to establish and at what places.
- Sec. 8: Trustees shall be responsible for getting the schools built.
- Sec. 9: Trustees shall fix tuition rates. Children unable to pay shall be taught without charge

provided they reside in the area around Cedar Point, Port Tobacco, and Mattawoman.

- Sec. 11: Trustees shall hire teachers and make rules and regulations for the schools.
- Sec. 12: Trustees shall meet quarterly.
- Sec. 13: Trustees shall take an oath before a justice of the peace.
- Sec. 14: Annually in January the trustees shall report to the orphans court on their proceedings and conditions of the schools.

### **Acts of 1809, Ch. 194**

An act supplemental to Acts of 1763, Ch. 32, re public school in FR, passed 1-7-1810

- Sec. 1: Vacancies among the visitors of the FR School shall not be filled until the number is reduced to nine.
- Sec. 2: School visitors may elect one of themselves as president.

### **Acts of 1814, Ch. 131**

An act re school funds in BC, passed 2-3-1815

- Sec. 1: BA Orphans Court is authorized to order funds arising from personal estates of persons dying intestate and not leaving any representatives to be paid to the trustees or managers of the free schools in BC in proportion to the number of students at each facility.
- Sec. 2: Trustees and managers shall give bond, to be approved and recorded by the orphans court, conditioned for the faithful application of the money and for filing an annual statement of expenditures with the court.

### **Acts of 1816, Ch. 210**

An act re schools in CA, passed 2-4-1817

- Sec. 1: Three persons are named in this act as commissioners to divide CA into school districts of dimensions of not greater than six square miles.
- Sec. 2: Commissioners shall have a plat made of the districts, number them consecutively, and file their return with the county court clerk for recording in the land records.
- Sec. 3: School commissioners shall appoint five persons in each district as trustees of the school. County court clerk shall send the first named trustee of each district the description of that area.
- Sec. 5: School trustees shall notify voters in their district to meet to determine the best means of obtaining a lot and schoolhouse, by voluntary contributions or a tax on assessable property. Trustees shall have the power to collect and receive subscriptions and levy the taxes.
- Sec. 6: School trustees may recover subscriptions by legal means and may appoint collectors of the school tax who shall have the same powers as the county tax collectors.
- Sec. 7: School trustees shall select one of themselves as president and make rules and regulations for governance of the school.
- Sec. 8: School trustees appointed per Sec. 3 shall serve until the next May at which time, and annually thereafter, voters shall elect five trustees.

- Sec. 9: Vacancies shall be filled by the remaining trustees.
- Sec. 12: When the school trustees have provided a satisfactory schoolhouse, the levy court shall issue a certificate to that effect to the trustees, which shall entitle them to a portion of the school fund pledged through Acts of 1813, Ch. 133 [re funds from turnpike companies and banks].
- Sec. 13: No child shall be taught free beyond the double rule of three without the consent of the school trustees.
- Sec. 14: If voters fail to meet per Sec. 8, the trustees in office shall continue to serve until the voters do meet.
- Sec. 15: Vacancies among the school commissioners shall be filled by the levy court.

### **Acts of 1816, Ch. 244**

An act re poor children in AA, CE, KE, MO, and TA, passed 2-5-1817

Funds from the tax on bank stock and appropriated for education by Acts of 1812, Ch. 79 is not yet sufficient for its intended purpose.

- Sec. 1: Levy courts of AA, CE, KE, MO, and TA shall annually appoint seven trustees for the education of poor children in each election district and a treasurer of the school funds for the county.
- Sec. 2: Trustees shall lay off each election district into seven subdivisions, one to be allotted to each trustee. Each trustee shall take a census of poor children over the age of eight whose parents or guardians are unable to pay tuition. Censuses shall be reported to the levy courts.
- Sec. 3: Levy courts shall annually levy \$12 per child included in the censuses and a further \$50 for school purposes.
- Sec. 4: Treasurers shall give bond, to be approved by the levy courts. Treasurers shall receive the money from the tax collectors.
- Sec. 5: No child shall continue on the county charge for education for more than three years.
- Sec. 6: Trustees shall plan with the neighborhood to establish schools where there are none.
- Sec. 7: The first named trustee in each election district shall be the president of the board. President may draw orders on the treasurer every six months for paying the tuition of poor children.
- Sec. 8: Treasurers shall settle accounts annually with the levy courts.
- Sec. 9: When the school fund from the tax on bank stock is distributed, the levy courts shall cease their levies.
- Sec. 10: In TA no property shall be taxed unless assessed at \$200 or more.

### **Acts of 1816, Ch. 256**

An act re free school funds, passed 2-3-1817

By Acts of 1812, Ch. 79 and its supplements a fund has been pledged for the establishment of free schools, to be equally divided among the counties.

- Sec. 1: Nine persons shall be appointed in each county as commissioners of the school fund.
- Sec. 2: School fund commissioners are named in this act, except for AL, FR, and WA where the levy courts shall handle the funds.

- Sec. 3: Treasurer of the Western Shore shall send the county's portion of the school fund to the school fund commissioners.
- Sec. 5: Commissioners shall report annually to the General Assembly on disbursement of the school funds.

### **Acts of 1817, Ch. 60**

An act supplemental to Acts of 1816, Ch. 256, re commissioners of the school fund in BA, passed 1-22-1817

- Sec. 1: Eleven persons are named in this act as BA Commissioners of the School Fund in lieu of those appointed in Acts of 1816, Ch. 256. Vacancies shall be filled by remaining members.

### **Acts of 1817, Ch. 109**

An act supplemental to Acts of 1816, Ch. 256, re commissioners of the school fund in SM, passed 2-4-1818

- Sec. 1: Three additional SM Commissioners of the School Fund are named in this act.
- Sec. 2: Vacancies among the commissioners shall filled by the remaining members.

### **Acts of 1818, Ch. 49**

An act to repeal Acts of 1816, Ch. 244, re poor children in AA and TA, passed 1-19-1819

- Sec. 1: Acts of 1816, Ch. 244, re funds for poor children, is repealed as far as it relates to AA and TA.

### **Acts of 1818, Ch. 116**

An act supplemental to Acts of 1816, Ch. 256, re free school fund in QA, passed 1-30-1819

- Sec. 1: Twelve persons are named in this act as QA Commissioners of the School Fund.
- Sec. 2: Commissioners shall meet annually in March and October. Vacancies shall be filled by the remaining commissioners.
- Sec. 4: Commissioners shall select one of themselves as president and one as secretary to maintain a record of their proceedings.
- Sec. 5: Treasurer of the Western Shore shall pay the county share of the free school fund to the commissioners.

### **Acts of 1818, Ch. 162**

An act supplemental to Acts of 1816, Ch. 256, re commissioners of the school fund in DO, passed 2-11-1819

- Sec. 1: Sixteen persons are named in this act as DO Commissioners of the School Fund in lieu of those appointed in Acts of 1816, Ch. 256. Six shall be a quorum.

- Sec. 2: Vacancies shall be filled by remaining members.

### **Acts of 1820, Ch. 38**

An act supplemental to Acts of 1816, Ch. 256, re free school fund in BA, passed 1-9-1821

- Sec. 1: Fourteen persons are named in the act as BA Commissioners of the School Fund for that part of the county outside BC. Vacancies shall be filled by remaining members.
- Sec. 2: School fund commissioners shall receive from the Treasurer of the Western Shore one half of the fund to which BA is entitled and distribute it equally among the election districts for the education of poor children.
- Sec. 3: Commissioners shall report annually to the Treasurer of the Western Shore an account of expenditures.

### **Acts of 1820, Ch. 62**

An act re commissioners of the school fund in BC, passed 1-18-1821

- Sec. 1: Commissioners of the school fund appointed by Acts of 1817, Ch. 60 for BA who reside in BC shall be the BC Commissioners of the School Fund and shall have the same power to fill their own vacancies.

### **Acts of 1820, Ch. 114**

An act supplemental to Acts of 1816, Ch. 256, re school fund commissioners in CH, passed 2-5-1821

- Sec. 1: Seventeen persons are named in this act as CH Commissioners of the School Fund to distribute and apply the free school fund.
- Sec. 2: Vacancies shall be filled by the remaining commissioners. There shall be one commissioner from Port Tobacco and four from each of the four election districts.
- Sec. 3: Commissioners shall meet annually in May and November.
- Sec. 5: Commissioners shall select one of themselves as president. Commissioner from Port Tobacco shall be the secretary who shall record all proceedings.
- Sec. 7: Commissioners shall select one of themselves as treasurer who shall give bond, receive the state funds from the Treasurer of the Western Shore, and keep accounts.
- Sec. 8: Commissioners may designate from among themselves district committees in the election districts.

### **Acts of 1821, Ch. 50**

An act supplemental to Acts of 1816, Ch. 256, re school fund commissioners in HA, passed 1-15-1822

- Sec. 1: Ten persons are named in this act as HA Commissioners of the School Fund. Vacancies shall be filled by the remaining members, being certain that there are two commissioners from each election district. They shall meet annually in May.

**Acts of 1821, Ch. 139**

An act supplemental to Acts of 1816, Ch. 256, re free school fund in CA, passed 2-5-1822

- Sec. 1: All powers and authority vested in the CA Commissioners of the School Fund shall be vested in the CA Orphans Court.
- Sec. 2: Bank stock and funds paid by the Treasurer of the Western Shore shall be transferred to the orphans court.
- Sec. 4: Treasurer of the Western Shore shall hereafter pay the school funds to the orphans court or its designated agent.
- Sec. 5: Trustees of Hillsborough School shall receive no funds mentioned in this act as they already get money from the state.
- Sec. 6: Orphans court may sell the bank stock and invest in some profitable stock.
- Sec. 7: Orphans court shall appoint five commissioners in each election district who shall ascertain which schools are entitled to receive a part of the free school fund.
- Sec. 8: Annually the orphans court shall divide the free school funds equally among the three election districts and place them at the disposition of the school commissioners who shall apply them to the education of poor white children. Annually in April the commissioners shall settle accounts with the orphans court, showing expenditures, number of poor white children taught and for what time, and amount unspent.
- Sec. 9: Annually the orphans court shall file an account with the General Assembly, showing the amount of the free school fund, annual income, and how appropriated.

**Acts of 1821, Ch. 176**

An act supplemental to Acts of 1816, Ch. 256, re schools in TA, passed 2-20-1822

- Sec. 1: Annually in April the TA Levy Court shall appoint seven persons in each election district as trustees for the education of poor children and one person as treasurer of the school fund. Levy court shall fill vacancies.
- Sec. 2: School trustees shall lay off each election district into seven districts and report this to the levy court for recording. One district shall be allotted to each trustee who shall make a census of poor children over age eight annually by May 1, giving names, ages, and sex of the children and names of parents or guardians. The censuses shall be reported to the levy court and recorded in their proceedings.
- Sec. 3: Treasurer of the Western Shore shall pay the county portion of the school fund to the levy court, instead of the commissioners of the school fund.
- Sec. 4: Commissioners of the school fund shall pay their balances to the levy court.
- Sec. 5: If necessary, the levy court may assess up to \$500 annually to pay the tuition of charity students. Persons with assessable property under \$300 shall be exempt from this tax.
- Sec. 6: Levy court shall discharge claims for the education of poor children by paying the money to the treasurer of the school fund who shall give bond to be approved by the levy court.
- Sec. 7: School district trustees shall grant a certificate to each child coming under provisions of Sec. 2 whose parents apply for them to attend school. No child shall attend school at public charge for more than three years.

- Sec. 8: Annually each teacher shall return the certificates to the school trustees and specify the time of attendance. Trustees shall draw an order on the treasurer in favor of the teacher.
- Sec. 9: Annually the school trustees shall settle accounts with the levy court, stating the amount received from the levy court and amount paid each teacher.
- Sec. 10: Annually the levy court shall report to the General Assembly on the disposition of the school fund.
- Sec. 12: The first named school trustee in each district shall be president of the board of trustees.

### **Acts of 1821, Ch. 251**

An act supplemental to Acts of 1816, Ch. 256, re school fund commissioners in PG, passed 2-23-1822

- Sec. 1: Nine persons are named in this act as PG Commissioners of the School Fund.
- Sec. 2: A majority shall be a quorum. Vacancies shall be filled by remaining members.

### **Acts of 1825, Ch. 130**

An act re public schools in BC, passed 2-28-1826

- Sec. 1: BC Mayor and City Council shall have the power to establish public schools in the city.
- Sec. 2: Mayor and city council shall levy taxes for the support of the schools.
- Sec. 3: This act shall be in operation only if accepted by the mayor and city council at the council's first meeting in 1827. [Act was accepted.]

### **Acts of 1825, Ch. 142**

An act re public schools in BA, passed 3-1-1826

- Sec. 1: Annually in October voters in Election District 1 of BA shall elect five commissioners of public free schools.
- Sec. 2: Election judges shall file election returns with the BA Levy Court. Election judges shall decide tie votes by lottery.
- Sec. 3: School commissioners shall select one of themselves as president and another as secretary. These appointments shall be certified to the levy court. Vacancies shall be filled by the remaining members. School commissioners shall determine the number of public schools to be opened, needed buildings and furniture, and branches of study and hire teachers. An estimate of annual expenses shall be reported to the levy court. School commissioners shall meet at least monthly. The secretary shall keep a journal of proceedings and financial accounts.
- Sec. 4: Based on requisitions of the school commissioners, the levy court shall levy a school tax on property and income of persons in Election District 1 and have it collected. The assessor shall register every white male citizen in the district and rate the annual income for each. Within one months after the election of the school commissioners the levy court shall appoint an assessor to make the assessment. The assessor shall make a return to the levy court within five months. An assessment of property shall be made every three years and of income annually.
- Sec. 6: With consent of the school commissioners the levy court may purchase and possess



property and estates for the benefit of public schools and may sell, lease, or exchange them.

- Sec. 7: When a school is ready to open, the commissioners shall give public notice of when and that all children and wards of white residents shall be permitted to attend.
- Sec. 9: This act shall be put into operation only if accepted by voters of Election District 1 in October 1826. Election returns shall be filed with the levy court. [Act was approved.]

## **Acts of 1825, Ch. 157**

An act supplemental to Acts of 1816, Ch. 256, re free school fund in PG, passed 2-23-1826

- Sec. 1: PG Orphans Court is appointed in place of the commissioners of the school fund and shall have the power to appoint trustees in each election district for the distribution of the money.
- Sec. 2: Treasurer of the Western Shore shall pay the county share of the free school fund to the orphans court.
- Sec. 4: Annually the orphans court shall report to the General Assembly on the school fund.
- Sec. 5: Orphans court shall record their proceedings in regard to the school funds.
- Sec. 7: School trustees shall report semi-annually in May and October to the orphans court, giving an account of funds distributed and the number of pupils taught from it, designating their ages and sexes.

## **Acts of 1825, Ch. 162**

An act re primary schools, passed 2-23-1826

- Sec. 1: Governor and council shall appoint a superintendent of public instruction.
- Sec. 3: In April each county levy court shall appoint nine persons as commissioners of primary schools for a one year term.
- Sec. 4: Each officer shall take an oath.
- Sec. 5: Primary school commissioners shall divide the county into a convenient number of school districts, describe and number each, and deliver this information to the county clerk to be recorded.
- Sec. 6: Commissioners may alter school districts, but only in April and May and with the consent of the district trustees.
- Sec. 8: After school districts are formed, the commissioners shall select times and places for school district meetings which shall be held annually thereafter. At the first meeting in each district the taxable inhabitants shall elect a district clerk who shall give bond and keep records and proceedings of the meetings, elect three trustees to manage the district, elect a district collector, designate a site for the schoolhouse, and vote a tax on residents. Special district meetings may be held.
- Sec. 9: Clerk, trustees, and collector shall hold office for one year.
- Sec. 10: Clerk of the school district shall keep records and proceedings in a separate book.
- Sec. 11: Collector of the school district shall give bond and collect the school tax.
- Sec. 12: Trustees of the school district, after a tax is voted, shall impose a tax on taxable property to raise the approved sum and submit the itemized list to the county tax collector for collection.
- Sec. 13: Trustees shall purchase a site for the schoolhouse, have it built, keep it in repair and

furnished, and employ teachers.

- Sec. 14: Semi-annually in April and October the trustees shall report to the school commissioners on the time the school has been open, moneys received, expenditures, number of white children taught, and number of white children, ages five to fifteen, residing in the district.
- Sec. 15: Treasurer of the Western Shore shall pay apportioned state school funds to the school commissioners who shall distribute it among the school districts that have complied with this act on the basis of the number of white children between ages five and fifteen. This money shall be used only to pay teachers. If the money is not used within two years, the school commissioners shall return it to the state treasury.
- Sec. 17: Inspectors of primary schools shall examine applicants for teaching and certify those qualifying.
- Sec. 18: For just cause inspectors may annul a certificate
- Sec. 19: Quarterly or oftener inspectors shall visit all schools in the county to examine physical conditions, courses of study, quality of teaching, and proficiency of students.
- Sec. 20: A majority of inspectors shall be a quorum.
- Sec. 21: The establishment and regulation of public or primary schools within BC shall be vested in the mayor and city council, unless they fail to act within five years. Then this act shall have full effect in BC.
- Sec. 22: Based on reports of trustees, the school commissioners shall submit an annual report to the county clerk for transmission to the superintendent.
- Sec. 23: School commissioners and trustees shall hold property as body politic.
- Sec. 26: Distribution of school funds to the counties and BC shall be based on the ratio of the white population according to the last federal census.
- Sec. 29: This act shall be submitted to the voters for approval.
- Sec. 30: This act shall be void in any county where voters reject it.

### **Acts of 1826, Ch. 263**

An act supplemental to Acts of 1825, Ch. 142, re public schools in BA, passed 3-13-1827

- Sec. 1: The time for the BA Levy Court to appoint an assessor for Election District 1 is extended to May.

### **Acts of 1827, Ch. 139**

An act re schoolhouse sites in QA, passed 3-8-1828

- Sec. 1: If school district trustees in QA cannot purchase or lease a site for a schoolhouse, they shall have the power to condemn land, not over one acre. A certificate showing the amount of damages paid or offered to the landowner shall be recorded in the land records. If the owner disagrees with the valuation, the trustees shall direct the sheriff to summon a jury to value and assess the damages.
- Sec. 2: Trustees or jury shall make a statement of their proceedings, including a description of the lot, and file it with the county court clerk.

**Acts of 1827, Ch. 173**

An act re primary schools in AA, passed 3-11-1828

- Sec. 1: Treasurer of the Western Shore shall pay to the AA Commissioners of Primary Schools the school funds belonging to the county when they give bond, to be approved by the levy court and recorded by the county court clerk.
- Sec. 2: School fund of AA is hereby placed under the control of the school commissioners.
- Sec. 3: School commissioners shall distribute the funds equally among the school districts as soon as they have established schools and employed teachers for six months. If a school district does not establish a school or employ a teacher within two years, its funds shall be distributed to the other districts. That district may acquire funds when it does establish a school and hire a teacher.
- Sec. 4: Trustees of the school districts shall annually in December report to the school commissioners a statement of their proceedings, number of pupils taught designating their sex, ages, and progress, amounts paid teachers, and number of schoolhouses built or procured.
- Sec. 5: School commissioners shall annually report to the General Assembly an account of the school fund showing amounts received and paid to teachers, number of pupils taught giving their ages, sex, and progress, conditions of schools, and number of schoolhouses built or procured.
- Sec. 6: A majority of taxable inhabitants of a school district at a meeting under the provisions of Acts of 1825, Ch. 162 may vote a tax on themselves for paying teachers salaries.

**Acts of 1827, Ch. 183**

An act re school funds in BC, passed 3-13-1828

- Sec. 2: Treasurer of the Western Shore shall pay to the BC Mayor and City Council the distributive share of the school fund for BC, which is not paid to commissioners of the school fund.

**Acts of 1828, Ch. 55**

An act to repeal parts of 1827, Ch. 173, re primary schools in AA, passed 2-14-1829

- Sec. 1: All but Sec. 2 of Acts of 1827, Ch. 173, re primary schools in AA, is repealed.
- Sec. 2: Treasurer of the Western Shore shall invest the school fund of AA, hold it for the benefit of primary school in AA, and deposit the dividends and profits to the credit of the AA Commissioners of Primary Schools.
- Sec. 4: School commissioners shall meet in April and October to distribute the state funds.

**Acts of 1828, Ch. 169**

An act re school taxes in AA, passed 3-12-1829

- Sec. 1: All powers vested in the taxable inhabitants of school districts in AA by Acts of 1825, Ch. 162 shall be vested in free white male citizens over age 21 and resident and taxable in the

districts.

- Sec. 3: These inhabitants shall have the right to impose a tax or take contributions for paying a teacher.
- Sec. 4: When any land becomes chargeable for the school tax and personal property cannot be found, the tax collector shall submit to the district trustees a list of such lands, amount of taxes due, and names of delinquent taxpayers. Trustees shall have the power to act as commissioners of the tax can under Acts of 1797, Ch. 90.
- Sec. 5: Annually the clerk of the county commissioners shall copy lists of assessable property from the assessment records for distribution to the school district trustees.
- Sec. 6: Clerk of Annapolis shall do the same.
- Sec. 8: Annually in December the district trustees shall report to the school commissioners the amount of money received, number of children taught, amounts paid teachers, and other expenses. Commissioners shall report annually to the General Assembly.

### **Acts of 1828, Ch. 185**

An act re school funds in BA, passed 3-12-1829

- Sec. 1: Treasurer of the Western Shore shall pay the distributive share of the state school fund to the BA Board of County Commissioners, to be applied in the election districts.
- Sec. 2: Trustees for distribution of the school funds are named in this act - two for each election district. Vacancies shall be filled by the county commissioners. Trustees shall annually receive a portion of the school fund, based on population of the election district and to be used for the education of orphans and children of poor widows and parents. Annually the trustees shall account to the county commissioners for the money distributed and provide the names of the children being benefited.

### **Acts of 1829, Ch. 27**

An act supplemental to Acts of 1816, Ch. 256, re free school fund in HA, passed 1-29-1830

- Sec. 1: State free school funds for HA shall be sent to the HA Orphans Court.
- Sec. 2: Orphans court shall distribute the funds to the school fund commissioners.
- Sec. 3: Annually in November the school fund commissioners shall report to the orphans court on their expenditures. The reports and accompanying vouchers shall be maintained by the orphans court.
- Sec. 5: Annually the orphans court shall report to the General Assembly an account of their proceedings and the number of pupils educated out of the fund, showing ages and sexes.
- Sec. 6: Register of wills shall perform those duties designated by the orphans court and shall maintain and record their proceedings and expenditures regarding the school fund.
- Sec. 7: Vacancies among the commissioners of the school fund shall be filled by the orphans court.

### **Acts of 1830, Ch. 39**

## An act re school districts in PG, passed 2-3-1831

- Sec. 1: In this act are named three persons in each of the six election districts in PG as commissioners to divide the county into school districts.
- Sec. 2: The commissioners of each election district shall meet in August 1831 to divide their area into a convenient number of school districts, describe and number them, and deliver the descriptions and numbers to the register of wills to be recorded.
- Sec. 3: Commissioners shall report to the next General Assembly on the descriptions and numbers of school districts and costs of building a schoolhouse in each district.
- Sec. 4: Vacancies among the commissioners shall be filled by the remaining members.

## Acts of 1830, Ch. 40

### An act supplemental to Acts of 1816, Ch. 256, re free school fund in CH, passed 2-3-1831

- Sec. 1: CH Orphans Court shall draw from the Treasurer of the Western Shore its share of the free school fund.
- Sec. 2: Orphans court shall distribute the funds to the commissioners of the school fund.
- Sec. 3: Annually in November the school fund commissioners shall report to the orphans court on expenditures of the fund, accompanied by vouchers.
- Sec. 5: Annually the orphans court shall report to the General Assembly an account of its proceedings under this act, including the number of pupils taught out of the free school fund and showing the ages and sexes of the students.
- Sec. 6: Register of wills shall maintain records of the proceedings of the orphans court and disposal of the school funds.
- Sec. 7: Vacancies among the commissioners of the school fund shall be filled by the orphans court.

## Acts of 1830, Ch. 97

### An act re school funding in AA, passed 2-14-1831

- Sec. 1: Trustees of any primary school district in AA may require from each student not over \$.25 per month for school expenses.
- Sec. 2: Annually the AA Board of County Commissioners shall levy a tax on assessable property, except in Annapolis, for the support of primary schools. Taxes shall be collected by the county tax collector and paid to the AA Commissioners of Primary Schools.
- Sec. 3: Annually in October the school commissioners shall distribute money to the trustees of the school districts having schools and teachers. Commissioners may give not over \$200 to trustees of districts not having schools on the condition that a school be built.
- Sec. 4: Money paid by the Treasurer of the Western Shore shall be distributed according to the number of children attending primary schools in the district.

## Acts of 1830, Ch. 160

An act re schools in QA, passed 2-23-1831, effective 1-1-1832

- Sec. 1: QA Commissioners of the School Fund shall apportion school funds equally among the primary school districts, except in Centreville, and shall distribute them semi-annually to the district trustees. Commissioners shall have the power to alter school district lines. Changes shall be filed with the county court clerk for recording.
- Sec. 2: Annually in March the school commissioners shall appoint three trustees in each school district, except in Centreville, who shall take an oath before a justice of the peace and deliver a copy of the qualifications to the commissioners.
- Sec. 4: Annually in November the school trustees shall report to the school commissioners on conditions of the schools and applications of the school funds.
- Sec. 5: Annually in January the school commissioners shall file a report with the General Assembly.
- Sec. 6: Centreville Academy shall be a free school as long as it receives state funds. Students from any part of the county may be admitted free of charge. The academy shall remain under the direction of the present trustees and their successors.

### **Acts of 1831, Ch. 244**

An act re schools in CA, passed 3-8-1832

- Sec. 3: Five persons for each election district in CA are named in this act as commissioners to apportion school funds. They shall locate schools especially in the parts of their districts that have none and shall report the number to the CA Orphans Court by October 1, 1832.
- Sec. 4: After schools are located, local citizens shall select between three and seven trustees to govern the schools.
- Sec. 5: If there is no schoolhouse, the school trustees shall have one built and then may receive their portion of the school fund.
- Sec. 6: In order to obtain money for paying a teacher, a school must be in operation for one year and have at least fifteen pupils. Such payments shall be made annually in December by the orphans court to the school trustees.
- Sec. 7: Vacancies among the school commissioners shall be filled by the remaining members.

### **Acts of 1832, Ch. 156**

An act re school taxes in QA, passed 3-12-1833

- Sec. 1: A majority of taxable inhabitants in a school district in QA may authorize a tax for payment of a teacher, to be voted on and collected per provisions of Acts of 1825, Ch. 162 for the purchase of a schoolhouse site.
- Sec. 2: If a school district has not yet selected a schoolhouse site and voted a tax, it may still do so.

### **Acts of 1832, Ch. 160**

An act supplemental to Acts of 1816, Ch. 256, re free school fund in HA, passed 3-13-1833

Reports of the HA Orphans Court show that the school fund commissioners have not complied with Acts of 1829, Ch. 27 and have considerable unexpended funds.

- Sec. 1: HA Orphans Court shall have the power to compel the school fund commissioners to settle their accounts, if they have failed to do so.
- Sec. 2: Hereafter, the orphans court shall deposit school funds in an interest bearing bank account and draw it out only as needed by the school fund commissioners.
- Sec. 3: Donations given to the school fund commissioners shall be handed over to the orphans court.

### **Acts of 1832, Ch. 168**

An act re schools in TA, passed 3-11-1833

- Sec. 1: TA Board of County Commissioners is authorized to receive the free school funds from the Treasurer of the Western Shore and shall distribute it among schools in operation. Five shall be the maximum number of schools allowed in Election Districts 1 and 3-4.
- Sec. 2: County commissioners shall appoint three district commissioners in each election district who shall lay off their respective districts into school districts, describe and number each, and make returns to the county commissioners within thirty days.
- Sec. 3: District commissioners shall also report any suitable schools now in operation and the names of the school trustees. If trustees have not been appointed, the district commissioners shall appoint a time and place for inhabitants to elect between three and seven trustees.
- Sec. 4: Where no suitable schoolhouses exist, the district commissioners shall assembly inhabitants to select one. If they do not meet, the school district shall not receive school funds.
- Sec. 5: Trustees of each school district shall select, if possible, at least eight indigent scholars for education.
- Sec. 7: Clerk of the county commissioners shall keep a record of the locations of schools, names of school trustees, returns of the district commissioners, proceedings of the county commissioners, receipts of school funds, and expenditures.

### **Acts of 1832, Ch. 226**

An act re school districts in CH, passed 3-14-1833

- Sec. 1: Commissioners already appointed by the CH Levy Court shall in August 1833 divided their respective election districts into school districts. They shall describe and number each one and file the information with the CH Register of Wills to be recorded.
- Sec. 2: In December 1833 the commissioners shall report to the General Assembly on the number and descriptions of the schools districts and probable cost of building a schoolhouse in each district and of acquiring the site.

### **Acts of 1832, Ch. 251**

An act supplemental to Acts of 1830, Ch. 160, re school commissioners in QA, passed 3-15-1833

- Sec. 1: Five persons are named in this act as QA Commissioners of the School Fund. QA Orphans Court shall fill vacancies so that there is one member from each election district.
- Sec. 2: Commissioners shall meet four times a year in April, July, October, and January.

### **Acts of 1833, Ch. 110**

An act re schools in QA, passed 2-26-1834

- Sec. 1: Taxable male inhabitants in Piney Neck school district in QA shall annually elect three trustees.
- Sec. 3: Vacancies shall be filled by a special meeting of inhabitants.
- Sec. 4: School trustees shall have the power to levy on assessable property, except that of colored persons, for repairing and furnishing the schoolhouse, levy annually for the employment of a teacher, adopt regulations for the school, and receive funds from QA Commissioners of the School Fund.
- Sec. 5: Annually in January the school trustees shall appoint a tax collector who shall give bond and whose duties shall be the same as those prescribed in Sec. 11 of Acts of 1825, Ch. 162. Collector shall receive the tax list in June and complete the collection by December.
- Sec. 9: Annually in December the school trustees shall report to the school commissioners on receipts, expenditures, number of children taught, and estimate of the number of white children inhabitants ages six to sixteen.
- Sec. 10: Provisions of this act shall be extended to any school district whenever a majority of the taxable male inhabitants adopt it.

### **Acts of 1833, Ch. 194**

An act supplemental to Acts of 1816, Ch. 256, re free school fund in CA, passed 3-13-1834

- Sec. 2: Annually in December school trustees in CA shall report to the CA Orphans Court an account of expenditures with vouchers, to be maintained by the court.
- Sec. 4: Annually the orphans court shall report to the House of Delegates an account of their proceedings, number of pupils taught out of the charity fund, giving ages and sexes, and disposal of the state donation.
- Sec. 5: Register of wills shall maintain the proceedings and accounts regarding the school fund.
- Sec. 6: Vacancies among the school trustees shall be filled by the orphans court.

### **Acts of 1833, Ch. 232**

An act re school districts in PG, passed 3-14-1834

Acts of 1830, Ch. 39, re school districts, was not executed by the appointed commissioners.

- Sec. 1: In May the PG Levy Court shall appoint three persons from each election district to divide the area into school districts by November 4, 1834. They shall execute provisions of Sec. 2 of



Acts of 1830, Ch. 39.

- Sec. 2: Secs. 3-4 of Acts of 1830, Ch. 39 shall also be applicable.

### **Acts of 1833, Ch. 244**

An act supplemental to Acts of 1831, Ch. 244, re schools in CA, passed 2-10-1834

- Sec. 1: Vacancies among the school trustees in CA shall be filled by the remaining members.
- Sec. 2: If the school trustees have not complied with Acts of 1831, Ch. 244, the orphans court shall divide their portions of the school fund among the other schools that are in compliance.
- Sec. 3: Sec. 2 will also apply when schools already in operation fail to meet the provisions of Acts of 1831, Ch. 244.

### **Acts of 1833, Ch. 251**

An act supplemental to Acts of 1825, Ch. 162, re primary schools in TA, passed 3-15-1834

- Sec. 2: If taxable inhabitants of any school district in TA shall not assemble to levy a tax or raise money for building a schoolhouse or purchasing supplies or to elect a district clerk, the TA Board of County Commissioners shall levy a tax on property in the district and appoint a clerk and three trustees to manage the district.
- Sec. 3: Until the General Assembly appropriates enough money to carry into operation the general system of instruction in primary schools in the state, the county commissioners shall raise the deficiency by a tax based on having children between ages six and fourteen and having an annual income of at least \$100.
- Sec. 4: All contracts made by school trustees for the employment of teachers shall be confirmed and ratified by the county commissioners.
- Sec. 6: Taxes levied under this act shall be collected by the county tax collector and paid to the county commissioners.
- Sec. 7: Annually by June 1 the district clerks shall ascertain the number and names of inhabitants having children between ages six and fourteen and an annual income of at least \$100 and return it to the county commissioners. Persons disputing the income determination may appeal to the county commissioners within twenty days.
- Sec. 11: Acts of 1832, Ch. 168 shall remain in effect until voters approve this act and until July 1 thereafter.
- Sec. 13: County commissioners shall maintain a record of taxes levied and collected as an account for each school district.
- Sec. 14: Annually the county commissioners shall report to the General Assembly a summary of their proceedings under this act.
- Sec. 15: At the next General Assembly election voters shall vote for or against this act. Election judges shall file election returns with the county commissioners.

### **Acts of 1834, Ch. 212**

An act supplemental to Acts of 1821, Ch. 139 and Acts of 1831, Ch. 244, re schools in CA, passed 3-9-

1835

- Sec. 1: In June 1835 the CA Orphans Court shall appoint five commissioners of the free school fund in each election district and shall fill vacancies.
- Sec. 2: Present commissioners of the free or charity school fund shall report to the orphans court in June 1835 on amounts remaining unspent and pay them to the court.
- Sec. 3: In June 1835 the orphans court shall ascertain what portions of the free school fund are unexpended and uninvested and what parts are due to the school districts as directed by Sec. 8 of Acts of 1821, Ch. 139.
- Sec. 4: At their first meeting the newly appointed school fund commissioners shall determine the amount of unsettled claims, if any, upon the free school fund and give orders for payment of them out any surplus funds belonging to the school district. If money still remains, the commissioners may use it to repair schoolhouses.
- Sec. 5: Annually in June the orphans court shall divide equally among the election districts the dividends and interest or investments of the free school fund and money received from the state. Orphans court shall notify the school fund commissioners of the amount placed to their credit.
- Sec. 6: Instead of distribution based on Sec. 7 of Acts of 1821, Ch. 139 the school fund commissioners shall ascertain the orphans and poor children lacking a means of education and select as many as the funds will allow. The commissioners shall give written orders for the reception of these charity scholars which along with teachers vouchers shall be filed with and preserved by the register of wills.
- Sec. 7: Annually in June the school fund commissioners shall report their proceedings to the orphans court, showing the number and names of the charity students and schools to which orders were given, accompanied by reports from the teachers.
- Sec. 10: Vacancies among the school trustees shall be filled by the remaining members.
- Sec. 11: The number of regularly subscribed scholars required by Sec. 6 of Acts of 1831, Ch. 244 shall be twelve instead of fifteen. Funds allotted to any school failing to meet this requirement shall be distributed to the remaining schools.
- Sec. 12: No one school shall receive more than \$100 annually.
- Sec. 14: Orphans court shall make semi-annual payments from state donations in June and December to established schools.
- Sec. 16: Register of wills shall maintain records of investments, free school funds, and state donations and shall record the proceedings of the orphans court regarding these moneys, showing particularly the funds received and manner of disposition. Register shall also record reports and returns of commissioners to locate schools per Acts of 1831, Ch. 244, commissioners of the free school fund, and school district trustees.
- Sec. 17: Annually the orphans court shall report to the General Assembly on the amount received on account of the free school fund and state donations and their dispositions, accompanied by reports of the commissioners of the free school fund and school district trustees.
- Sec. 18: Acts of 1833, Ch. 194 is repealed.

### **Acts of 1834, Ch. 333**

An act re public schools in BA, passed 3-21-1834

- Sec. 1: Provisions of Acts of 1825, Ch. 142, re public schools in Election District 1 in BA, is extended to Election District 12, if voters assent to it.
- Sec. 2: The election shall be held in October 1835. Election judges shall file election returns with the BA Board of County Commissioners.

### **Acts of 1834, Ch. 337**

An act supplemental to Acts of 1828, Ch. 185, re school funds in BA, passed 3-21-1835

- Sec. 1: Trustees in each election district, except Election District 1, in BA shall meet semi-annually for receiving applications for the benefit of the school fund for poor children.
- Sec. 2: Distribution and expenditure of the school fund shall be included in the county commissioners' annual report of county expenses.

### **Acts of 1835, Ch. 62**

An act re school districts in CH, passed 2-12-1836

- Sec. 1: In April 1836 the CH Orphans Court shall appoint three commissioners in each election district, who shall divided their respective areas into school districts. They shall describe and number each one and file the information with the CH Register of Wills for recording.
- Sec. 2: The commissioners shall report to the General Assembly on the number and descriptions of the schools districts and probable cost of building a schoolhouse in each district and of acquiring the site.
- Sec. 4: Acts of 1832, Ch. 226, re school districts in CH, is repealed.

### **Acts of 1835, Ch. 278**

An act supplemental to Acts of 1825, Ch. 162, re schools in TA, passed 3-28-1836

- Sec. 1: If taxable inhabitants of a school district fails to comply with Sec. 12 of Acts of 1825, Ch. 162, the TA Board of County Commissioners shall do so. The clerk of that school district shall prepare a list of taxable inhabitants and estimate the cost of carrying out that section and return it to the county commissioners by June 1 who shall then levy the tax.
- Sec. 2: There shall be three inspectors of primary schools, instead of eighteen, appointed annually by the county commissioners. Inspectors shall examine candidates for teaching and issue certificates to qualified persons.
- Sec. 3: The current school trustees and clerks in each school district shall hold office until the next annual meeting of taxable inhabitants in December. Clerks shall give ten days notice. Vacancies may be filled by a special election within one month or by the county commissioners.
- Sec. 4: School trustees shall annually estimate the funds needed for supplies and make a return to the county commissioners who shall pay them that amount. Trustees shall account annually to the county commissioners.
- Sec. 5: In lieu of commissioners of primary schools the county commissioners, when application

is made to alter the lines of a school district, shall appoint five persons to hear the matter, make changes, and file a return with the county commissioners for recording.

### **Acts of 1835, Ch. 368**

An act supplemental to Acts of 1825, Ch. 162, re schools in TA, passed 5-25-1836

- Sec. 1: Persons aggrieved by the laying off of a school district may apply to the TA Board of County Commissioners who may appoint three persons to examine the location and make changes which must be ratified and confirmed by the county commissioners.
- Sec. 2: Confirmed alterations shall be recorded and be final and conclusive.

### **Acts of 1836, Ch. 67**

An act re school districts in CH, passed 1-21-1837

- Sec. 1: CH Levy Court shall appoint three commissioners in each election district, who shall divided their respective areas into school districts. They shall describe and number each one and file the information with the CH Register of Wills for recording.
- Sec. 2: Sec. 1 of Acts of 1835, Ch. 52, re school districts in CH, is repealed.

### **Acts of 1836, Ch. 230**

An act supplemental to Acts of 1825, Ch. 162, re primary schools in FR, passed 3-20-1837

- Sec. 1: Annually in May the FR Levy Court shall appoint a board of inspectors of primary schools, to be composed of one person from each election district, who shall be vested the powers and duties given inspectors and commissioners per Acts of 1825, Ch. 162, except as altered herein.
- Sec. 3: Treasurer of the Western Shore shall pay state school funds to the school inspectors.
- Sec. 4: Levy court shall pay county school funds to the school inspectors.
- Sec. 5: After they have laid off school districts and trustees and teachers are appointed as provided by 1825, Ch. 162, the school inspectors shall annually in July distribute the school funds among the school districts.
- Sec. 6: Levy court shall levy sums for school purposes, based on recommendations of the school inspectors.
- Sec. 8: Trustees of school districts shall perform duties as specified in Acts of 1825, Ch. 162.
- Sec. 9: Proceedings of the trustees shall be subject to revision by the school inspectors.
- Sec. 11: Offices of clerk and collector provided for in Acts of 1825, Ch. 162 are abolished. The county tax collector shall collect school taxes and pay them to the school inspectors.
- Sec. 13: This act shall not go into operation unless accepted by the county voters at the next election for the General Assembly.

### **Acts of 1836, Ch. 307**

An act re primary schools in PG, passed 3-21-1837

- Sec. 1: Provisions of Acts of 1825, Ch. 162, re primary schools, are extended to PG.
- Sec. 10: Annually in December school district trustees shall report to the PG Commissioners of Primary Schools on receipts, disbursements, and number of children taught. Commissioners shall annually report to the General Assembly.
- Sec. 11: School funds shall be applied under current laws until the county is laid off into school districts and schools established in at least five of them.

### **Acts of 1837, Ch. 247**

An act re schools in HA, passed 3-24-1838

- Sec. 3: In October 1838 and annually thereafter voters in each election district in HA shall elect five district school commissioners. Election judges shall file election returns with the HA Orphans Court.
- Sec. 4: Annually in July the district commissioners shall ascertain the numbers and conditions of schools and the names and character of the teachers. In addition, they shall distribute by draft on the orphans court the district share of the school funds to the teachers who have kept schools for the past six months.
- Sec. 5: District commissioners shall take an oath before a justice of the peace.

### **Acts of 1838, Ch. 40**

An act supplemental to Acts of 1837, Ch. 247, re schools in HA, passed 1-30-1839

- Sec. 7: Vacancies among the district school commissioners in HA shall be filled by the remaining members. Orphans court shall be notified of the choice.
- Sec. 10: Orphans court shall keep a record of all particulars of their transactions regarding the school funds. District commissioners shall keep records of their schools, number of pupils and their ages and sexes, names of teachers, money distributed to teachers, dates and amounts of drafts and to whom payable, days of attendance of each commissioner, and their proceedings generally.

### **Acts of 1838, Ch. 61**

An act supplemental to Acts of 1836, Ch. 307, re primary schools in PG, passed 2-14-1839

- Sec. 1: PG Levy Court shall appoint six persons, one from each election district, as commissioners to divide the county into school districts and report their proceedings to the levy court for recording.
- Sec. 2: After that, the levy court shall annually appoint twelve persons, two from each election district, as trustees of the school fund who shall contract for building schoolhouses, for which purpose they may condemn land and value it for compensation to the owners.
- Sec. 3: Trustees may draw upon the orphans court for sums from the school fund to meet these expenses. Annually the school fund trustees shall account for expenditures to the levy court.
- Sec. 4: After schoolhouses are built, the school fund trustees shall hire teachers.

- Sec. 5: Schools shall be free for all children of county residents.
- Sec. 6: PG Surveyor shall assist the commissioners in laying off school districts.

### **Acts of 1838, Ch. 141**

An act supplemental to Acts of 1830, Ch. 160, re school commissioners in QA, passed 3-8-1839

- Sec. 1: Annually in May the QA Orphans Court shall appoint five commissioners of the school fund, one from each election district.

### **Acts of 1838, Ch. 191**

An act re schools in CH, passed 3-14-1839

CH has been divided into school districts, but its funds are insufficient to establish the schools.

- Sec. 1: Five persons are named in this act as trustees for each school district in each election district in CH. There are eight school districts in Election District 1, seven in Election District 2, five in Election District 3, five in Election District 3, and seven in Election District 4.
- Sec. 2: Trustees of each district shall acquire at least one acre at a place selected by the commissioners who established the districts or a central location and build a schoolhouse.
- Sec. 3: Treasurer of the Western Shore shall convert invested school funds of CH into cash.
- Sec. 6: CH Levy Court shall annually levy an tax on assessable property for the payment of teachers.
- Sec. 7: After a schoolhouse is built, the trustees shall hire a teacher and open the school, free of charge for white children residing in the school district.
- Sec. 9: Annually in December the school trustees shall report to the orphans court on the number of children taught and expenditures. Register of wills shall record the reports and keep an account of drafts given the trustees.
- Sec. 11: Vacancies among the trustees shall be filled by the remaining members.
- Sec. 13: Trustees may change district boundary lines provided the limits be at least five miles square and may agree to create additional districts. These changes shall reported to the orphans court for recording.

### **Acts of 1838, Ch. 362**

An act re primary schools in SM, passed 4-3-1839

- Sec. 1: Commissioners of primary schools in SM shall lay off and describe school districts in their respective election districts, not exceeding three in Election Districts 1 and 5, five in Election Districts 2 and 4, and seven in Election District 3. Commissioners shall also select sites for school houses and appoint five trustees for each school district.
- Sec. 2: Three persons from each election district are named in this act as commissioners of primary schools. By June 1839 the school commissioners shall report to the SM Board of County Commissioners their proceedings, description and number of school districts, and list of trustees appointed. Clerk of the county commissioners shall record these reports.

- Sec. 3: If any school commissioners have not complied with Sec. 2, the county commissioners shall appoint someone else.
- Sec. 4: School trustees shall take an oath and procure by purchase, gift, or donation a lot at the site selected by the school commissioners. If necessary, the trustees may condemn a lot of not more than one acre. Trustees shall receive contributions and subscriptions and draw up to \$150 on the county commissioners for building the schoolhouse.
- Sec. 5: County commissioners are hereby substituted for and invested with the powers of the commissioners of the school fund.
- Sec. 6: Commissioners of the school fund shall deliver to the county commissioners all records and funds.
- Sec. 7: School trustees shall manage the concerns of their school district, furnish and maintain the schoolhouse, and employ a teacher.
- Sec. 8: Annually the county commissioners shall apportion the state school funds among the school districts that have complied with this act.
- Sec. 10: Vacancies among the school commissioners shall be filled by the county commissioners and among school trustees by the school commissioners. Once a year or oftener the school commissioners shall visit and inspect the schools in their election district and report by January 1 to the county commissioners on the conditions of the schools, number of pupils, and recommendations. In February the county commissioners shall submit an annual report on schools to the General Assembly.

### **Acts of 1838, Ch. 410**

An act supplemental to Acts of 1821, Ch. 139 and its supplements, school records in CA, passed 4-5-1839

- Sec. 3: The parts of Sec. 16 of Acts of 1834, Ch. 212 requiring the CA Register of Wills to record reports and returns is repealed. The parts of Sec. 17 of the same act requiring the CA Orphans Court to file reports with the General Assembly is repealed. Register of wills shall file these papers among the school fund records.
- Sec. 4: Reports required by Sec. 7 of Acts of 1834, Ch. 212 shall be filed in December instead of June.

### **Acts of 1839, Ch. 66**

An act supplemental to Acts of 1836, Ch. 307, re primary schools in PG, passed 2-26-1840

- Taxable inhabitants of each school district in PG shall meet annually in May to select three trustees for their schools. Trustees shall visit and examine schools at least quarterly and may discharge teachers for just cause.

### **Acts of 1839, Ch. 83**

An act supplemental to Acts of 1837, Ch. 247, re schools in HA, passed 2-7-1840

- Sec. 1: HA Orphans Court shall receive and apportion school funds among the election districts as provided by previous laws, but shall deposit them in a bank account instead of paying them to the district school commissioners.
- Sec. 2: Orphans court shall pay school masters and teachers by check.
- Sec. 3: Each master and teacher shall file a account showing the name, age, and days of attendance of each student for whom tuition is being claimed. Each account shall be accompanied by a certificate from one of the district commissioners.
- Sec. 4: If in December of each year there are unexpended school funds, the orphans court shall lend the money as mortgages of land.

### **Acts of 1839, Ch. 85**

An act supplemental to Acts of 1838, Ch. 191, re schools in CH, passed 3-6-1840

- Sec. 1: Four persons are named in this act as CH Board of School Commissioners who shall hear and act upon applications for laying off, altering, increasing, or diminishing the number of school districts.
- Sec. 2: Vacancies shall be filled by the remaining members.
- Sec. 4: Trustees of each school district shall meet quarterly, appoint a president, treasurer, and secretary, and contract with teachers.

### **Acts of 1839, Ch. 90**

An act re school taxes in AA and Howard District, passed 3-10-1840

- Hereafter any sheriff or county tax collector in AA or Howard District must accept an appointment as collector of any school district taxes and do the collection within six months. Collectors of school taxes shall have the same powers of execution, sale, and conveyance to enforce payment as does the county tax collector.

### **Acts of 1839, Ch. 96**

An act supplemental to Acts of 1838, Ch. 362, re primary schools in SM, passed 3-11-1840

- Sec. 1: Where a schoolhouse has not been built in SM and until it is constructed, the school trustees shall contract for the education of poor children with a private teacher or with the trustees of an adjoining district that has complied with Acts of 1838, Ch. 362.
- Sec. 3: Commissioners of primary schools of each election district shall have the power to alter the boundary lines of the school districts, abolish school districts, or create additional ones. School commissioners shall meet at least once a year in August.

### **Acts of 1839, Ch. 98**

An act re schools in Howard District, passed 3-6-1840

- Sec. 7: Howard District Commissioners shall appoint nine commissioners of primary schools and



not over eighteen other persons who together with the school commissioners shall be the inspectors of the schools.

- Sec. 8: Laws regarding primary schools now in force in AA shall be applicable in Howard District.

### **Acts of 1839, Ch. 113**

An act re school records in CA, passed 4-5-1840

- Sec. 6: Acts of 1838, Ch. 410 repealing report and record requirements in CA is repealed, and Acts of 1834, Ch. 212 declared to be in full effect.

### **Acts of Dec. 1841, Ch. 7**

An act supplemental to Acts of 1838, Ch. 61, re primary schools in PG, passed 1-13-1842

- Sec. 1: PG Levy shall appoint six persons, one in each election district, as trustees of the school fund with all the powers of the former board except the hiring of teachers.
- Sec. 2: The school district trustees shall have the power to hire and remove teachers, along with the authority to control and manage the school. School fund trustees shall assume these powers if any school has no local trustees.

### **Acts of Dec. 1841, Ch. 104**

An act re school records in CA, passed 2-7-1842

- Sec. 3: The parts of Sec. 16 of Acts of 1834, Ch. 212 requiring the CA Register of Wills to record reports and returns is repealed. The parts of Sec. 17 of the same act requiring the CA Orphans Court to file reports with the General Assembly is repealed. Register of wills shall file these papers among the school fund records.
- Sec. 4: Reports required by Sec. 7 of Acts of 1834, Ch. 212 shall be filed in December instead of June.

### **Acts of Dec. 1841, Ch. 187**

An act re primary schools in CA, passed 3-4-1842

- Sec. 1: Annually in December the taxable inhabitants of each school district in the upper election district in CA shall elect five school trustees.
- Sec. 2: School trustees shall appoint a treasurer for the district who shall give bond, to be approved by the trustees and filed with the CA Register of Wills. CA Orphans Court shall pay to the trustees their proportion of uninvested school funds which the trustees shall invest and use the interest for support of the schools.
- Sec. 3: Orphans court shall annually pay to the trustees their proportion of the state school funds.
- Sec. 4: School trustees shall have the power to levy a tax on assessable property in their districts to supplement state school funds. School district treasurers shall collect the tax in the same way

as county taxes are collected and shall keep an account of these sums and report them to the trustees.

- Sec. 5: Annually in December the school trustees shall report their proceedings to the orphans court, showing receipts, expenditures, conditions of the schools, and times the schools have been in operation.
- Sec. 7: Schools of the upper election district organized under this act shall be free for all white children.
- Sec. 8: Any school not in operation for six months shall have its funds withdrawn by the orphans court.
- Sec. 9: Voters in the upper election district shall vote for or against this act in the next general election. Election returns shall be filed with the levy court. [Approved]
- Sec. 10: If this is so approved, the orphans court shall appoint three commissioners to define the boundaries of the school districts in the upper election district and report results to the court.

### **Acts of Dec. 1841, Ch. 202**

An act supplemental to Acts of 1838, Ch. 362, re school trustees in SM, passed 3-4-1842

- Sec. 1: Hereafter voters in each school district in SM, who have school age children, shall meet annually in December to elect five school trustees.
- Sec. 2: Trustees shall keep the schools open for twelve months, instead of the current six.
- Sec. 3: Notice of the election shall be given.
- Sec. 4: A justice of the peace residing in or near the school district shall preside at the election and report the results to the county commissioners for recording.

### **Acts of Dec. 1841, Ch. 226**

An act supplemental to Acts of 1830, Ch. 97, re school funding in AA, passed 3-7-1842

- Sec. 1: Tax collector in AA shall keep a separate account of money collected under Acts of 1830, Ch. 97.
- Sec. 2: Collector shall state the school tax separately.

### **Acts of Dec. 1841, Ch. 296**

An act supplemental to Acts of 1837, Ch. 247, re school commissioners in HA, passed 3-9-1842

- Sec. 2: Hereafter district school commissioners in HA shall be elected for three year terms. Orphans court shall fill vacancies.

### **Acts of 1842, Ch. 115**

An act re school trustees and clerks in TA, passed 2-20-1843

- The election for school trustees and clerks in TA shall be held annually in October.

## **Acts of 1842, Ch. 124**

An act to repeal Acts of Dec. 1841, Ch. 202, re school trustees in SM, passed 2-21-1843

- Sec. 1: Acts of Dec. 1841, Ch. 202, re school trustees in SM, is repealed.
- Sec. 2: Provisions of Acts of 1838, Ch. 362, re school trustees, are revived.

## **Acts of 1842, Ch. 187**

An act re primary schools in PG, passed 2-24-1843

- Sec. 4: When taxpayers of a school district in PG fail to elect trustees, the county school trustees shall appoint three persons to act as local trustees until successors are elected.
- Sec. 7: PG Orphans Court is authorized to invest the principal of the school fund in stocks or bonds of the state.

## **Acts of 1844, Ch. 32**

An act supplemental to Acts of 1841, Ch. 187, re primary schools in CA, passed 1-28-1845

- Vacancies among the trustees of the primary schools in the upper election district of CA shall be filled by the remaining members.

## **Acts of 1845, Ch. 292**

An act supplemental to Acts of 1825, Ch. 162, re primary schools in QA, passed 3-9-1846

Many school districts in QA have not established schools and the residents are thus exempt from the payment of any school tax.

- Sec. 1: In place of the present manner of levying and collecting school taxes, the QA Levy Court shall levy the taxes for each school district, as ascertained and prescribed by the QA Commissioners of the School Fund. However, funds for erecting and repairing schoolhouses shall be by means heretofore provided by state law. Sums levied by the levy court shall be collected by the county tax collector and paid to the treasurer of the school fund commissioners who shall divide the funds equally among the school districts having schools in operation.
- Sec. 2: Annually at their first meeting the school fund commissioners shall appoint a treasurer who shall give bond and have charge of the moneys levied for schools.
- Sec. 4: This act shall be voted on by voters in QA at the next General Assembly election.  
[Apparently approved]

## **Acts of 1845, Ch. 298**

An act supplemental to Acts of 1821, Ch. 139, re school districts in CA, passed 3-9-1846

- Sec. 1: When requested by a petition by a majority of voters of a school district, the CA Orphans Court shall appoint three commissioners to alter the boundaries of a school district and/or establish a new one. Commissioners shall file their report with the register of wills.

### **Acts of 1846, Ch. 167**

An act supplemental to Acts of 1825, Ch. 162, re schools in TA, passed 2-26-1847

- Sec. 1: Taxable inhabitants of a school district in TA, aggrieved by the present management, may petition the TA Board of County Commissioners who shall appoint three commissioners to examine the situation and report such change or division of the district as seems advisable. The report shall be subject to ratification and confirmation of the county commissioners after thirty days public notice.
- Sec. 2: Returns of the commissioners shall be recorded.
- Sec. 5: When a new school district is created, the county commissioners shall sell the schoolhouse and divide the proceeds among the old and new districts.

### **Acts of 1846, Ch. 169**

An act supplemental to Acts of 1838, Ch. 191, re schools in CH, passed 2-28-1847

Acts of 1838, Ch. 191 has not produced all the intended benefits.

- Sec. 2: CH Board of County Commissioners shall levy additional taxes for 1847 for paying off the claims of the primary school teachers who have not been paid.
- Sec. 5: At the end of each year each teacher shall prepare an affidavit of the time taught and number of students in attendance, which shall accompany the annual report of the trustees.
- Sec. 7: In order to apportion sums due the primary schools, the trustees of the schools in operation shall make their annual report to the orphans court by January 1.

### **Acts of 1846, Ch. 178**

An act re school commissioners in HA, passed 3-3-1847

- Sec. 2: Havre de Grace Election District 6 shall be entitled to three school commissioners who shall be appointed by the HA Orphans Court and serve until the next election for school commissioners. Thereafter they shall be elected per provisions of [Acts of 1837, Ch. 247 and Acts of Dec. 1841, Ch. 296].

### **Acts of 1847, Ch. 45**

An act re primary schools in PG, passed 2-2-1848

- Sec. 1: Hereafter the trustees of primary schools in PG shall appoint three persons in each school district as local trustees of the schools who shall have the duties and powers of the formerly elected trustees. District trustees shall annually report to county school trustees on management of the schools and number of pupils in each.
- Sec. 2: School district trustees shall remain in office until replaced by the county school trustees.

### **Acts of 1847, Ch. 187**

## An act re public schools in BA, passed 3-2-1848

- Sec. 1: BA Board of County Commissioners shall establish public schools in the county.
- Sec. 2: County commissioners shall have the power to levy school taxes.
- Sec. 3: Present school fund shall be applied to the use of public schools.
- Sec. 5: Annually in May the county commissioners shall appoint one person from each election district to a BA Board of School Commissioners which shall fill its own vacancies.
- Sec. 6: From their members the school commissioners shall select a president, treasurer, and secretary.
- Sec. 7: School commissioners shall establish as many schools as the school fund will support, employ teachers and fix their salaries, and prescribe courses of study and textbooks.
- Sec. 9: Each pupil shall pay \$1 per quarter, unless exempted by the school commissioners.
- Sec. 11: School commissioners may lease school buildings and when funds are sufficient may lease or purchase lots and erect buildings.
- Sec. 13: Annually in January the school commissioners shall report to the county commissioners on its transactions, receipts and expenditures, and estimated expenses for the next year.
- Sec. 14: County commissioners shall publish in pamphlet form the reports of the school commissioners.
- Sec. 15: Provisions of Sec. 2 shall be voted on in October 1848.

## Acts of 1847, Ch. 285

### An act supplemental to Acts of 1816, Ch. 256, re school funds in HA, passed 3-9-1848

- Sec. 2: HA Orphans Court shall pay to the district school commissioners the sums to which they are entitled for the teaching of poor children.
- Sec. 3: Annually the district commissioners shall file accounts with the register of wills, showing disbursements, names and ages of children, periods taught, and names of teachers.
- Sec. 4: In this act are named three school commissioners for each of the six election districts.
- Sec. 5: Orphans court shall fill vacancies.
- Sec. 6: Unexpended funds in the hands of the commissioners shall be paid to the orphans court.

## Acts of 1849, Ch. 161

### An act re public schools in HA, passed 2-27-1850

- Sec. 1: HA Board of County Commissioners is authorized and directed to establish public schools.
- Sec. 2: County commissioners shall levy a tax for the support of the schools.
- Sec. 3: Present school funds shall be applied to the support of the public schools.
- Sec. 5: Annually in January the county commissioners shall appoint three school commissioners for each election district.
- Sec. 6: County commissioners shall designate one school commissioner from each election district to form the executive board of school commissioners and shall convene it within twenty

days from their appointment.

- Sec. 7: Executive board shall elect one of themselves as president and one a secretary. Four shall constitute a quorum. Register of wills shall be ex officio treasurer to the board.
- Sec. 8: School commissioners shall establish as many schools as supportable and necessary, employ teachers, prescribe courses of study and textbooks, and may adopt by-laws for management of the schools. Each student shall pay in advance not over \$1 per quarter, unless exempted by a school commissioner.
- Sec. 9: Treasurer shall make payments upon drafts from the president of the executive board.
- Sec. 10: Executive board shall have the authority to lease buildings for school use and whenever the school fund is sufficient may lease or buy lots and erect school buildings.
- Sec. 11: Donations of land or houses shall be secured by deeds.
- Sec. 12: Treasurer of the executive board shall keep the accounts and books.
- Sec. 13: Annually in January the executive board shall report to the county commissioners a statement of its transactions with an account of receipts and expenditures and an estimate of expenses for the next year.
- Sec. 14: County commissioners shall publish this annual report in the county newspapers.
- Sec. 16: Treasurer shall receive and disburse school funds.
- Sec. 18: In October 1850 voters shall vote for or against a school tax. If the result is a vote against the tax, this act shall not take effect.

### **Acts of 1849, Ch. 264**

An act supplemental to Acts of 1825, Ch. 162, re schools in QA, passed 3-1-1850

- Sec. 1: QA Commissioners of the School Fund shall annually appoint three persons as examiners of candidates for teachers.
- Sec. 4: Treasurer of the school fund commissioners shall also have charge of the money received from the state.
- Sec. 5: School fund commissioners shall annually report to the orphans court on receipts and disbursements. The report shall be published in a newspaper.

### **Acts of 1849, Ch. 480**

An act supplemental to Acts of 1838, Ch. 61, re primary school in PG, passed 3-9-1850

- Sec. 1: The authority to select school district trustees in PG is returned to the taxable inhabitants of each district.
- Sec. 2: PG Levy Court shall annually appoint eight persons, one from each election district, as the county trustees of primary schools.
- Sec. 5: County school trustees may draw on the county school fund for furnishing and repairing schoolhouses.

### **Acts of 1849, Ch. 531**

An act supplemental to Acts of 1847, Ch. 187, re public schools in BA, passed 3-7-1850

- Sec. 1: BA Board of School Commissioners appointed under Acts of 1847, Ch. 187 shall hold office until October 1850. Then and annually thereafter voters in each election district shall elect one person as a school commissioner and patrons of each school shall elect three directors who shall select a teacher, inspect the schoolhouse, examine pupils, and report to the school commissioner of their district. Election judges shall file election returns with the county commissioners.
- Sec. 4: Grand jury shall examine accounts of the school commissioners at the time it examines accounts of the county treasurer and county commissioners and prepare and publish an statement of their receipts and disbursements.
- Sec. 6: School commissioners may allow instruction in higher branches of education and charge additional tuition for it.

### **Acts of 1852, Ch. 287**

An act re school funds in BC, passed 5-27-1852

- Sec. 1: BC Orphans Court shall order funds arising from the estates of persons dying intestate and having no heirs to be paid to the BC Board of Commissioners of Public Schools.
- Sec. 2: Orphans court shall require from the treasurer of the school commissioners or similar official a receipt and release to the administrator, which shall be recorded.
- Sec. 3: If heirs appeal later and prove themselves, the school commissioners shall restore the money out of the school fund.
- Sec. 4: This act shall also apply to unsettled estates whereon administration was granted by the late BA Orphans Court, except when the intestate was a resident of BA outside the limits of BC.

### **Acts of 1853, Ch. 22**

An act re school funds in BA, passed 2-16-1853

- Sec. 1: BA Treasurer shall keep a separate account of money received from taxes and other sources for public schools and of funds expended for school purposes and to whom paid.

### **Acts of 1853, Ch. 74**

An act re primary schools in SM, passed 3-21-1853

- Sec. 1: Commissioners of primary schools in their election district in SM are empowered to change the boundary lines of school districts, create additional ones, and appoint trustees for the new district.
- Sec. 2: School commissioners shall report these actions to the county commissioners for recording.
- Sec. 3: Trustees of the new school district shall select a site for the schoolhouse and proceed per Sec. 4 of Acts of 1838, Ch. 362.
- Sec. 6: When deemed desirable that a school district be composed of parts of adjoining election districts, the school commissioners of the respective districts shall jointly lay off and create the

district which shall be reckoned in the numbering of school districts where the schoolhouse is located. The first trustees shall be appointed jointly by the school commissioners. After construction of the schoolhouse, the district shall be under the supervision of the school commissioners of the election district where the schoolhouse is located.

### **Acts of 1853, Ch. 212**

An act re school commissioners of BA, passed 5-16-1853

- Sec. 1: Twelve persons named in this act shall comprise the BA Board of School Commissioners which is declared a body politic.
- Sec. 3: At the next election for the General Assembly and biennially thereafter voters in each election district shall elect one school commissioner. The commissioners shall take office in November and select one of themselves as president. Vacancies shall be filled by the remaining members.
- Sec. 4: For the purpose of adjusting and closing the school fund and severing the connection between the school funds and the county commissioners or county treasurer, the county commissioners and school commissioners shall each appoint one person in June as an auditor. These two persons may select a third individual. They shall audit the accounts of the county commissioners and county treasurer relating to the school fund. Then the county treasurer shall pay to the order of the school commissioners all money due the school fund and all property, stock, etc. pertaining to the fund.
- Sec. 5: Any money for schools now payable to the county treasurer shall hereafter be paid directly to the school commissioners.
- Sec. 6: School commissioners shall appoint a treasurer who shall also act a secretary and give bond. Treasurer shall be selected annually.
- Sec. 7: Annually at the March term the grand jury shall examine the records of the county treasurer in account with the school commissioners and school fund, examine accounts of the school commissioners and their treasurer, and prepare a statement of their receipts and disbursements and report it to the circuit court clerk for recording.

### **Acts of 1853, Ch. 255**

An act re school taxes in AA, passed 5-24-1853

- Sec. 2: Hereafter primary school districts may not levy their own taxes.
- Sec. 3: This act shall apply to Annapolis, now designated as primary school district 38.

### **Acts of 1853, Ch. 279**

An act re schools in SM, passed 5-25-1853

- Sec. 1: On the first Tuesday in November 1853 and every four years thereafter the SM Orphans Court shall appoint five persons, one from each election district, as the SM Board of School Commissioners. They shall select one of themselves as president and adopt rules and regulations



for governance of the board.

- Sec. 2: School commissioners shall hold quarterly meetings, and extra ones as called by the president.
- Sec. 3: Vacancies shall be filled by the orphans court.
- Sec. 4: Register of wills shall be the treasurer of the school fund and shall give bond, to be approved by the orphans court and recorded by the circuit court clerk.
- Sec. 6: School commissioners shall number each school district, draw orders upon the treasurer of the school fund, and keep an account of expenses for each school district.
- Sec. 7: At the first meeting in December and biennially thereafter the school commissioners shall appoint five persons from each school district as trustees for that district. School trustees shall revise and describe the boundaries of their district and submit a report to the school commissioners who shall file it with the circuit court clerk for recording.
- Sec. 8: Vacancies among the school trustees shall be filled by the school commissioners.
- Sec. 9: School commissioners shall constitute a board of examiners to examine all persons recommended by the school trustees as teachers. School commissioners may appoint person(s) to examine these applicants. Qualified persons shall be given a certificate of qualification which shall be presented annually to the examiners for renewal.
- Sec. 10: School trustees shall ascertain the number of white children between the ages of five and seventeen in their district and report the number to the school commissioners. For districts with no schoolhouse, the trustees shall arrange for building one. School trustees shall meet annually and recommend a teacher, superintend the schoolhouse, and may suspend or dismiss a teacher for immoral conduct. Each teacher shall keep a register of names and ages of all pupils. Annually on or before December 1 the school trustees shall provide the school commissioners with a statement of the number of pupils, male and female, that have attended during the year.
- Sec. 11: School trustees shall charge each parent or guardian \$1.50 per quarter for each child or ward attending the school. The charge may be abated by proving from the assessment records the amounts of assessed valuations.
- Sec. 13: County commissioners shall annually levy on assessable property for the support of schools.
- Sec. 14: School commissioners shall apportion the state and county school funds equally among the school districts.

### **Acts of 1854, Ch. 247**

An act supplemental to Acts of 1853, Ch. 279, re schools in SM, passed 3-10-1854

- Sec. 1: SM Board of School Commissioners may change the boundaries of school districts and create new ones.
- Sec. 3: Under direction of the school commissioners the treasurer of the school fund may invest money left over after defraying expenses and paying teachers.
- Sec. 4: School commissioners may appoint a secretary.

### **Acts of 1860, Ch. 27**

An act to amend Secs. 114-116, 120-121 and 126-127 of Art. 17, Public Local Laws, re schools in QA,

passed 2-24-1860

- Sec. 2: Taxable inhabitants in each school district in QA, except Centreville, shall annually in October or November meet to elect three trustees.
- Sec. 3: Vacancies shall be filled at special meetings of the inhabitants.
- Sec. 4: QA Commissioners of the School Fund shall annually appoint three examiners of candidates for teachers.
- Sec. 5: School fund commissioners shall meet in July and January to apportion school funds among the school districts, which shall be paid to the school trustees, including those of the Centreville Academy.
- Sec. 6: At their annual meeting the inhabitants of any district may levy a tax for the purchase of a schoolhouse site and building of a schoolhouse.
- Sec. 7: Inhabitants may also levy a tax for maintenance and supplies and elect a clerk and tax collector for the school district. No school site shall be changed except by majority vote of all taxable inhabitants of the district.
- Sec. 8: QA Board of County Commissioners shall annually levy an additional school tax on a district, as authorized by the taxable inhabitants of Election District 4 or any other election district. County tax collector shall pay the money to the treasurer of the school fund commissioners.

### **Acts of 1860, Ch. 294**

An act to add sections to Art. 16, Public Local Laws, re schools in PG, passed 3-3-1860

- Sec. 1: PG Board of County Commissioners shall deliver to the PG Trustees of Primary Schools the records containing the descriptions of the original school districts.
- Sec. 2: Primary school trustees shall lay out new school districts, build schoolhouses, and condemn land on which to build them.
- Sec. 3: Primary school trustees shall appoint three commissioners for each school district with boundaries not recorded or yet to be laid out. Commissioners shall have the districts surveyed and report them to the primary school trustees who may accept or amend them. Trustees shall hear complaints from inhabitants, that are filed within twelve months.

### **Acts of 1862, Ch. 266**

An act re school funds in WO, passed 3-7-1862

- Sec. 2: At its May term the WO grand jury shall examine the books of the WO Board of County Commissioners in account with the WO Board of Primary Education and Public Education Fund, examine accounts of the education board and trustees, prepare a statement of their receipts and expenditures, and report it to the circuit court. The statement shall be recorded among the court proceedings and published by the county commissioners in October.

### **Acts of 1864, Ch. 67**

An act to add sections to Art. 18, Public Local Laws, re schools in SM, passed 2-11-1864

- Sec. 118: Trustees of any school district in SM may procure by gift, purchase, or bequest a site, not exceeding five acres, for a schoolhouse.
- Sec. 119: Otherwise, the school trustees may condemn a site, not over one acre.
- Sec. 120: School trustees shall serve notice on the landowner, giving the time for viewing and condemning the site, and shall determine the value of the land and damages. A majority of the trustees must approve and certify the condemnation and assessed value and damages. The site shall be surveyed. The certificate of condemnation and survey shall be filed with the circuit court clerk for recording as evidence of title, unless the proceedings are reversed by the circuit court.
- Sec. 121: Landowners may appeal to the circuit court whose decision shall be final.

### **Constitution of 1864, Art. III**

- Sec. 32: General Assembly shall not pass local or special laws for the support of public schools, preservation of school funds, and location or regulation of schoolhouses.

### **Constitution of 1864, Art. VIII**

- Sec. 1: There shall be a state Superintendent of Public Instruction who shall report to the next General Assembly session on a uniform system of free public schools.
- Sec. 2: There shall be a state Board of Education composed of the Governor, Lt. Governor, Speaker of the House, and state superintendent.
- Sec. 3: In each county there shall be such number of school commissioners as the superintendent decides, to be appointed by the state board.
- Sec. 4: At its first session the General Assembly shall provide for a uniform system of free public schools. If not, the superintendent's plan shall go into effect.
- Sec. 5: General Assembly shall levy an annual tax on taxable property for public schools. The money shall be paid into the state treasury and distributed according to school age population.
- Sec. 6: General Assembly shall also levy another annual tax for the public school fund that will be invested by the State Treasurer. The annual interest shall be distributed

### **Acts of 1865, Ch. 160**

An act to add an article to Public General Laws, re public education, and to repeal all existing inconsistent laws, passed 3-4-1865

- Title I, Ch. I, Supervision
  - Sec. 1: State Board of Education shall consist of the Governor, Lt. Governor, Speaker of the House, and Superintendent of Public Instruction.
  - Sec. 2: Superintendent of Public Instruction shall be appointed by the governor with consent of the Senate
  - Sec. 3: Counties and BC shall have boards of school commissioners.

- Title I, Ch. II, Board of Education
  - Sec. 2: Board of Education shall supervise all public colleges and schools, select a uniform series of textbooks, issue uniform by-laws for local school boards, and have the power to remove any local school commissioner.
- Title I, Ch. III, Superintendent of Public Instruction
  - Sec. 1: The office of the Superintendent of Public Instruction shall be in BC.
  - Sec. 2: Superintendent shall supervise all public schools. Superintendent shall annually visit each county to confer with the school commissioners, inspect schools, and hold teacher institutes.
  - Sec. 3: Superintendent may grant certificates of qualification to teachers and on good cause may annul certificates or diplomas from the State Normal School. No annulment will take place until approved by the Board of Education.
  - Sec. 8: Superintendent shall decide, subject to appeal to the Board of Education, controversies arising under this law, provided parties may have the questions tried in a court of law. Superintendent may not rule in matters concerning money, property, and vested rights. Superintendent shall maintain a record of proceedings.
- Title I, Ch. IV, District Commissioners
  - Sec. 1: On the first Monday in June 1865 the Board of Education shall appoint to four year terms such number of school commissioners in each county and BC as the superintendent may direct. Each commissioner shall have charge of such number of school districts, at least fifteen, as the superintendent shall direct. Each district shall be numbered.
  - Sec. 2: School commissioners are declared a body politic to be styled a board of school commissioners. Property and funds of existing school agencies shall be vested in these commissioners.
  - Sec. 3: Board of Education shall designate one commissioner as president. School commissioners shall meet on the second Tuesday in July 1865 to organize and appoint a secretary who shall also be the treasurer.
  - Sec. 4: Treasurer shall give bond, to be approved by the school commissioners.
  - Sec. 5: Where a county has not been properly divided into school districts and boundaries determined and recorded, the school commissioners shall appoint a two member committee to divide the county into school districts and define the boundaries, not to be larger than four miles square unless located in unpopulated regions. The committee shall report the boundaries with a plat to the school commissioners who shall give notice of a meeting for applications to change boundaries. When changes are completed, the school commissioners shall ratify the report and record the boundary descriptions. School commissioners shall have the power to revise boundaries of existing school districts and shall record such changes. School districts shall be numbered as directed by the superintendent. This section shall not apply to BC where the mayor and city council shall decide the mode of division.
  - Sec. 6: For assigned school districts a school commissioner shall employ teachers, distribute books and supplies, visit each school at least once a term, maintain the schoolhouse and grounds, and provide for expenses.

- Sec. 7: Instruction shall be given for at least six months per year.
- Sec. 9: For assigned school districts a school commissioner may investigate charges affecting the moral character of a teacher and, if the charges are sustained, shall annul the teaching certificate. The teacher may appeal to the board of school commissioners.
- Sec. 11: Each school commissioner shall collect reports on school conditions from teachers and present them to the school board.
- Sec. 12: Whenever the number of pupils, ages six to eighteen, in a school exceeds 100, a school commissioner may, instead of dividing the district, establish schools of different grades with the consent of the school board.
- Sec. 13: Each board of school commissioners shall annually send to the superintendent a statement of receipts and expenditures.
- Title II, Ch. I, School District Meetings
  - Sec. 2: Voters in each school district shall annually assemble on the first Monday in May to discuss the condition of the schoolhouse. A moderator shall preside and a clerk shall keep minutes of the meeting.
  - Sec. 3: A copy of the minutes shall be sent to the school commissioner assigned to the district who shall it report to the board of school commissioners.
- Title II, Ch. II, Schoolhouses
  - Sec. 1: A school commissioner shall have the care and control of all schoolhouses and sites within the assigned school districts.
  - Sec. 2: Schoolhouses shall be built and furnished according to plans issued or approved by the superintendent.
  - Sec. 5: When voters in a school district want to change the location of a schoolhouse, the board of school commissioners shall consider the request and make necessary arrangements.
  - Sec. 6: Matters covered in this chapter in BC shall be decided by the mayor and city council or delegated to the board of school commissioners.
- Title II, Ch. III, Schoolhouse Sites
  - Sec. 1: Each school commissioner with consent of the board of school commissioners shall select schoolhouse sites.
  - Sec. 3: When a school commissioner cannot contract for land, the board may apply for a writ of ad quod damnum to the county circuit or BC Superior Court. Sheriff shall execute the writ and return an inquisition describing the land and amount of damages to be paid the landowner. The judge may confirm or quash the inquisition and, if the latter, may order a new inquisition. No school lot shall exceed one acre.
- Title II, Ch. IV, Schools
  - Sec. 1: In every school district there shall be one or more schools, based on population, which shall be free to white youths, ages six to nineteen.
  - Sec. 2: The school year shall be divided into four terms.
- Title II, Ch. V, Teachers
  - Sec. 1: Teachers must have certificates issued by an authorized examiner or a diploma from the State Normal School.
  - Sec. 3: Each teacher shall enter into registers the attendance of pupils, text books used,

and branches taught and file the information with the school commissioner assigned to the school.

- Title II, Ch. VI, Pupils
  - Sec. 3: Children living remote from a school in their district may attend a school in an adjoining district under directions from the assigned school commissioner.
- Title II, Ch. VII, Textbooks
  - Sec. 1: There shall be a uniform series of textbooks used in all schools in the state.
  - Sec. 2: They shall be prescribed by the Board of Education.
- Title II, Ch. VIII, High Schools
  - Sec. 1: There shall be at least one high school in each county. Terms of admission shall be determined by the Board of Education. The number of high schools in BC shall be determined by the BC Board of School Commissioners.
  - Sec. 2: Boards of school commissioners of any two counties may with consent of the Board of Education unite funds and establish one high school.
  - Sec. 3: Such a high school shall be governed by a joint committee, consisting of members of both county boards.
  - Sec. 7: Every high school shall be visited and examined annually by the superintendent or a professor of the State Normal School and quarterly by the president of the school commissioners.
  - Sec. 8: Each high school principal shall report annually to the school commissioners.
- Title IV, Ch. I, Examination of Teachers
  - Sec. 1: President of the Board of Education shall examine teaching candidates and give each qualified person a certificate.
  - Sec. 2: Certificates shall be numbered and registered for each county and BC.
  - Sec. 4: Certificates shall remain in effect for up to three years.
  - Sec. 6: A teacher holding a certificate issued by the president of the board of education may be reexamined by the superintendent or a designated professor of the State Normal School who may cancel the certificate if the teacher is found deficient.
- Miscellaneous, Ch. I, Colored Population
  - Sec. 1: Taxes paid for school purposes by the colored population of any county or BC shall be reserved for founding schools for colored children, which shall be under the direction of the board of school commissioners and subject to rules and regulations of the Board of Education.
  - Sec. 2: School commissioners shall visit the colored schools quarterly and report on progress of the pupils.
- Miscellaneous, Ch. II, Private Schools
  - Sec. 1: For the purpose of collecting statistics private schools or academies shall annually by July 1 report to the boards of school commissioners on the average number of pupils, number of months in session, cost of tuition and board, and courses of study.
- Sources of Income, Ch. I
  - Sec. 1: A state tax on taxable property shall be levied annually for support of free public schools, which shall be collected at the same time as the state property tax and by the same persons. The taxes shall be paid to the state treasury to be disbursed to the boards of

school commissioners in proportion to the population ages five to twenty.

- Sec. 7: Taxes shall not be disbursed until the boards of school commissioners are organized.

Schools now in operation may be continued under existing laws until June 30, 1865. Present local school authorities shall exercise their powers until July 10, 1865.

### **Acts of 1867, Ch. 123**

An act to repeal and reenact Sec. 1 of Ch. I of Acts of 1865, Ch. 160, re sources of income, passed 3-13-1867

- Sources of Income, Ch. I
  - Sec. 1: A state tax on taxable property shall be levied annually for support of free public schools, which shall be collected at the same time as the state property tax and by the same persons. The taxes shall be paid to the state treasury to be disbursed to the boards of school commissioners in proportion to the population ages five to twenty. County commissioners may levy and collect additional taxes for building schoolhouses or paying for those built since January 1865, provided a majority of the voters of the affected district or sub-district agree at an election.

### **Constitution of 1867, Art. VIII**

- Sec. 1: At the next session the General Assembly shall provide for a system of free public schools and provide by taxation and otherwise for their maintenance.
- Sec. 2: Present system shall expire thereafter.

### **Acts of 1868, Ch. 407**

An act to add an article to Public General Laws, re public education, approved 3-30-1868, effective 4-1-1868

- Title I, Ch. I, Supervision
  - Sec. 1: Educational matters affecting a county shall be under the control of a board of county school commissioners, one of whom shall be chosen as president. A person not a member of the board shall be selected as secretary and treasurer.
  - Sec. 2: There shall be school district boards composed of three persons, one of whom shall be the school commissioner of the election district in which the school is located.
- Title I, Ch. II, Election of School Commissioners
  - Sec. 1: Each board of county school commissioners shall be composed of one person from each election district, elected by the voters therein for a two year term that will begin on January 1. For the time between passage of this act and January 1, 1869, the county commissioners shall appoint school commissioners.
- Title I, Ch. III, County School Commissioners

- Sec. 1: School districts shall be numbered within each election district. School commissioners shall meet quarterly.
- Sec. 2: School commissioners shall have general superintendence of all schools, schoolhouses, and district libraries, pay teachers salaries, and distribute textbooks. County examiner shall be secretary of the board and keep minutes of the proceedings.
- Sec. 3: Treasurer of the board shall give bond, to be approved by the board.
- Sec. 4: State school fund is primarily intended for teachers salaries and books and supplies for pupils. If a county's share of the fund is insufficient, the county commissioners may levy and collect a tax for an amount designated by the school commissioners. Voters may decide at an election to impose a tax for building and maintaining a county high school or for other educational purposes affecting the whole county.
- Sec. 5: School commissioners shall have any such proposition submitted to the voters at the next general election, after giving public notice. Election judges shall file the election returns with the circuit court clerk who shall send copies to the county commissioners and school commissioners.
- Sec. 6: Where a county has not been properly divided into school districts and boundaries determined and recorded, the school commissioners shall appoint a two member committee to divide the county into school districts and define the boundaries, not to be larger than four miles square unless located in unpopulated regions. The committee shall report the boundaries with a plat to the school commissioners who shall give notice of a meeting for applications to change boundaries. When changes are completed, the school commissioners shall ratify the report and record the boundary descriptions. School commissioners shall have the power to revise boundaries of existing school districts and shall record such changes.
- Sec. 7: School commissioners may examine any charge affecting the moral character of a teacher, giving the individual an opportunity to offer a defense, and annul the certificate if necessary. When trustees refuse or neglect to exercise their functions and keep schools in operation, the school commissioners shall be vested with the rights and duties of the district trustees until new ones are elected or existing ones give assurances to act.
- Sec. 8: Each teacher shall report quarterly to the school commissioners on school conditions. These reports shall be maintained by the school commissioners and used to prepare the annual report to the principal of the State Normal School.
- Sec. 9: Whenever the number of pupils in a school exceeds 100, the school commissioners may with the consent of the trustees establish schools of different grades or divide the district. When the average attendance for two consecutive quarters is less than ten, the school commissioners may close the school unless the trustees want to keep it open at the expense of the district.
- Sec. 10: School commissioners shall annually prepare and publish a statement of receipts and expenditures, including the financial operation of each district. In addition, the statement shall be sent to the principal of the State Normal School.
- Title I, Ch. IV, Schoolhouse District Trustees
  - Sec. 1: For selecting two trustees of each schoolhouse district and deciding other questions an election shall be held in the district annually on the first Saturday in May.



School commissioners shall give ten days notice. If the election is not held, the school commissioners shall appoint the trustees.

- Sec. 2: Trustees shall have the care and control of all schoolhouses and lands in their district, employ teachers, supervise the schools, visit them frequently, and cause instruction to be given ten months each year.
- Sec. 6: Contiguous portions of two or more districts may with the consent of the school commissioners combine to form a new district, provided the new area has at least thirty-five legal resident voters.
- Title I, Ch. V, Schoolhouse Sites
  - Sec. 1: School trustees with consent of the school commissioners shall select a suitable schoolhouse site when a change is warranted or a new schoolhouse is to be built.
  - Sec. 3: When the trustees cannot contract for land, the school commissioners may apply for a writ of ad quod damnum to the county circuit or BC Superior Court. Sheriff shall execute the writ and return an inquisition describing the land and amount of damages to be paid the landowner. The judge may confirm or quash the inquisition and, if the latter, may order a new inquisition. No school lot shall exceed one acre.
- Title I, Ch. VI, Schools
  - Sec. 1: In every schoolhouse district there shall be kept open for ten months each year one or more schools, according to the population, which shall be free for all white youths, ages six to eighteen.
  - Sec. 7: Each school year shall be divided into four terms.
- Title I, Ch. VII, Teachers
  - Sec. 1: Teachers must have a certificate of qualification issued by the county examiner or the principal of the State Normal School or a diploma from that school.
  - Sec. 2: District trustees shall select teachers and may remove them after thirty days notice.
  - Sec. 3: Teachers shall enter into registers the attendance of pupils, textbooks used, and branches taught and return the information to the school commissioners at the end of each term.
  - Sec. 4: School commissioners shall determine the teachers salaries.
- Title I, Ch. IX, Textbooks
  - Sec. 4: School commissioners shall keep an account of textbooks and supplies delivered to the schools.
- Title II, Ch. 1, Examination of Teachers
  - Sec. 1: School commissioners shall appoint a county examiner who shall examine teaching candidates in the presence of at least three members of the board and give certificates to qualified teachers.
  - Sec. 2: Certificates shall be numbered and recorded in a register kept by the school commissioners. Principal of the State Normal School shall keep a similar record.
  - Sec. 3: No certificate shall remain in effect for more than three years.
  - Sec. 4: Twice a year in counties having fifty or less schools the county examiner shall visit each school, and once a year in counties with more than fifty schools. Examiner shall report observations quarterly to the school commissioners.
- Title II, Ch. VII, BC

- Sec. 1: Mayor and city council shall have the power and authority to establish in BC a system of public schools by ordinances, rules, and regulations and may delegate supervision and control to a board of school commissioners.
- Sec. 2: That board, or whatever name shall be given the agency, shall have supervisory powers and the authority to examine, appoint, and remove teachers, fix salaries, and select textbooks. The board shall make annual reports to the principal of the State Normal School.
- Sec. 4: Mayor and city council may levy taxes for educational expenses.
- Title II, Ch. VIII, High Schools
  - Sec. 1: Advanced schools may be grammar schools or high schools. The district trustees shall have control over the school if it is established only for one district. With a school for two or more districts, the respective trustees shall jointly constitute the board of trustees for the school. A school established for the whole county shall be under the control of the school commissioners.
  - Sec. 2: School commissioners of two or more counties may unite funds and establish an advanced school.
  - Sec. 3: The respective school commissioners shall exercise control over that school
  - Sec. 5: In matters concerning textbooks, courses of study, and modes of discipline, high schools under Secs. 2-3 shall be under the control of the state Board of Education.
  - Sec. 6: Each such school shall be examined annually by the principal or a professor of the State Normal School, and once each term by the president of the combined county school commissioners.
  - Sec. 7: Principal of such high school shall report annually to the combined county school commissioners.
- Title II, Ch. IX, Colored Population
  - Sec. 1: Taxes paid by colored people in the counties or BC shall be reserved for maintaining schools for colored children which shall be under the direction of the county school commissioners or BC public school commissioners.
- Title II, Ch. X, Sources of Income
  - Sec. 1: A state tax for public schools shall be levied annually on taxable property, be collected at the same time as the regular state property tax, paid into the state treasury, and distributed to the school commissioners. WI Board of County Commissioners shall take a census of the county and send the results to the Comptroller of the Treasury by June 25, 1868.
  - Sec. 6: States taxes shall be distributed according to school age populations.
  - Sec. 7: No distribution shall take place until the school commissioners under this act have been organized.

## **Acts of 1870, Ch. 311**

An act to repeal and reenact 1868, Ch. 407, re public education, approved 4-4-1870

- Ch. 1, Supervision
  - Sec. 1: Education matters affecting the state and general supervision of public education

shall be under control of the Board of State School Commissioners.

- Sec. 2: Educational matters affecting a county shall be under the control of a board of county school commissioners.
- Sec. 3: Educational matters affecting a school district shall be under the control of a board of district school commissioners.
- Ch. 2, Formation of Boards
  - Sec. 1: Governor with consent of the Senate shall appoint at each General Assembly session from the presidents and examiners of the county boards four persons, including one from the Eastern Shore, who with the principal of the State Normal School shall constitute the Board of State School Commissioners.
  - Sec. 2: Each board of county school commissioners shall be composed of three persons appointed by judges of the circuit court for two year terms beginning on the next January 1. In counties having over 100 schools, five persons shall be appointed.
  - Sec. 3: Each district board shall be composed of three persons appointed annually by the county board on May 1 or the first meeting thereafter.
- Ch. 3, Duties of the State Board
  - Sec. 1: Regular meetings shall be held in May, August, November, and February.
  - Sec. 5: State board shall have general supervision of public school interests and act as advisors to the county boards.
  - Sec. 6: State board shall issue a uniform series of forms for reports to be made by teachers and county boards.
  - Sec. 7: When requested by a county board, the state board shall examine candidates for teaching positions and give certificates.
  - Sec. 8: State board may grant to qualified teachers certificates which shall be valid until revoked for cause.
  - Sec. 10: Schools and colleges receiving state donations shall make annual reports by November 15.
- Ch. 4: Duties of County Boards
  - Sec. 1: County boards shall organize on the first Tuesday in January after their appointment and select a person, not a member of the board, as secretary, treasurer, and examiner. In counties with more than eighty-five schools, the county board may appoint an assistant examiner. County boards shall meet at least once during each school term.
  - Sec. 2: Each county board shall be a body politic.
  - Sec. 4: County boards shall have general superintendence of all schools, schoolhouses, and district libraries, pay teachers salaries, and distribute textbooks.
  - Sec. 5: State school fund is primarily intended for teachers salaries and books and supplies for pupils. If a county's share of the fund is insufficient, the county commissioners may levy and collect a tax for an amount designated by the school commissioners.
  - Sec. 6: Where a county has not been properly divided into school districts and boundaries determined and recorded, the county board shall appoint a two member committee to divide the county into school districts and define the boundaries, not to be larger than four miles square unless located in unpopulated regions. The committee shall report the boundaries with a plat to the county board which shall give notice of a meeting for

applications to change boundaries. When changes are completed, the county board shall ratify the report and record the boundary descriptions. County board shall have the power to revise boundaries of existing school districts and shall record such changes.

- Sec. 7: Annually by November 15 county boards shall report to the state board on conditions of schools, all matters concerning education, and receipts and disbursements. The latter part of the report shall be published.
- Sec. 8: Vacancies within the county boards shall be filled by the circuit court judges. In case of inefficiency, refusal to act, or breach of trust, the county board may declare the office vacant and give notice to the affected person who may appeal to the state board whose decision shall be final. If no appeal is taken within ten days, the vacancy shall be filled.
- Ch. 5, Duties of District Boards
  - Sec. 1: District boards shall have the care and control of all schoolhouses and lands in the district, employ teachers, supervise the schools, visit them frequently, and cause instruction to be given ten months each year.
  - Sec. 4: Contiguous portions of two or more districts may with the consent of the county board combine to form a new district, provided the new area has at least thirty-five legal resident voters.
- Ch. 6, Schoolhouses and Sites
  - Sec. 1: A district board with consent of the county board shall select a suitable schoolhouse site when a change is warranted or a new schoolhouse is to be built.
  - Sec. 3: When the district board cannot contract for land, the county board may apply for a writ of ad quod damnum to the county circuit court. Sheriff shall execute the writ and return an inquisition describing the land and amount of damages to be paid the landowner. The judge may confirm or quash the inquisition and, if the latter, may order a new inquisition. No school lot shall exceed one acre.
  - Sec. 5: Every schoolhouse shall be built and furnished according to plans and drawings of the county board.
- Ch. 7, Schools
  - Sec. 1: Within each election district the schools shall be numbered consecutively.
  - Sec. : In every schoolhouse district there shall be kept open for ten months each year one or more schools, according to the population, which shall be free for all white youths, ages six to eighteen.
  - Sec. 5: Whenever the number of pupils in a school exceeds 100, the county board may with the consent of the district board establish schools of different grades or divide the district. When the average attendance for two consecutive quarters is less than ten, the county board may close the school unless the district board wants to keep it open at the expense of the district.
  - Sec. 9: Each school year shall be divided into four terms.
- Ch. 8, Teachers
  - Sec. 1: Teachers must have a certificate of qualification issued by the county examiner or state board or a diploma from the State Normal School.
  - Sec. 2: District boards shall select teachers and may remove them after thirty days notice.

- Sec. 3: Teachers shall enter into registers the attendance of pupils, textbooks used, and branches taught and return the information to the county board at the end of each term.
- Sec. 4: County board shall examine charges against teachers, with opportunities to defend themselves, and may annul their certificates, giving notice thereof to the state board. Appeals may be taken to the state board whose decision shall be final.
- Sec. 5: A teacher who holds a first grade certificate or diploma from a respectable college or State Normal School and who has taught for seven years, five of them in Maryland, may apply to the state board for a life certificate.
- Sec. 6: County boards shall determine the salaries of teachers.
- Ch. 10, Textbooks
  - Sec. 4: County boards shall keep an account of textbooks and supplies delivered to the schools.
- Ch. 11, County Examiners
  - Sec. 1: The county examiner shall examine teaching candidates in the presence of at least one member of the county board or one or more members of the district board and give qualified persons certificates.
  - Sec. 2: Certificates shall be numbered and recorded in a register kept by the county board. State board shall keep a similar record.
  - Sec. 4: No certificate shall remain in effect for more than three years.
  - Sec. 6: County examiners or assistants shall visit each school at least three times a year, if the county has fifty or less schools. Over that figure the visits shall be twice a year. Reports shall be filed with the county boards.
  - Sec. 7: Secretary and treasurer of the each county board shall give bond, to be approved by that board, that shall be recorded by the circuit court clerk. Secretary/treasurer shall keep minutes of meetings of the county board, conduct correspondence, maintain reports and other papers, and prepare the annual report to the state board.
- Ch. 16, BC
  - Sec. 1: Mayor and city council shall have the power and authority to establish in BC a system of public schools by ordinances, rules, and regulations and may delegate supervision and control to a board of school commissioners.
  - Sec. 2: That board, or whatever name shall be given the agency, shall have supervisory powers and the authority to examine, appoint, and remove teachers, fix salaries, and select textbooks. The board shall make annual reports to the state board.
  - Sec. 4: Mayor and city council may levy taxes for educational expenses.
- Ch. 17, High Schools
  - Sec. 2: A high school established by a one or more district boards shall be under the control of a board of high school commissioners, composed of three persons appointed by the county board. A county wide high school shall be under the control of the county board.
  - Sec. 3: Each high school shall be examined annually by the principal or professor of the State Normal School and once each term by the county examiner who shall report to the county board.
- Ch. 18, Colored Population

- Sec. 1: Taxes paid by colored people in the counties or BC shall be reserved for maintaining schools for colored children which shall be under the direction of the county boards or BC public school commissioners.
- Sec. 3: County boards shall have the power to appoint from among patrons of the colored schools three persons for each school to act as the board of district school commissioners.
- Ch. 19, Sources of Income
  - Sec. 1: A state tax for public schools shall be levied annually on taxable property, be collected at the same time as the regular state property tax, paid into the state treasury, and distributed to the county boards.
  - Sec. 6: States taxes shall be distributed according to school age populations.
- Miscellaneous
  - Sec. 1: Present county boards shall serve out the terms for which they were elected. Circuit court judges shall fill vacancies.
  - Sec. 2: Schools on or near the division line between two counties shall be free to the children of each county.

### **Acts of 1872, Ch. 189**

An act re Salisbury Academy in WI, approved 4-1-1872

- Sec. 1: Trustees of Salisbury Academy may sell their property and pay proceeds to the WI Board of School Commissioners for use of a high school in Salisbury.

### **Acts of 1872, Ch. 377**

An act to repeal and reenact 1870, Ch. 311, re public education, approved 4-1-1872

- Ch. 1, Supervision
  - Sec. 1: Education matters affecting the state and general supervision of public education shall be under control of the Board of Education.
  - Sec. 2: Educational matters affecting a county shall be under the control of a board of county school commissioners.
  - Sec. 3: Educational matters affecting a school district shall be under the control of a board of district school trustees.
- Ch. 2, Formation of Boards
  - Sec. 1: Governor with consent of the Senate shall appoint at each General Assembly session from the presidents and examiners of the county boards four persons, including one from the Eastern Shore, who with the principal of the State Normal School shall constitute the Board of Education.
  - Sec. 2: Each board of county school commissioners shall be composed of three persons appointed by judges of the circuit court for two year terms beginning on the next January 1. In counties having over 100 schools, five persons shall be appointed.
  - Sec. 3: Each district board shall be composed of three persons appointed annually by the county board on May 1 or the first meeting thereafter.
- Ch. 3, Duties of the State Board

- Sec. 1: Regular meetings shall be held in May, August, November, and February.
- Sec. 5: State board shall have general supervision of public school interests and act as advisors to the county boards.
- Sec. 6: State board shall issue a uniform series of forms for reports to be made by teachers and county boards.
- Sec. 7: When requested by a county board, the state board shall examine candidates for teaching positions and give certificates.
- Sec. 8: State board may grant to qualified teachers certificates which shall be valid until revoked for cause.
- Sec. 10: Schools and colleges receiving state donations shall make annual reports by November 15.
- Ch. 4: Duties of County Boards
  - Sec. 1: County boards shall organize on the first Tuesday in January after their appointment and select a person, not a member of the board, as secretary, treasurer, and examiner. In counties with more than eighty-five schools, the county board may appoint an assistant examiner. County boards shall meet at least once during each school term.
  - Sec. 2: Each county board shall be a body politic.
  - Sec. 4: County boards shall have general superintendence of all schools, schoolhouses, and district libraries, pay teachers salaries, and distribute textbooks.
  - Sec. 5: State school fund is primarily intended for teachers salaries and books and supplies for pupils. If a county's share of the fund is insufficient, the county commissioners may levy and collect a tax for an amount designated by the school commissioners.
  - Sec. 6: Where a county has not been properly divided into school districts and boundaries determined and recorded, the county board shall appoint a two member committee to divide the county into school districts and define the boundaries, not to be larger than four miles square unless located in unpopulated regions. The committee shall report the boundaries with a plat to the county board which shall give notice of a meeting for applications to change boundaries. When changes are completed, the county board shall ratify the report and record the boundary descriptions. County board shall have the power to revise boundaries of existing school districts and shall record such changes.
  - Sec. 7: Annually by November 15 county boards shall report to the state board on conditions of schools, all matters concerning education, and receipts and disbursements. The latter part of the report shall be published.
  - Sec. 8: Vacancies within the county boards shall be filled by the circuit court judges. In case of inefficiency, refusal to act, or breach of trust, the county board may declare the office vacant and give notice to the affected person who may appeal to the state board whose decision shall be final. If no appeal is taken within ten days, the vacancy shall be filled.
- Ch. 5, Duties of District Boards
  - Sec. 1: District boards shall have the care and control of all schoolhouses and lands in the district, employ teachers, supervise the schools, visit them frequently, and cause instruction to be given ten months each year.
  - Sec. 4: Contiguous portions of two or more districts may with the consent of the county

board combine to form a new district, provided the new area has at least thirty-five legal resident voters.

- Ch. 6, Schoolhouses and Sites

- Sec. 1: A district board with consent of the county board shall select a suitable schoolhouse site when a change is warranted or a new schoolhouse is to be built.
- Sec. 3: When the district board cannot contract for land, the county board may apply for a writ of ad quod damnum to the county circuit court. Sheriff shall execute the writ and return an inquisition describing the land and amount of damages to be paid the landowner. The judge may confirm or quash the inquisition and, if the latter, may order a new inquisition. No school lot shall exceed one acre.
- Sec. 5: Every schoolhouse shall be built and furnished according to plans and drawings of the county board.

- Ch. 7, Schools

- Sec. 1: Within each election district the schools shall be numbered consecutively.
- Sec. : In every schoolhouse district there shall be kept open for ten months each year one or more schools, according to the population, which shall be free for all white youths, ages six to eighteen.
- Sec. 5: Whenever the number of pupils in a school exceeds 100, the county board may with the consent of the district board establish schools of different grades or divide the district. When the average attendance for two consecutive quarters is less than ten, the county board may close the school unless the district board wants to keep it open at the expense of the district.
- Sec. 9: Each school year shall be divided into four terms.

- Ch. 8, Teachers

- Sec. 1: Teachers must have a certificate of qualification issued by the county examiner or state board or a diploma from the State Normal School.
- Sec. 2: District boards shall select teachers and may remove them after thirty days notice.
- Sec. 3: Teachers shall enter into registers the attendance of pupils, textbooks used, and branches taught and return the information to the county board at the end of each term.
- Sec. 4: County board shall examine charges against teachers, with opportunities to defend themselves, and may annul their certificates, giving notice thereof to the state board. Appeals may be taken to the state board whose decision shall be final.
- Sec. 5: A teacher who holds a first grade certificate or diploma from a respectable college or State Normal School and who has taught for seven years, five of them in Maryland, may apply to the state board for a life certificate.
- Sec. 6: County boards shall determine the salaries of teachers.

- Ch. 10, Textbooks

- Sec. 4: County boards shall keep an account of textbooks and supplies delivered to the schools.

- Ch. 11, County Examiners

- Sec. 1: The county examiner shall examine teaching candidates in the presence of at least one member of the county board or one or more members of the district board and give qualified persons certificates.



- Sec. 2: Certificates shall be numbered and recorded in a register kept by the county board. State board shall keep a similar record.
- Sec. 4: No certificate shall remain in effect for more than three years.
- Sec. 6: County examiners or assistants shall visit each school at least three times a year, if the county has fifty or less schools. Over that figure the visits shall be twice a year. Reports shall be filed with the county boards.
- Sec. 7: Secretary and treasurer of the each county board shall give bond, to be approved by that board, that shall be recorded by the circuit court clerk. Secretary/treasurer shall keep minutes of meetings of the county board, conduct correspondence, maintain reports and other papers, and prepare the annual report to the state board.
- Ch. 16, BC
  - Sec. 1: Mayor and city council shall have the power and authority to establish in BC a system of public schools by ordinances, rules, and regulations and may delegate supervision and control to a board of school commissioners.
  - Sec. 2: That board, or whatever name shall be given the agency, shall have supervisory powers and the authority to examine, appoint, and remove teachers, fix salaries, and select textbooks. The board shall make annual reports to the state board.
  - Sec. 4: Mayor and city council may levy taxes for educational expenses.
- Ch. 17, High Schools
  - Sec. 2: A high school established by a one or more district boards shall be under the control of a board of high school commissioners, composed of three persons appointed by the county board. A county wide high school shall be under the control of the county board.
  - Sec. 3: Each high school shall be examined annually by the principal or professor of the State Normal School and once each term by the county examiner who shall report to the county board.
- Ch. 18, Colored Population
  - Sec. 1: County boards shall establish one or more free public schools in each election district for colored youths, ages six to twenty, provided average attendance is not under fifteen students.
  - Sec. 2: These schools shall be under the direction of the respective district boards
- Ch. 19, Sources of Income
  - Sec. 1: A state tax for public schools shall be levied annually on taxable property, be collected at the same time as the regular state property tax, paid into the state treasury, and distributed to the county boards.
  - Sec. 6: States taxes shall be distributed according to school age populations.
- Miscellaneous
  - Sec. 1: Present county boards, secretaries and treasurers and examiners, and district boards shall serve out their terms. Circuit court judges shall fill vacancies in the county boards.

## Acts of 1874, Ch. 463

An act to repeal and reenact Sec. 2 of Ch. 18 of Acts of 1872, Ch. 377, re colored schools, approved 4-11-1874

- Ch. 18, Colored Population
  - Sec. 2: Each colored school shall be under the direction of a special board of school trustees appointed by the county board.

### **Acts of 1874, Ch. 483**

An act to repeal and reenact Art. 81, Public General Laws, re school taxes, approved 4-11-1874

- Sec. 42: Money for educational purposes by the county commissioners shall be levied separately from other items of taxation and a list thereof shall be furnished to the county school commissioners. Tax collectors shall make returns of those taxes on the days required for state school taxes.

### **Acts of 1878, Ch. 160**

An act to repeal Secs. 87 and 90 of Art. 10, Public Local Laws, and enact the following, re school funds in DO, approved 3-27-1878

- Sec. 9: Funds for educational purposes shall be levied by the DO Board of County Commissioners separately from other items of taxation and shall annually be at least \$10,000. A list of the taxes shall be furnished to the DO Board of County School Commissioners.

### **Acts of 1886, Ch. 293**

An act re school commissioners in CA, CH, MO, and PG, approved 4-5-1886

- Sec. 1: Sec. 6 of Art. 27, Public General Laws, is repealed as far as it relates to CA, CH, MO, and PG.
- Sec. 2: Governor with consent of the Senate shall biennially, beginning in 1886, appoint three persons to a board of county school commissioners in CA, CH, MO, and PG.
- Sec. 5: The term of office shall begin on May 1.

### **Acts of 1890, Ch. 268**

An act re school commissioners in CV and SM, approved 3-31-1890

- Sec. 1: Secs. 6 and 18 of Art. 77, Public General Laws, are repealed as far as they relate to CV and SM.
- Sec. 2: Governor with consent of the Senate shall biennially appoint three persons in each county as a board of county school commissioners.
- Sec. 3: Each board at its first meeting in May shall select a person other than themselves as secretary, treasurer, and examiner. Notice of this appointment shall be sent to the Comptroller of Treasury. School commissioners shall meet at other times as necessary.
- Sec. 4: Governor shall fill vacancies.

**Acts of 1890, Ch. 324**

An act to amend Secs. 24 and 27 of Art. 77, Public General Laws, re education reports, approved 4-3-1890

- Sec. 24: Boards of county school commissioners annually by October 1 shall report to the state board of education on schools and educational matters. They shall also publish annually in November a statement of receipts and disbursements and send a copy to the state board.
- Sec. 47: The school year shall be divided into four terms. Financial reports of schools shall be rendered to July 31 of each year.

**Acts of 1892, Ch. 341**

An act to repeal and reenact Secs. 6, 18, and 25 of Art. 77, Public General Laws, re county school commissioners, approved 4-7-1892

- Sec. 6: Governor with consent of the Senate shall appoint boards of county school commissioners for each county. In BA, CR, FR, and WA the board shall be composed of six persons and in other counties three persons. One-third shall serve for two years, one-third for four years, and one-third for six years. Thereafter appointments shall be for six year terms. Term of office shall begin in August.
- Sec. 18: At its first meeting each county board shall select a person, not a member of the board, as secretary, treasurer, and examiner. County boards shall meet at least once during each school term.
- Sec. 25: During the recess of the General Assembly, the governor shall fill vacancies for unexpired terms.

**Acts of 1892, Ch. 515**

An act to repeal and reenact Sec. 7 of Art. 77, Public General Laws, re district trustees, approved 4-7-1892

- Sec. 7: At their first meeting each school year the county school boards shall appoint boards of district school trustees, each composed of three persons. Trustees shall select one of themselves as chair.

**Acts of 1900, Ch. 29**

An act to repeal and reenact Sec. 6 of Art. 77, Public General Laws, re county school commissioners, approved 3-1-1900

- Sec. 6: Governor with consent of the Senate shall appoint boards of county school commissioners for each county. In BA, CR, DO, FR, and WA the board shall be composed of six persons and in other counties three persons. Appointments shall be for six year terms, staggered so that one-third are replaced every two years. The term of office shall begin in May.

**Acts of 1904, Ch. 584**

An act to repeal and reenact Secs. 7 and 18 of Art. 77, Public General Laws, re district trustees and school officials, approved 4-12-1904

- Sec. 7: At their first meeting each school year the county school boards shall appoint boards of district school trustees, each composed of three persons. Trustees shall select one of themselves as chair. When the appointment of a principal teacher by a district board is confirmed by the county board, that person shall be ex officio secretary of the district board.
- Sec. 18: At its first meeting after being appointed each county board shall select a person, not a member of the board, as secretary and treasurer and county superintendent of public education, who shall serve from the next August. County boards shall meet at least once every school term.

**Acts of 1910, Ch. 386**

An act to repeal and reenact Sec. 120 of Art. 77, Public General Laws, re high schools, approved 4-11-1910

- Sec. 120: Boards of county school commissioners shall have the authority to establish high schools, subject to the approval of the state Board of Education. All high schools, including those now in operation, shall be under the direct control of the county boards.

**Acts of 1916, Ch. 506**

An act to repeal and reenact several sections of and to add new ones to Art. 77, re public education, approved 4-14-1916, effective 6-1-1916

- Sec. 2: Educational matters affecting the state and general supervision of public education shall be entrusted to the state Department of Education, headed by the state Board of Education.
- Sec. 3: Educational matters affecting a county shall be under the control of a county board of education.
- Sec. 4: Educational matters affecting a school district shall be under the care of a district board of school trustees.
- Sec. 6: Governor with consent of the Senate shall appoint boards of education for each county. In BA, CR, DO, FR, MO, and WA the board shall be composed of six persons and in other counties three persons. Appointments shall be for six year terms, staggered so that only one member is appointed in any one year. The term of office shall begin in May. State Superintendent of Schools may, with approval of the governor, remove a member of a county board for cause. At the request of the affected member the state superintendent shall file with the circuit court clerk a statement of charges, findings thereon, and record of proceedings.
- Sec. 7: District boards shall be composed of three members, appointed by the county boards in May for three year terms, staggered so that one is appointed each year.
- Sec. 22: Annually in May the county boards shall select one member as president and one as vice-president. Other regular meetings shall be held at least once each school term.
- Sec. 25: County superintendent of schools shall be the executive officer, secretary, and treasurer

of the county board.

- Sec. 25C: Each county board shall divide the county into school districts, maintain records of the boundaries, and locate and maintain schools in the districts.
- Sec. 25H: County boards shall consolidate schools when deemed practical and provide transportation for the affected pupils.
- Sec. 25J: County boards shall appoint teachers and principals and may suspend or dismiss them on the written recommendation of the county superintendents.
- Sec. 25K: Each county board shall prescribe courses of study, subject to the state policies and recommendations of the county superintendent.
- Sec. 25M: In 1918 and every two years thereafter the county boards shall take a census of school children, ages six to eighteen.
- Sec. 26: Annually, beginning in 1916, the county boards shall prepare an itemized and detailed school budget showing needed expenditures, estimated funds to be received from the state, and amount that must be raised by local taxation. The budget shall be submitted to the board of county commissioners, with a copy to the state superintendent.
- Sec. 27: Each county board shall provide for an annual audit of its business and financial transactions and accounts of its treasurer. The results shall be made public.
- Sec. 29: Annually in November each county board shall prepare a statement to the public, showing conditions, current accomplishments, needs of the schools, and business and financial transactions.
- Sec. 31: Annually in May each district board shall select one of themselves as chair. Other regular meetings shall be held at least once each school term. Principal of the district school shall be secretary to the board, prepare all reports, and keep all records and accounts.
- Sec. 35: No new school district shall be formed containing less than fifty children between the ages of six and fourteen or causing an old district to contain less than the same number, unless the state superintendent grants an exemption.
- Sec. 72: Each county board shall appoint a county superintendent of schools in May for a four year term, beginning in August, subject to the approval of the state superintendent. County superintendents currently in office shall complete their terms.
- Sec. 72C: County superintendents shall make recommendations regarding the condemnation, repair, and construction of school buildings, purchase of land, and contracts entered into by the county boards.
- Sec. 72E: County superintendents shall recommend principals and teachers for appointment, promotion, suspension, or dismissal and assign them to schools.
- Sec. 72I: County superintendents shall prepare courses of study for adoption by the county boards.
- Sec. 77: County superintendents shall receive reports from the district boards, principals, and teachers and prepare the county board reports to the state board and the public.
- Sec. 78: Each county superintendent as secretary and treasurer of the county board shall give bond, to be filed with the circuit court clerk.

## **Acts of 1929, Ch. 249**

An act to repeal and reenact Sec. 6 of Art. 77, Public General Laws, re county boards of education,

approved 4-2-1929

- Sec. 6: Governor with consent of the Senate shall appoint boards of education for each county. In BA, CR, DO, FR, MO, SO, and WA the board shall be composed of six persons and in other counties three persons. Appointments shall be for six year terms, staggered so that only one member is appointed in any one year. Term of office shall begin in May. State Superintendent of Schools may, with approval of the governor, remove a member of a county board for cause. At the request of the affected member the state superintendent shall file with the circuit court clerk a statement of charges, findings thereon, and record of proceedings.

## ELECTION DISTRICTS

### Acts of 1798, Ch. 115

An act to amend the Constitution, re elections, passed 1-20-1799, confirmed by Acts of 1799, Ch. 48

- Secs. 2-4: There shall be the following number of election districts in each county: six in AL, five in AA, seven in BA, three in CV, three in CA, four in CE, four in CH, three in DO, seven in FR, five in HA, three in KE, five in MO, five in PG, three in QA, three in SM, three in SO, four in TA, five in WA, and five in WO.

### Acts of 1799, Ch. 50

An act to regulate elections, passed 1-3-1800

- Sec. 1: Commissioners appointed in Sec. 20 shall divide each county into election districts that as much as possible are equal in population. They shall number each district and select a centrally located polling place in each. The descriptions and selections shall be filed with the county court clerks by July 15 for recording.
- Sec. 20: Commissioners to lay out the districts are named in this act for each county.

### Acts of 1836, Ch. 197

An act to amend the Constitution, re election districts, passed 3-10-1837, confirmed by Acts of 1837, Ch. 84

- Sec. 12: General Assembly shall have the authority to divide the counties into election districts.

### Constitution of 1864, Art. III

- Sec. 32: General Assembly shall not pass local or special laws for regulating the election of state or county officials, designating polling places, or defining the boundaries of districts for elections.

### Acts of 1896, Ch. 202

An act to repeal and reenact Art. 33, Public General Laws, re polling places, approved 4-2-1896

- Sec. 11: Election boards shall select the polling place in each precinct and election district.
- Sec. 117: Before the first general registration held under this act and before subsequent general registrations preceding a presidential election, the election boards may divide and establish precincts in the election districts or wards. No precinct in BC may contain over 450 registered voters, based on the last election.

### Acts of 1901, Ch. 10

An act to add a section to Art. 33, Public General Laws, re precincts, approved 4-1-1901

- Sec. 117A: County election boards shall examine the boundaries of election districts and precincts and when necessary subdivide an area having over 600 voters.

### **Acts of 1912, Ch. 511**

An act to repeal and reenact Sec. 125 of Art. 33, Public General Laws, re election districts and precincts, approved 4-8-1912

- Sec. 125: Election boards may subdivide election districts and precincts and change the boundaries of precincts. No election district or precinct shall be subdivided unless there are over 600 registered voters. WI election board shall not have these powers and cannot change the locations of polling places.

### **Acts of 1920, Ch. 58**

An act to repeal and reenact Sec. 127 of Art. 33, Public General Laws, re precincts, approved 4-16-1920, effective 6-1-1920

- Sec. 127: The election boards may divide and establish precincts in the election districts or wards. No precinct in BC may contain over 400 registered voters, based on the last election. [Restrictions imposed on the WI election board by Acts of 1912, Ch. 511 are removed.]

### **Acts of 1920, Ch. 529**

An act to add a section to Art. 33, Public General Laws, re polling places, approved 4-9-1920, effective 6-1-1920

- Sec. 1: Whenever possible and practicable, BC and county election boards shall use public buildings such as schoolhouses, fire engine houses, etc., for voter registration and polling places.

### **Acts of Special Session 1920, Ch. 1**

An act to add a section to Art. 33, Public General Laws, re polling places, approved 9-22-1920

- Sec. 127A: When more than 800 persons are registered to vote in any one precinct or election district, the election boards shall provide an additional polling place.

### **Acts of 1922, Ch. 269**

An act to repeal and reenact Sec. 127 of Art. 33, Public General Laws, re precincts, approved 4-13-1922, effective 6-1-1922

- Sec. 127: County election boards shall have the authority to establish precincts and change their boundaries and polling places. Each precinct shall contain a minimum of 400 voters, except in GA.

### **Acts of 1922, Ch. 318**



An act to repeal and reenact Sec. 127A of Art. 33, Public General Laws, re polling places, approved 4-13-1922, effective 6-1-1922

- Sec. 127A: When more than 600 persons are registered to vote in any one precinct or election district, the election boards shall provide an additional polling place.

### **Acts of 1931, Ch. 125**

An act to add a section to Art. 33, Public General Laws, re districts, approved 4-6-1931, effective 6-1-1931

- Sec. 139A: When new boundaries for any ward, election district, or precinct are established, the election boards shall provide descriptions to the state Geological and Economic Survey.

### **Acts of 1941, Ch. 542**

An act to repeal and reenact Sec. 175 of Art. 33, Annotated Code, re polling places, approved 4-28-1941, effective 6-1-1941

- Sec. 175: Whenever an election district or precinct that cannot be divided contains over 600 registered voters, the BC and county election boards may provide an additional polling place.

### **Acts of 1945, Ch. 934**

An act to repeal and reenact Art. 33, Annotated Code, re precincts, approved 4-27-1945, effective 6-1-1945

- Sec. 11: Election boards shall create as many precincts as necessary.

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## **Election Districts - AL**

### **Acts of 1801, Ch. 59**

An act to change boundaries and polling places, passed 12-31-1801

- Sec. 1: Some election districts in AL, CE, SM, and WA as not as equal as possible in regards to population, and some polling places are not centrally located. Some districts in PG have become unequal in population because of the establishment of the District of Columbia.
- Sec. 2: Commissioners in the affected counties shall review the election districts and, if necessary, alter the lines and select new polling places. The descriptions and selections shall be filed with the county court clerks by June 15 for recording.
- Sec. 4: Commissioners to lay out the districts are named in this act for the affected counties.

### **Acts of 1805, Ch. 97**

An act to change polling places, passed 1-25-1806

- Sec. 9: The polling place for Election District 2 in AL shall be changed from the tavern of John Simkins to a house in Selbysport.

### **Acts of 1812, Ch. 35**

An act to increase districts, passed 12-4-1812 [not confirmed]

- Sec. 2: AL shall be divided into eight election districts.

### **Acts of 1814, Ch. 34**

An act to change polling places, passed 1-13-1815

- Sec. 1: The polling place for Election District 4 in AL shall be changed to the house of Meshack Frost on Western Turnpike.

### **Acts of 1816, Ch. 32**

An act to increase districts, passed 1-2-1817, confirmed by Acts of 1817, Ch. 14

- Sec. 1: AL shall be divided into eight election districts.

### **Acts of 1817, Ch. 15**

An act to increase districts, passed 1-2-1817

- Sec. 1: Five commissioners are named in this act to divide AL into eight election districts, as authorized by Acts of 1816, Ch. 32, number them, and select polling places. By May 1 the descriptions, numbers, and selections shall be filed with the county court clerk for recording.

### **Acts of 1821, Ch. 133**

An act to change boundaries, passed 2-6-1822

- Sec. 1: Three commissioners are named in this act to change the boundary line between Election Districts 1 and 4 in AL. The boundary shall be as follows: beginning on the Savage River above the present settlement, then crossing the backbone above the mouth of Crabb Tree Run, then crossing the state road one mile above George Smar to the north branch of the Potomac River at or near the mouth of Laurel Run. By August 1 the description shall be filed with the county court clerk for recording.

### **Acts of 1824, Ch. 67**

An act to increase districts, passed 1-26-1825, confirmed by Acts of 1825, Ch. 16

- Sec. 2: Election District 9 in AL shall be established from parts of Election Districts 7 and 8.
- Sec. 3: Five commissioners are named in this act to lay off the district and number the changed

districts and new one. Polling places shall be in Old Town, at the house of Isaac Osmun near the mouth of Fifteen Mile Creek, and at the tavern of Walter Slicer or other convenient location. By April 1 the descriptions and numbers shall be filed with the county court clerk for recording.

### **Acts of 1832, Ch. 252**

An act re districts and boundaries, passed 3-16-1833, confirmed by Acts of 1833, Ch. 8

- Sec. 2: Three commissioners are named in this act to review the election districts in AL and as necessary make boundary changes or add districts. Their return shall be filed with the county court clerk for recording.

### **Acts of 1835, Ch. 44**

An act to increase districts, passed 2-5-1838, confirmed by Acts of 1836, Ch. 2

- Sec. 2: Three commissioners are named in this act to establish a new election district in AL from Election District 1. Their return shall be filed with the county court clerk for recording.

### **Acts of 1836, Ch. 160**

An act re districts and polling places, passed 3-10-1837

- Sec. 1: The new district in AL established per Acts of 1835, Ch. 44 shall be Election District 10.
- Sec. 2: The commissioners named in that act shall select polling places for Election Districts 1 and 10. The selections shall be filed with the county court clerk for recording.

### **Acts of 1837, Ch. 39**

An act to change boundaries, passed 2-9-1838

- Sec. 1: The boundary line between Election Districts 4 and 5 in AL shall be as follows: from the head of Jacksons Run near the top of Dans Mountain to its mouth, then with Georges Creek to the mouth of Ayers Run, then with the run to its head on Savage Mountain. The area between the current line and the new one shall be annexed to Election District 5.

### **Acts of 1837, Ch. 183**

An act to change boundaries and polling places, passed 3-20-1838

- Sec. 1: Three commissioners are named in this act to review the boundary line between Election Districts 1 and 10 in AL and make necessary changes, including polling places. Their return shall be filed with the county court clerk for recording.

### **Acts of 1839, Ch. 1**

An act supplemental to Acts of 1837, Ch. 183, re boundaries and polling places, passed 3-9-1840

- Sec. 1: Acts of 1837, Ch. 183, re boundaries between Election Districts 1 and 10 in AL and their polling places, is repealed.
- Sec. 2: The boundaries and polling places established per Acts of 1835, Ch. 45 are revived.

### **Acts of 1840, Ch. 102**

An act re boundaries and polling places, passed 1-16-1841

- Sec. 1: Acts of 1839, Ch. 1, re boundaries between Election Districts 1 and 10 in AL and their polling places, is repealed.
- Sec. 2: The boundaries and polling places established per Acts of 1837, Ch. 183 are revived.

### **Acts of Dec. 1841, Ch. 82**

An act to change boundaries, passed 2-7-1842

- Sec. 1: The boundary line between Election Districts 1 and 4 in AL shall be as follows: beginning where the current line crosses the state road west of the farm of George Smarr, then with the road to the fording of Folly Run, then down the run to the north branch of the Potomac River near the residence of William McRobec. The area between the current line and the new one shall be annexed to Election District 4.

### **Acts of 1849, Ch. 4**

An act to change polling places, passed 1-10-1850

- Sec. 1: The polling place for Election District 1 in AL shall be changed to the house of Murray Thayer.

### **Acts of 1849, Ch. 282**

An act to change boundaries, passed 3-4-1850

- Sec. 1: The southeast and west lines of Flintstone Election District 8 [sic] in AL shall be as follows: beginning at the top of Nicholsons Mountain at the west end of the division line between Election Districts 8 and 9, then northwest to the intersection of Baltimore and Cumberland Turnpike and Murleys Branch, then with the road to Smith Lane, then up Pleasant Valley at the base of Evitts Mountain to the PA line, so as to include Pleasant Valley in the district.

### **Acts of 1849, Ch. 394**

An act to increase districts, passed 3-4-1850

- Sec. 1: Three commissioners are named in this act to establish a new election district in AL from Election District 2. Their return shall be filed with the county court clerk for recording.
- Sec. 2: The boundaries shall be as follows: beginning at the PA line at the old improvement made by Valentine Shocky and now owned by Harney Bane, then to the intersection of Morgantown

Road and National Road, then with the former road to the top of Cove Hill, then leaving the road and along the southeast side of Winding Ridge to Bear Creek, then crossing the creek to an old house in the woods, built by Joseph Friend of G., then crossing the east branch of the creek, then to a spring in the road between Senging Ground and Selbysport on Winding Ridge at Thomas Casteel of Thomas, then to Yoh River at Rock Lick Run, then up the river to Gap Run at the division line between Election Districts 1 and 2, then with the district line to the division line between Districts 1 and 3, then with the district line to the PA line, then with the state line to beginning.

- Sec. 3: The polling place shall be in Accident.

### **Acts of 1849, Ch. 463**

An act to change polling places, passed 3-9-1850

- The polling place for Election District 3 in AL shall be changed from Little Crossings to the schoolhouse in Grantsville.

### **Acts of 1852, Ch. 29**

An act to change boundaries, passed 2-17-1852

- Doubts have arisen about the location of the west line of Flintstone Election District 9 [sic] in AL. The west line shall be as follows: beginning at the intersection of the division line between Flintstone Election District and Election District 7 and the east line of District 6, then west to the south end of Smiths Lane at the turnpike between Flintstone and Cumberland and on the farm of Henry A. Jamison, formerly owned by Henry Smith, now deceased, then north with the lane to a point from which two lanes diverge, then with the lane leading northwest to the base of Evitts Mountain, then with the base to the PA line, so as to include Pleasant Valley.

### **Acts of 1852, Ch. 121**

An act to increase districts, passed 4-2-1852

- Sec. 1: Two election districts shall be established in AL from Election Districts 5 and 6.
- Sec. 2: Three commissioners are named in this act to establish Election District 12 from the two districts. The polling place shall be at Mount Savage.
- Sec. 3: The commissioners shall divide the remaining part of Election District 6 into two election districts, thus dividing Cumberland. They shall be Cumberland Election District 6 and Cumberland Election District 13. The polling places shall be in Cumberland.
- Sec. 5: The commissioners shall file their return with the circuit court clerk for recording.

### **Acts of 1852, Ch. 218**

An act to increase districts, passed 5-20-1852

- Sec. 1: Three commissioners are named in this act to establish a new election district in AL from

Election District 1. Their return shall be filed with the circuit court clerk for recording.

- Sec. 4: The boundaries shall be as follows: beginning at the intersection of National Road and the lines of Election Districts 1 and 3, then with the road to the top of Hooppole Ridge at the old burnt schoolhouse, then with Hooppole Road to Little Yough Bridge at the old Armstrong farm. This shall be Sangin Ground Election District 14.
- Sec. 5: The polling place for Election District 14 shall be at the house of Archibald Casteel and for Election District 1 at the house of Jonathan Wilson.

### **Acts of 1853, Ch. 289**

An act to set boundaries, passed 5-26-1853

- Sec. 1: Three commissioners are named in this act survey the boundary line between Election Districts 1 and 4 in AL.

### **Acts of 1854, Ch. 76**

An act to set boundaries, passed 2-24-1854

- Sec. 1: AL Surveyor shall survey the boundary line between Election Districts 11 and 14.
- Sec. 2: The survey shall be filed with the circuit court clerk for recording.

### **Acts of 1856, Ch. 156**

An act to change boundaries, passed 3-8-1856

- Sec. 1: Three commissioners are named in this act to change the boundary between Election Districts 3 and 5 in AL. The boundary shall be as follows: beginning on Savage River, then to the tavern of Mr. Recknor on National Road, then to the PA line.
- Sec. 2: Their return shall be filed with the circuit court clerk for recording.

### **Acts of 1856, Ch. 221**

An act to set boundaries, passed 3-10-1856

- Sec. 1: Three commissioners are named in this act to survey the boundary line between Election Districts 1 and 4 in AL.

### **Acts of 1860, Ch. 167**

An act to increase districts, passed 3-1-1860

- Sec. 1: Three commissioners are named in this act to establish Election District 15 in AL from parts of Election Districts 1, 10, and 14.
- Sec. 2: The description shall be filed with the circuit court clerk for recording.
- Sec. 3: The polling place shall be in Oakland.

## **Acts of 1860, Ch. 310**

An act to increase districts, passed 3-10-1860

- Sec. 1: Three commissioners are named in this act to establish Election District 16 in AL from parts of Election Districts 4 and 5. The south line of the new district shall not be located south of the mill of William Shaw. The polling place shall be in Lonaconing.
- Sec. 2: The return shall be filed with the circuit court clerk for recording.

## **Acts of 1862, Ch. 4**

An act to change polling places, passed 12-18-1861

- Sec. 1: The polling place for Election District 10 in AL shall be at the house of William Waltz on Northwestern Turnpike.

## **Acts of 1872, Ch. 79**

An act to increase districts, approved 3-28-1872

- Sec. 1: Three commissioners are named in this act to establish Election District 17 in AL from part of Election District 4. The north line of the new district shall not be located north of Laurel Run. The polling place shall be in Barton.
- Sec. 2: The return shall be filed with the circuit court clerk for recording.

## **Acts of 1872, Ch. 150**

An act to add a section to Art. 1, Public Local Laws, re Cumberland, approved 4-1-1872

- Sec. 23: Cumberland shall be divided into Wards 1 and 2. Ward 1 shall include that part of the city north and east of National Road, and the polling place shall be at the market house. Ward 2 shall include the remaining part of the city, and the polling place shall be at the courthouse.

## **Acts of 1872, Ch. 212**

An act re establishment of GA, approved 4-1-1872

- Sec. 11: Persons are named in this act to take a census in AL Election Districts 1-3, 10-11, and 14-15 and parts of Election Districts 4-5 and 16. Their returns shall be filed with the GA Circuit Court clerk for recording in the land records.

## **Acts of 1872, Ch. 256**

An act to amend Sec. 62 of Art. 1, Public Local Laws, re election districts in AL, approved 4-1-1872

- Sec. 62: AL is divided into sixteen election districts, according to the present bounds of the county [after removal of the area for GA]. County commissioners shall have the authority to create new ones and change boundaries and polling places.

### **Acts of 1878, Ch. 203**

An act to repeal Sec. 62 of and to add sections to Art. 1, Public Local Laws, re election districts in AL, approved 4-1-1878

- Sec. 62: AL shall be divided into fifteen election districts, according to their present boundaries. The polling places shall be places that have been or may be designated by the county commissioners.
- Sec. 62A: County commissioners shall have the authority to establish new election districts and change boundaries and polling places.

### **Acts of 1882, Ch. 320**

An act to add a section to Art. 1, Public Local Laws, re precincts in AL, approved 5-3-1882

- Sec. 62B: AL Board of County Commissioners is authorized to establish precincts.

### **Acts of 1898, Ch. 415**

An act to increase districts, approved 4-9-1898

- Sec. 1: Election District 26 in AL shall be established from Election District 11. The boundaries shall be as follows: beginning at the intersection of Bowery St. and Legislative Road in Frostburg, then with the street to to National Turnpike, then west with the road to the GA line, then south with the county line to the line of Election District 19, then with the district line to Legislative Road, then with the road to beginning.

### **Acts of 1900, Ch. 513**

An act to establish precincts, approved 4-7-1900

- Sec. 1: AL election board shall divide Election District 18 into two precincts, each to have at least 150 voters. By August 1 the boundary descriptions shall be filed with the circuit court clerk for recording in the land records.

### **Acts of 1900, Ch. 652**

An act to change boundaries, approved 4-10-1900

- Sec. 1: The boundaries of Election District 21 in AL shall be changed as follows: beginning at Zion Church on Bedford Road, then down Peavine Run to Mrs. Hardman, then with the county road to Frantz Bridge, then across the bridge by Southern Church to the bridge on the turnpike at Moses Wilson, then west with National Pike to the road at the Hamilton blacksmith shop, then to Southern Church on top of the mountain near Evans Rice, then to Twiggstown Schoolhouse, then with the top of Martins Mountain to the PA line, then with the state line to Bedford Road, then with the road to beginning.



### **Acts of 1904, Ch. 66**

An act to increase districts, approved 3-15-1904

- Sec. 1: AL election board shall establish Election District 27 from parts of Election Districts 10, 15, and 18. The new district shall have at least 150 voters. By August 1 the boundary description shall be filed with the circuit court clerk for recording in the land records.

### **Acts of 1904, Ch. 383**

An act to increase districts, approved 4-7-1904

- Sec. 1: Precinct 2 of Election District 26 in AL shall become Election District 28, and Precinct 1 will become the total area of District 26.

### **Acts of 1906, Ch. 770**

An act to change boundaries, approved 4-5-1906

- Sec. 1: AL election board shall change the boundary line between Election Districts 17 and 24 so that Clarysville is placed in District 24.

### **Acts of 1908, Ch. 317**

An act to change boundaries, approved 4-6-1908

- Sec. 1: The boundaries of Election District 27 in AL, established per Acts of 1904, Ch. 66, are changed to the following: beginning at Wolfs Rock on Dans Mountain, then northwest 2.5 miles through a burnt field and the Staup farm, leaving the farm house on the north side of the line, to the second line of the town of Midland, which description is recorded in Land Records JWT 92, p. 492, at the junction with the county road leading to Lonaconing, then with the second line in reverse S84°15'W .2 miles to Georges Creek, then northeast up the creek 2.5 miles to Squirrel Neck Run, then west up the run 2.6 miles to the GA line, then southwest with the county line 1 mile to Koontz Run Road, then southeast 1.8 miles to the Georges Creek & Cumberland Railroad at a point .75 miles northwest of the bridge crossing the creek, then southeast with the railroad .75 miles to the bridge, then southeast 200 ft. to the Pine Hill Dump, then up the plane S25°E .25 miles to its head, then S9°E .8 miles to Ritchie Road, then east with the road 1 mile to Big Ore Road, then S49°30'E 1.25 miles to the second low gap in Dans Mountain south of Wolfs Rock on the line of Election District 7, then northeast with the district line and the crest of Dans Mountain 1.25 miles to beginning. The parts of Election District 27 as established in 1904 and not included in the above description shall be annexed to the districts from which they came.

### **Acts of 1910, Ch. 375**

An act to increase districts, approved 4-7-1910

- Sec. 1: Election District 32 in AL shall be established from part of Election District 12. The boundaries shall be as follows: beginning at the intersection of Union and Bowery Streets in Frostburg at the end of the first line of the original line of Election District 12, then northwest with the district line .1 mile to Legislative Road opposite St. Cloud Hotel, then northwest with the road 2.25 miles passing the Cumberland & Pennsylvania Railroad Station in Frostburg and through the village of Allegany to the road between Morantown and Eckhart, then southeast with the road 1 mile to the top of the hill descending into Eckhart, then southwest 1.6 miles to National Road .1 mile east of the gate of Allegany Cemetery, then leaving the lines of District 12 and northwest with National Pike .25 miles to Allegany Cemetery Road, then southwest with the road .25 miles to McCulloh Street, then northwest to Green Street, then southwest with the street .175 miles to Blair Street, then northwest with the street .175 mile to Grant Street, then southwest with the street 300 feet to the Cumberland & Pennsylvania Railroad, then northwest with the railroad .25 miles to Bowery Street, then northwest with the street .33 miles to beginning.

#### **Acts of 1916, Ch. 4**

An act to increase precincts, approved 2-17-1916

- Sec. 1: Precinct 3 in Election District 8 in AL shall be established from part of Precinct 1. The boundaries shall be as follows: beginning at the southwest corner of Election District 7, then with the district line to the top of Dans Mountain, then with the northwest side of the top of the mountain to the Miller farm, then down the west slope of the mountain to the water tank of the Western Maryland Railroad, then to the Potomac River, then with the river to beginning.

#### **Acts of 1916, Ch. 102**

An act to increase districts, approved 3-27-1916, effective 6-1-1916

- Sec. 1: AL election board shall establish Election District 29 from parts of Election Districts 6 and 20. The new district shall have at least 100 voters. By August 1 the boundary description shall be filed with the circuit court clerk for recording in the land records.

#### **Acts of 1916, Ch. 146**

An act to change boundaries, approved 4-4-1916

- Sec. 1: The boundaries of Gilmore Election District 27 and Precincts 1 and 2 in Lonaconing Election District 10 in AL shall be changed. The boundaries of Precinct 1 of Election District 10 shall be changed to the following: beginning at the GA line .1 mile north of the road leading up Laurel Run from Moscow Mills, then southeast parallel with the road 1.25 miles to a point .1 mile west of the county road between Lonaconing and Westernport which skirts Pekin Hill above Pekin, then northeast parallel with the road 1.75 miles to a point northwest of the house of John Ferran at New Detmold, then southeast passing north of the house .175 miles to Georges Creek, then northeast up the creek 1.33 miles to the county bridge at the south end of Knapps Meadow, then with the old county road leading over the mountain to Woodland .175 miles to the

Cumberland & Georges Creek Railroad, then with the railroad .175 miles to the sixth line of the original Election District 10, then northwest with the district line 1.8 miles to Koontz Run Road at the GA line, then southwest with the county line 2 miles to beginning. The boundaries of Precinct 1 of Election District 10 shall be changed to the following: beginning at Georges Creek opposite O'Hanleys Alley, a continuation of Douglas Avenue, in Lonaconing, then northwest with the alley, avenue, and county road leading up to Koontz Run 2 miles to the GA line, then southeast 1.8 miles to Georges Creek Railroad .75 miles northwest of the bridge over the creek opposite Pine Hill Dump, the southeast with the railroad .175 miles to the old county road leading over the mountain to Woodland, then southeast with the road .175 miles to the county bridge over Georges Creek at the south end of Knapps Meadow, then southwest with the creek 1 mile to beginning. The boundaries of Election District 27 shall be changed to the following: beginning at Wolfs Rock on Dans Mountain at the end of the fourth line of Election District 18, then northwest with the district line in reverse passing through Burnt Field and the Staup farm 2.5 miles to the intersection of the second line of the town of Midland and the county road between Midland and Lonaconing, then with the town line S84°15"W .2 miles to Georges Creek, then northeast up the creek .4 miles to Squirrel Neck Run, then west up the run 2.6 miles to the GA line, then leaving the lines of District 18 and southwest with the county line 1 mile to Koontz Run Road at the end of the sixth line of District 10, then southeast with the district line in reverse 1.8 miles to Georges Creek & Cumberland Railroad .75 miles northwest of the bridge over the creek, then with the railroad .175 miles to the county road leading over the mountain to Woodland, then with the road .175 miles to the county bridge over Georges Creek at the south end of Knapps Meadow, then northeast with the creek .75 miles to opposite Pine Hill Dump at the end of the twelfth line of District 15, then southeast with the thirteenth line of the district 150 feet to the beginning of District 15, then with the district line S25°E .25 miles to the head of the plane, then S9°E .8 miles to Ritchie Road, then east with the road 1 mile to Bog Ore Road, then S49°30"E 1.25 miles to the second low gap on Dans Mountain south of Wolfs Rock and on a line of District 7, then northeast with the district line and crest of Dans Mountain 1.33 miles to beginning.

### **Acts of 1922, Ch. 72**

An act to increase precincts, approved 3-21-1922, effective 3-1-1922

- Sec. 1: Precinct 4 shall be established from part of Precinct 2 in Election District 8 in AL. It shall encompass the town of Luke.

### **Acts of 1924, Ch. 590**

An act to increase districts, approved 4-9-1924, effective 6-1-1924

- Sec. 1: Election District 30 in AL shall be established from parts of Election Districts 11 and 32 [sic] and Precinct 2 of Election District 13. The polling place shall be in the village of Zihlman.
- Sec. 2: The boundaries shall be as follows: beginning on the county bridge over Jennings Run near Morantown Station on the county road between Zihlman and Mount Savage, then northwest 1.5 miles to the north portal of the Borden tunnel of the Western Maryland Railroad, then

northwest 1.5 miles to GA line, then southwest with the county line, then southeast 1.4 miles to a stone between the east and west tracks of the Western Maryland Railroad, then running between the tracks 3.5 miles to the county road between Morantown and Eckhart, then southwest with the road .5 miles to the end of the third line of Election District 24, then northeast with the district line .75 miles, then northwest .9 miles to beginning.

### **Acts of 1927, Ch. 652**

An act to survey boundaries, approved 4-26-1927, effective 6-1-1927

- Sec. 1: In 1928 the AL election board shall have the boundaries of election districts and precincts surveyed and may establish additional precincts. The survey shall be completed in March and filed with the circuit court clerk for recording in the land records.

### **Acts of 1929, Ch. 230**

An act to increase districts, approved 4-2-1929, effective 6-1-1929

- Sec. 1: Precinct 3 of Election District 8 in AL shall become Election District 31. The boundaries shall be as follows: beginning at the mouth of Clay Lick Run on the Potomac River .25 miles northeast of Dawson Station, then south and northwest up the river to the mouth of Stony Run, then northwest up the run 1.75 miles to its head and the road leading down to Westernport, then northwest up the road leading to the top of Dans Mountain 2.25 miles to the road or trail leading to Fairview, then east with the trail .25 miles to Fairview at a corner of the line of Rawlings Election District 7, then south with the district line .6 miles to the head of Clay Lick Run, then southeast down the run 1.9 miles to the Potomac River.

### **Acts of 1929, Ch. 284**

An act to increase districts, approved 4-11-1929, effective 6-1-1929

- Sec. 1: AL election board shall establish Election District 33 from parts of Election Districts 1 and 2. By September 1 the survey shall be filed with the circuit court clerk for recording in the land records.

### **Acts of 1963, Ch. 87**

An act to repeal and reenact Secs. 134-145 of and to add sections to Art. 1, Public Local Laws, re districts in AL, approved 3-14-1963, effective 6-1-1963

- Sec. 135: The boundaries of Orleans Election District 1 in AL shall be as follows: beginning at the mouth of Sideling Hill Creek on the Potomac River at the WA line, then north up the creek 12 miles to the PA line, then west with the state line 3.75 miles to the top of Green Ridge Mountain, then southwest with the top of the mountain 13 miles to the Potomac Edison Co. transmission line between Williamsport and Cumberland 150 feet southwest of Mertens Avenue, then with the line S81°30'E6500ft to the top of Town Hill, then still with the line S75°30'E8000ft, then

S7°45'E120ft to Mertens Avenue, then with the avenue S71°15'E450ft, then S57°30'E171ft, then S70°30'E200ft, then S50°45"E687ft, then S22°30'E175ft, then S52°E580ft, then S62°E400ft, then S54°30'E1090ft, then S62°15'E400ft, then S47°E250ft, then S25°30'E200ft, then S43°45'W255ft, then S28°45'W200ft, then S11°30'W184ft, then S9°30'E200ft, then 47°E165ft, then S86°45'E175ft to 500 feet from the southwest corner of Camp 1 of the Green Ridge Orchard Co., then S3°30'E900ft to the bridge of the Western Maryland Railroad at the C & O Canal and Potomac River south of Green Ridge Station, then southwest with the bridge to the WV line, then northeast down the Potomac River 14 miles to beginning.

- Sec. 136: The boundaries of Oldtown Election District 2 shall be as follows: beginning at the top of Green Ridge Mountain at the crossing of the Potomac Edison Co. transmission line between Williamsport and Cumberland 151 feet southwest of Mertens Avenue, then northeast with the top of the mountain 1.3 miles to Johnson Pack Horse Road, then west with the road 1.4 miles to Big Run, then west .9 miles to the top of Polish Mountain at the south end of the Weaver Barnes farm, then west with a road 1.4 miles to the head of Peters Run, then southwest down the run 2 miles to Town Creek, then north up the creek .33 miles to Bear Hollow, then west up the hollow 2 miles to its head, then southwest 1.5 miles to Lost Knob on Warriors Mountain, then northwest 1.25 miles to Twiggs Lane .5 miles southeast of Twiggstown, then south with the lane 4.9 miles to Oldtown Road, then southeast with the road 2.1 miles to the Western Maryland Railroad, then south .33 miles to the WV line, then east with the Potomac River 5 miles to a point opposite the mouth of Town Creek, then up the creek crossing the Cardinal Club Farm N8°15'E4000ft to Town Creek at the first bridge north of the river and the new road to Paw Paw, WV, then N56°30'E2500ft to Green Ridge Road on top of Green Ridge Mountain, then with the road and top of the mountain N35°15'E800ft, then N46°E709ft, then N38°E171ft, then N21°45'E975ft, then N85°E1254ft, then N28°50"E841ft, then N44°30'E300ft, then N26°30'E427ft, then N20°30'E400ft, then N3°45'E878ft, then N32°45'W400ft, then N17°45'W278ft, then N20°15'E386ft, then N30°15'E900ft, then N37°45'E392ft, then N41°45'E200ft, then N33°45'E223ft, then N21°E300ft, then N30°30'E445ft, then N26°30'E231ft, then N24°15'E131ft, then N35°30'E236ft, then N44°15'E300ft, then N30°30'E419ft, then N33°15'E600ft, then N28°45'E227ft, then N11°45'E240ft, then N40°E556ft, then N30°15'E400ft, then N37°E200ft, then N34°E400ft, then N42°15'E447ft, then N39°30'E950ft, then N59°45'E360ft, then N46°E200ft, then N24°15'E400ft, then N51°45'E317ft, then N24°15'E600ft, then N12°E495ft, then N5°E400ft, then N22°E333ft, then N31°45'E800ft, then N28°45'E435ft, then N31°E1000ft, then N39°E248ft, then N32°30'E550ft, then 37°30'E438ft, then N33°75'E500ft, then N27°15'E600ft, then N34°30'E500ft, then N27°E500ft, then N35°30'E500ft, then N30°15'E1954ft, then N31°45'E1100ft, then N32°15'E1400ft to beginning.
- Sec. 137: The boundaries of Flintstone Election District 3 shall be as follows: beginning at the PA line at the top of Green Ridge Mountain and the third line of Election District 1, then southwest with the top of the mountain 7.75 miles to Johnson Pack Horse Road at the end of the third line of District 2, then west with the district line and road 1.4 miles to Big Run, then west .9 miles to the top of Polish Mountain at the south end of the Weaver Barnes farm, then west with a road 1.4 miles to the head of Peters Run, then southwest down the run 2 miles to Town Creek, then north up the creek .33 miles to Bear Hollow, then west up the hollow 2 miles to its head, then southwest 1.5 miles to Lost Knob on Warriors Mountain, then northwest 1.25 miles to

Twiggs Lane .5 miles southeast of Twiggstown, then west with the lane and Williams Road passing through Twiggstown 1 mile to the road between Williams Road and the top of Brush Ridge .5 miles west of Twiggstown, then northeast with the road 1.5 miles to the top of the ridge, then northeast with the top of the ridge, aka Martins Mountain, 4.6 miles to the PA line, then east with the state line 11 miles to beginning.

- Sec. 138: The boundaries of Canal Cumberland Election District 4 shall be as follows: beginning at Baltimore Street Bridge over Wills Creek in Cumberland, then east with the street 1000 feet to South Centre Street, then southeast with the street 1300 feet to Williams Street, then southeast with the street and Williams Road 8800 feet to Evitts Creek, then southwest down the creek 8000 feet to the North Branch of the Potomac River, then northwest up the river 4.25 miles to the mouth of Wills Creek, then north up the creek 1000 feet to beginning.
- Sec. 139: The boundaries of Wills Creek Cumberland Election District 5 shall be as follows: beginning at the viaduct of the B & O Railroad over Wills Creek in Cumberland, then east with the railroad 2000 feet to Bedford Street, then northeast with the street 1.8 miles to the east line of Cumberland, then north with the line 375 feet, then west with the north city line .4 miles to the top of Shriver Ridge, then northeast with the the top of the ridge 3.8 miles to the PA line at Rt. 220, then west with the state line 2 miles to the top of Wills Mountain, then southwest with the top of the mountain 4.6 miles to Wills Creek opposite the second mile post on National Pike in the Narrows, then southeast down the creek 1.6 miles to beginning.
- Sec. 140: The boundaries of River Cumberland Election District 6 shall be as follows: beginning on the North Branch of the Potomac River at the mouth of Wills Creek, then northwest up the creek 2.1 miles to opposite the second mile post on National Pike in the Narrows, then leaving the creek and southwest with the top of Wills Mountain 5.75 miles to Warriors Run .1 mile east of Cresaptown Road, then southeast down the run 1 mile to the North Branch of the Potomac River, then northeast with the river 6 miles to beginning.
- Sec. 141: The boundaries of Rawlings Election District 7 shall be as follows: beginning at the mouth of Warriors Run on the Potomac River 1.25 miles east of Cresaptown, then northeast up the run 3.6 miles to the top of Dans Mountain, then southwest with the top of the mountain 8.33 miles to Fairview, then south .6 miles to the head of Clay Lick Run, then southeast down the run 1.9 miles to the Potomac River .25 miles northeast of Dawson, then northeast down the river 12 miles to beginning.
- Sec. 142: The boundaries of Westernport Election District 8 shall be as follows: beginning at the mouth of Stony Run on the Potomac River 2 miles from the mouth of Georges Creek, then northwest up the river 4 miles to the GA line, then northeast with the county line 3.33 miles to Mill Run, then southeast down the run 1.33 miles to Georges Creek, then north up the creek .1 miles to Millers Run, then southeast up the run .4 miles to the road between Barton and the head of Stony Run, then south with the road .75 miles crossing over Hampshire Hill to the head of Stony Run, then southeast down the run 1.75 miles to beginning.
- Sec. 143: The boundaries of Barton Election District 9 shall be as follows: beginning at the GA line at Mill Run at the end of the second line of Election District 8, then southeast with the district line and run 1.3 miles to Georges Creek, then north up the creek .1 miles to Millers Run, then southeast up the run .5 miles to the road between Barton and the head of Stony Run, then southeast with the road .75 miles crossing over Hampshire Hill to the head of Stony Run, then

northeast still with the road and the east fork of the run 2.25 miles to the road or trail leading to Fairview on top of Dans Mountain, then east with the road or trail .5 miles to Fairview, then leaving the lines of District 8 and northeast with the second line of District 7 in reverse and the top of Dans Mountain 1 mile to the second low gap northeast of Fairview, then leaving the lines of District 7 and northwest .5 miles to the road at the head of the south fork of Jackson Run, then northwest with the road and run 1 mile to the land of American Coal Co., then southwest with the land .1 miles, then northwest .5 miles, then southwest .8 miles, then west .5 miles, then northwest .3 miles, then northeast .3 miles, then leaving the land and northwest with the steam flour mill at Moscow and crossing Georges Creek .2 miles to the old stone mill, then west 1.25 miles to the GA line at Bartlett Run, then southwest with the county line 1.25 miles to beginning.

- Sec. 144: The boundaries of Lonaconing Election District 10 shall be as follows: beginning at the GA line .1 mile north of the road between Laurel Run and Moscow Mills, then southeast 1.25 miles to .1 mile west of the county road between Lonaconing and Westernport, then northeast 1.34 miles to northwest of the house of John Ferran at New Detmold, then southeast passing the house on the north .175 miles to Georges Creek, then northeast up the creek 1.33 miles to the county bridge over the creek at the south end of Knapps Meadow, then northwest with the old county road leading over the mountain to Woodland .175 miles to the Georges Creek & Cumberland Railroad, then west with the railroad .175 miles to the sixth line of the original district, then northwest with the district line 1.8 miles to Koontz Run Road at the GA line, then southwest with the county line 2.4 miles to beginning.
- Sec. 145: The boundaries of Frostburg Election District 11 shall be as follows: beginning at the intersection of National Road and Legislative Road in Frostburg opposite St. Cloud Hotel, then northeast with the latter road .33 miles passing the Cumberland & Pennsylvania Railroad station to the Western Maryland Railroad, then northwest and northeast with the railroad 1.5 miles to the end of the fourth line of Election District 30, then northwest with the district line in reverse 1.4 miles to the GA line, then southwest with the county line 1.75 miles to National Road, then southeast with the road 2 miles to beginning.
- Sec. 145A: The boundaries of Frostburg Election District 12 shall be as follows: beginning at the intersection of Legislative Road and Bowery Street in Frostburg, then northeast with the street .6 miles to the Cumberland & Pennsylvania Railroad, then southeast with the railroad .25 miles to the south end of Grant Street, then northeast 300 feet to the intersection of Blair Street and Grant Street, then southeast with Blair Street .175 miles to Green Street, then northeast with the street .175 miles to McCulloh Street, then southeast .175 miles to Allegany Cemetery Road, then northwest with the road to National Road, then southeast with the road .1 miles to the Allegany Cemetery gate, then south 1.33 miles to the road between Hoffman Mine and Frostburg .4 miles west of the mine and 25 feet north of Kirbys weigh scales, then west with the road 1.1 miles to Legislative Road near the railroad crossing south of Frostburg, then northwest with the road .75 miles to beginning.
- Sec. 145B: The boundaries of Mount Savage Election District 13 shall be as follows: beginning at the county bridge over Jennings Run near Morantown Station on the road between Zihlman and Mount Savage and at the beginning of Election District 30, then northwest with the district line 1.5 miles to the Borden Tunnel of the Western Maryland Railroad, then 1.5 miles to the GA line, then northeast with the county line 1 mile to the PA line, then east with the state line to .1

miles east of the county road between Barrellville & Wellersburg, then south 1.5 miles to Mount Savage Road, then southwest with the top of Piney Mountain 3 miles to its high point, then northwest 1.6 miles to the high point of Federal Hill, then southwest with the road skirting the top of the hill .75 miles to the end of the seventh line of District 30, then northwest with the line .9 miles to beginning.

- Sec. 145C: The boundaries of Central Cumberland Election District 14 shall be as follows: beginning at the Baltimore Street bridge over Wills Creek in Cumberland at the beginning of Election District 4, then northeast with the street .33 miles to the B & O Railroad, then northwest with the railroad .4 miles, then southwest still with the railroad .2 miles to the viaduct over Wills Creek, then southeast down the creek .33 miles to beginning.
- Sec. 145D: The boundaries of East Lonaconing Election District 15 shall be as follows: beginning at the Pine Hill mine dump between Lonaconing and Midland on the Cumberland & Pennsylvania Railroad, then S25°E .25 miles to the head of the gravity plane, then S9°E .8 miles to Ritchie Road, then east with the road 1 mile to Bog Ore Road, then S49°30'E 1.25 miles to the second low gap south of Wolf Rock on Dans Mountain on a line of Election District 7, then southwest with the district line and crest of the mountain 2.9 miles to the end of the ninth line of District 9 at the second low gap northeast of Fairview Rock, then northwest with the district line .5 miles to the road at the head of the south fork of Jackson Run, then northwest with the run 1 mile to the land of the American Coal Co., then leaving the district lines and northeast with the land .5 miles, then northwest 1 mile crossing the branch of the Georges Creek & Cumberland Railroad which skirts Jackson hill south of Jackson Run, then west with the railroad .33 miles to the road between Lonaconing and Pekin, then northwest .167 miles to Georges Creek, then northeast up the creek 2 miles to opposite Pine Hill mine dump, then southeast 150 feet to beginning.
- Sec. 145E: The boundaries of North Branch Election District 16 shall be as follows: beginning on the Potomac River at the mouth of Evitts Creek at the end of the fourth line of Election District 4, then north with the line in reverse and up the creek 1.5 miles to Williams Road, then east with the road 5.5 miles through Twiggtown to Twiggs Lane, then south with the lane and the west line of District 2 5.5 miles to Oldtown Road, then southeast with the district line and road 2.1 miles to the Western Maryland Railroad, then south .33 miles to the Potomac River, then northwest up the river 13 miles to beginning.
- Sec. 145F: The boundaries of Vale Summit Election District 17 shall be as follows: beginning at the Cumberland & Pennsylvania Railroad water station .75 miles south of Borden Shaft, then southeast 1.4 miles over the hill east of Carlos Junction to the junction of Neffs Run and Matthews Run .5 miles northeast of Millers, then southeast up Matthews Run 1.33 miles to the forks near the head of the run, then southeast .75 miles to Dans Rock, then northeast with the summit of Dans Mountain 3.33 miles to its high point, then northwest .67 miles to the head waters of the north fork of Hoars Run, then northwest down the run passing Montell Mine 1 mile to Preston Run, then northeast with the run to the Eckhart Branch of the Cumberland & Pennsylvania Railroad at the horseshoe bend, then north with the railroad .25 miles, then southwest .7 miles to 100 feet north of Hoffman Schoolhouse, then southwest .5 miles to 25 feet northwest of Kirbys weigh scales on the road between the Hoffman Mine and Frostburg, then southwest with the road across Georges Creek & Cumberland Railroad .5 miles to Vale Run, then



southwest with the run 1.4 miles to beginning.

- Sec. 145G: The boundaries of Ocean Election District 18 shall be as follows: beginning on the GA line at the head waters of Squirrel Neck Run, then east with the run 2.6 miles to Georges Creek, then southwest down the creek .4 miles to the south line of Midland, then with the town limits N84°15'E .2 miles to the county road between Midland and Lonaconing, then leaving the town lines and southeast 2.5 miles through the Staup farm and the Burnt Fields of Wolfs Rock on Dans Mountain, then northeast with the crest of the mountain .8 miles to Dans Rock and a corner of Election District 17, then with the district line in reverse .75 miles to the forks of Matthews Run, then northwest down the run to Neffs Run near the bridge on the county road .5 miles northwest of Miller, then northwest 1.4 miles crossing the hill east of Carlos Junction to the water station of the Cumberland & Pennsylvania Railroad .75 miles south of Borden Shaft, then leaving the district line and northwest .1 mile crossing Georges Creek to the mouth of McKenzie Run, then west up the run .6 miles to the county road between Midlothian and Carlos Junction, then west .5 miles to Staups Run opposite the switch on the Carlos Branch of the Cumberland & Pennsylvania Railroad, then northwest up the run 1.5 miles to the GA line, then southwest with the county line 2 miles to beginning.
- Sec. 145H: The boundaries of Borden Shaft Election District 19 shall be as follows: beginning at the water station of the Cumberland & Pennsylvania Railroad .75 miles south of Borden Shaft at a corner of Election District 18, then northwest with the district lines .1 mile crossing Georges Creek to the mouth of McKenzie Run, then west up the run .6 miles to the county road between Midlothian and Carlos Junction, then west .5 miles to Staups Run opposite the switch on the Carlos Branch of the Cumberland & Pennsylvania Railroad, then northwest up the run 1.5 miles to the GA line, then leaving the district lines and northeast with the county line 1.6 miles to .1 miles north of Winebrenners Run, then southeast down the run 1.4 miles to an old road skirting the hill north of Midlothian and leading to Frostburg, then east with the road .2 miles to Frostburg Road at the top of the hill, then southeast .7 miles to the Midlothian branch switch of the Cumberland & Pennsylvania Railroad, then east 400 feet to Legislative Road, then northeast with the road .4 miles to the road leading to the Hoffman Mine near the railroad crossing and at a corner of District 12, then southeast and east with the district lines in reverse and the road 1.2 miles to Kirbys scales at the top of the hill, then leaving the road and south with the district lines and the road leading to the Georges Creek & Cumberland Railroad .5 miles to Vale Run, then southwest down the run 1.4 miles to beginning.
- Sec. 145I: The boundaries of Wills Mountain Election District 20 shall be as follows: beginning at the top of Wills Mountain on the PA line and at the end of the third line of Election District 5, then southwest with the district line across the top of the mountain 3.6 miles, then west 1 mile crossing the Cumberland & Pennsylvania Railroad bridge above the paper mill to the Western Maryland Railroad, then west up the railroad 5 miles to the top of Piney Mountain, then north with the top of the mountain .5 miles to Mount Savage Road .1 miles east of the road between Barrellville and Wellersburg, then northwest 1.5 miles, then north 1.5 miles to the PA line, then east with the state line 5.4 miles to beginning.
- Sec. 145J: The boundaries of Gross Election District 21 shall be as follows: beginning on the PA line at the top of Martins Mountain, then southwest with the top of the mountain 4.6 miles to the end of the road between the top of Bush Ridge and Williams Road, then southwest with the road

1.5 miles to Williams Road .5 miles west of Twiggstown, then west with the road 3.5 miles to .1 mile east of Christie Road at Mount Herman M.E. Church, then north 3 miles to Rt. 40, then north with the road .4 miles to Mt. Pleasant Road, then north and west with the road 1.5 miles to Evitts Creek, then northeast up the creek 1 mile to Rock Gulley Creek, then east up the creek 1.5 miles to the crest of Evitts Mountain, then northeast with the top of the mountain 2 miles to the PA line, then east with the state line 2 miles to beginning.

- Sec. 145K: The boundaries of Union Cumberland Election District 22 shall be as follows: beginning on Williams Road .1 mile east of Christie Road at Mt. Herman M.E. Church, then north 3 miles to Rt. 40, then west and southwest with the road 2.8 miles to the intersection of Central Avenue and Willow Brook Road in Cumberland, then southwest with the avenue 1300 feet to Monroe Street, then northwest with the street 550 feet to Weber Street, then north with the street to Baltimore Avenue, then southwest with the avenue 2650 feet to Baltimore Street, then west with the street 800 feet to South Centre Street, then south with the street 1300 feet to Williams Street, then east with the street and Williams Road 3 miles to beginning.
- Sec. 145L: The boundaries of Decatur Cumberland Election District 23 shall be as follows: beginning at the B & O Railroad on Bedford Street in Cumberland, then northeast with the street and Bedford Road 2.1 miles to Nave Cross Road, then southeast with the road 400 feet to opposite the northwest edge of McNamees Hill, then southwest with the edge of the hill, Oakwood Street, and Louisa Lane 1.5 miles to Harvard Street, then southeast with the street 550 feet to Yale Street, then south with the street 1250 feet to Baltimore Avenue, then southwest with the avenue 2800 feet to the B & O Railroad at Baltimore Street, then north with the railroad 1400 feet to beginning.
- Sec. 145M: The boundaries of Eckhart Election District 24 shall be as follows: beginning at the intersection of National Road and the road up to the tunnel on the Eckhart Branch of the Cumberland & Pennsylvania Railroad .75 miles west of the six mile post, then northeast 1.5 miles to the high point on Piney Mountain, then northwest with the lines of Election District 13 1.6 miles to the high point on Federal Hill, then southwest with the road skirting the top of the hill 1.5 miles to the road between Morantown and Eckhart, then southwest 1.6 miles to National Road .1 mile east of the Allegany Cemetery gate, then southeast 1.33 miles to the road between Hoffman Mine and Borden Shaft .4 miles west of the road and 25 feet north of Kirbys weigh scales at the end of the tenth line of District 17, then northeast with the district lines in reverse .5 miles to 100 feet northwest of Hoffman Schoolhouse, then to the stone bridge at Clarysville on National Road, then northeast .7 miles to the Eckhart Branch of the Cumberland & Pennsylvania Railroad at Horseshoe Bend, then south with the railroad .25 miles to Preston Run, then southwest up the run .5 miles to Hoars Run, then southeast up the run 1.5 miles passing Montell Mine to the head of the north fork of the run, then southeast .33 miles to the top of Dans Mountain, then with the top of the mountain and the road leading past the tunnel on Eckhart Branch of the railroad, then northeast 2.33 miles to beginning.
- Sec. 145N: The boundaries of Pekin Election District 25 shall be as follows: beginning on the GA line at Bartlett Run and the end of the seventeenth line of Election District 9, then northeast with the county line 1.25 miles to .1 miles north of Laurel Run and the beginning of District 10, then southeast with the district line 1.25 miles to .1 mile west of the county road between Lonaconing and Westernport, then northeast 1.25 miles, then southeast .25 miles to Georges

Creek at the end of the eleventh line of District 15, then southeast with the district line in reverse to Georges Creek & Cumberland Railroad which skirts Jackson Hill south of Jackson Run, then east with the railroad .33 miles to District 9, then southeast with the land of the American Coal Co. 1 mile, then southwest .6 miles, then northwest with the lines of District 9 .5 miles, then southwest .8 miles, then west .5 miles, then northwest .3 miles, then northeast .3 miles, then leaving the land and northwest still with the district lines .2 miles passing the south side of the steam flour mill at Moscow and crossing Georges Creek to the old stone mill, then west 1.25 miles to beginning.

- Sec. 145O: The boundaries of Frostburg Election District 26 shall be as follows: beginning at the intersection of Broadway Street and National Road or Union Street in Frostburg, then southwest with the former street 1850 feet to Park Avenue, then southeast with the avenue 2100 feet to the county road between Frostburg and Midlothian, then southwest with the road 1.2 miles to a road at the top of a hill .5 miles north of Midlothian and at the end of the seventh line of Election District 19, then west with the road and district lines .3 miles skirting the hill to .1 mile northeast of Winebrenners Run, then northwest 1.4 miles to GA line, then northeast with the state line 1.75 miles to National Road at the end of the fourth line of District 11, then southeast with the district line, National Road, and Union Street to beginning.
- Sec. 145P: The boundaries of Gilmore Election District 27 shall be as follows: beginning at Wolfs Rock on Dans Mountain at the end of the fourth line of Election District 18, then northwest with the district lines in reverse 2.5 miles passing the Burnt Field and Staup farm to the second line of Midland and the county road between Midland and Lonaconing, then with the city lines S84°15'W .2 miles to Georges Creek, then northeast up the creek .4 miles to Squirrel Neck Run, then west up the run 2.6 miles to the GA line, then leaving District 18 and southwest with county line 1 mile to Koontz Run Road at the end of the sixth line of District 10, then southeast with the district lines in reverse 1.8 miles to Georges Creek & Cumberland Railroad, then south with the railroad to the county road leading over the mountain to Woodland, then southeast .175 miles with the road to the bridge over Georges Creek at the south end of Knapps Meadow, then northeast with the creek .75 miles to opposite Pine Hill Dump at the end of the twelfth line of District 15, then southeast with the thirteenth line 150 feet to Pine Hill Dump, then still with the district lines S25°E .25 miles to the head of the plane, then S9°E .8 miles to Ritchie Road, then east with the road 1 mile to Bog Ore Road, then S49°30'E 1.25 miles to the second low gap on Dans Mountain south of Wolfs Rock and on the line of District 7, then northeast with the district line and crest of Dans Mountain 1.33 miles to beginning.
- Sec. 145Q: The boundaries of Frostburg Election District 28 shall be as follows: beginning at the intersection of Broadway Street and National Road or Union Street in Frostburg and the beginning of Election District 26, then southwest with the former street 1850 feet to Park Avenue, then southeast with the avenue 2100 feet to the county road between Frostburg and Midlothian, then southwest with the road 1.2 miles to a road at the top of a hill .5 miles north of Midlothian and at the end of the seventh line of District 19, then southeast with the district lines .7 miles to the Midlothian Branch switch of the Cumberland & Pennsylvania Railroad, then east 400 feet to Legislative Road, then northeast with the road .4 miles to the road leading to Hoffman Mine near the railroad crossing and at the end of the fourth line of District 12, then northwest with Legislative Road and the district line .75 miles crossing the railroad to the south

end of Bowery Street and the beginning of District 12, then northeast with the district line and street .6 miles to National Road or Union Street, then northwest with the street 1600 feet to beginning.

- Sec. 145R: The boundaries of LaVale Election District 29 shall be as follows: beginning on top of Wills Mountain on the fourth line Election District 5 and at the end of the first line of District 20, then west with the lines of District 20 1 mile crossing the Cumberland & Pennsylvania Railroad bridge over Wills Creek above the paper mill to the Western Maryland Railroad, then up the railroad 5 miles to the crest of Piney Mountain south of Barrellville and on the east line of District 13, then south with the crest of the mountain and the lines of Districts 13 and 24 4 miles to National Road at the junction with the road leading to the tunnel of the Eckhart Branch of the Cumberland & Pennsylvania Railroad, then southwest with the road to the tunnel 1.33 miles to the top of Dans Mountain, then southwest with the top of the mountain 1.1 miles to the head of Warriors Run and the northwest corner of District 7, then southeast with the run and the north district line 3 miles to the crest of Wills Mountain, then northeast with the crest 6.75 miles to beginning.
- Sec. 145S: The boundaries of Zihlman Election District 30 shall be as follows: beginning at the county bridge over Jennings Run near Morantown Station on the county road between Zihlman and Mount Savage, then northwest 1.5 miles to the north portal of the Borden tunnel of the Western Maryland Railroad, then northwest 1.5 miles to the GA line, then southwest with the county line 1 mile, then southeast 1.4 miles to the Western Maryland Railroad, then with the railroad 3.5 miles to the county road between Morantown and Eckhart, then southeast with the road .5 miles to the end of the third line of District 24, then northeast with the line in reverse .75 miles, then northwest .9 miles to beginning.
- Sec. 145T: The boundaries of McCoolle Election District 31 shall be as follows: beginning at the mouth of Clay Lick Run on the Potomac River .25 miles north of Dawson Station, then south and northwest up the river 7 miles to the mouth of Stony Run, then northwest up the run 1.75 miles to to a road between its head and Westernport, then northeast up the road leading to the top of Dans Mountain 2.25 miles to a road or trail leading to Fairview, then east with the road to Fairview and a corner of Election District 7, then south with the district line .6 miles to the head of Clay Lick Run, then southeast down the run 1.9 miles to beginning.
- Sec. 145U: The boundaries of Frostburg Election District 32 shall be as follows: beginning at the intersection of Union Street and Legislative Road in Frostburg opposite St. Cloud Hotel, then northeast with the road .33 miles passing the Cumberland & Pennsylvania Railroad station to the Western Maryland Railroad, then northeast with the railroad 2 miles to the county road between Morantown and Eckhart, then southeast with the road .5 miles to the top of a hill, then southwest 1.6 miles to National Road .1 mile east of the Allegany Cemetery gate, then northwest with the road .25 miles to Allegany Cemetery Road, then southeast with the road .25 miles to McCulloh Street, then northwest with the street .175 miles to Green Street, then southwest with the street .175 miles to Blair Street, then northwest with the street .175 miles to Grant Street, then southwest with the street 300 feet to the Cumberland & Pennsylvania Railroad, then northwest with the railroad .25 miles to Bowery Street, then northeast with the street .33 miles to Union Street, then northwest .1 miles to beginning.
- Sec. 145V: The boundaries of Potomac Election District 33 shall be as follows: beginning at the

Potomac River at the Western Maryland Railroad crossing south of Green Ridge Station, then northeast crossing the bridge over the river and C & O Canal, then N6°30'W900ft to Mertens Avenue, then with the avenue N86°45'W175ft, then N47°W165ft, then N9°30'W200ft, then N11°30'E184ft, then N28°45'E200ft, then N43°45'E255ft, then N25°30'W200ft, then N47°W250ft, then N62°15'W400ft, then N54°30'W1090ft, then N62°W400ft, then N52°W630ft, then N22°30'W175ft, then N50°45'W687ft, then N70°30'W200ft, then N57°30'W171ft, then N71°15'W450ft, then N7°45'W120ft to the Potomac Edison Co. transmission line between Williamsport and Cumberland, then with the line N75°30'W8000ft to the top of Town Hill, then still with the line N81°30'W6500ft to Green Ridge Road, then with the road and the top of Green Ridge Mountain S32°15'W1400ft, then S31°45'W1100ft, then S30°15'W1954ft, then S35°30'W500ft, then S27°W500ft, then S34°30'W500ft, then S27°15'W600ft, then S33°45'W500ft, then S37°30'W438ft, then S32°30'W550ft, then S39°W248ft, then S31°W1000ft, then S28°45'W435ft, then S31°45'W800ft, then S22°W333ft, then S5°W400ft, then S12°W495ft, then S24°30'W600ft, then S51°45'W317ft, then S24°45'W400ft, then S46°W200ft, then S59°45'W360ft, then S39°30'W950ft, then S42°15'W447ft, then S34°W400ft, then S40°W556ft, then S11°45'W240ft, then S28°45'W227ft, then S33°15'W600ft, then S30°30'W419ft, then S44°15'W300ft, then S35°30'W236ft, then S24°15'W131ft, then S26°30'W213ft, then S30°30'W445ft, then S21°W300ft, then S33°45'W223ft, then S41°45'W200ft, then S37°45'W392ft, then S30°15'W900ft, then S20°15'W386ft, then S17°45'E278ft, then S32°45'E400ft, then S3°45'W373ft, then S20°30'W400ft, then S26°30'W427ft, then S44°30'W300ft, then S28°50'W341ft, then S35°W1254ft, then S21°45'W975ft, then S38°45'W171ft, then S46°W709ft, then S35°15'W800ft, then leaving the road S56°30'W2500ft to Town Creek at the twenty-first bridge north of the Potomac River on the new county road leading to Paw Paw, WV, then down the creek crossing the Cardinal Club farm S8°15'W4000ft to the river opposite the mouth of the creek, then northeast with the river 15 miles to beginning.

- Sec. 145W: The boundaries of Bedford Road Election District 34 shall be as follows: beginning on the PA line at the top of Evitts Mountain, then southwest with the top of the mountain 2 miles to Rock Gulley Creek, then west down the creek 1.5 miles to Evitts Creek, then southwest down the creek 1 mile to Mt. Pleasant Road, then east and south with the road 1.5 miles to Rt. 40, then southwest with the road 1.5 miles to Nave Cross Road, then northwest with the road .7 miles to Rt. 220, then southwest with the road .3 miles to the east line of Cumberland, then north with the city line 375 feet, then west the the north city line .4 miles to the top of Shriver Ridge, then northeast with the top of the ridge 3.8 miles to the PA line at Rt. 220, then east with the state line 2.6 miles to beginning.
- Sec. 145X: The boundaries of Cumberland Election District 35 shall be as follows: beginning at the intersection of Rt. 40 and Nave Cross Road, then southwest with Rt. 40 1.7 miles to the intersection of Central Avenue and Willow Brook Road in Cumberland, then southwest with the avenue 1300 feet to Monroe Street, then northwest with the street 550 feet to Weber Street, then north with the street 975 feet to Baltimore Avenue, then east with the avenue 125 feet to Yale Street, then north with the street 1250 feet to Harvard Street, then northwest with the street 550 feet to Louisa Lane on the northwest edge of McNamees Hill, then northeast with the hill, lane, and Oakwood Street 1.5 miles to Nave Cross Road, then southeast with the road .6 miles to beginning.

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## Election Districts - AA

### Acts of 1816, Ch. 252

An act to increase districts, passed 2-5-1817, confirmed by Acts of 1817, Ch. 149

- Sec. 1: The polling place for Election District 2 in AA shall be at the house of Jacob Waters near the blacksmith shop on the main road between Annapolis and DC.
- Sec. 2: The revised Election District 2 shall be composed of the part of District 2 outside the city limits of Annapolis.
- Sec. 3: Annapolis shall constitute Election District 6.

### Acts of 1818, Ch. 2

An act to change polling places, passed 12-11-1818

- Sec. 1: The polling place for Election District 5 in AA shall be changed to the house of Henry Whalen on Frederick Town Turnpike.

### Acts of 1820, Ch. 168

An act to change boundaries, passed 2-14-1821

Part of the road forming the division line between Election Districts 4 and 5 is little used as a public road and its route is frequently changed by the landowners.

- Sec. 1: The division line between Election Districts 4 and 5 in AA shall be changed to the following: beginning at the bridge across Patapsco Falls near Ellicotts mills, then with Cumberland Turnpike to the second gate on the road at Howards Lane, then with the lane to the PG line.

### Acts of 1821, Ch. 123

An act to change polling places, passed 2-4-1822, confirmed by Acts of 1822, Ch. 16

- Sec. 2: The polling place for Election District 2 in AA shall be as hereafter provided by law.

### Acts of 1822, Ch. 116

An act to increase districts, passed 2-6-1823, confirmed by Acts of 1823, Ch. 58

- Sec. 2: Six commissioners are named in this act to divide Election Districts 4 and 5 in AA into Districts 4, 5, and 6 or divide District 5 into Districts 5 and 6. Commissioners shall also select polling places. By the third Monday in April the descriptions, numbers, and selections shall be filed with the county court clerk for recording.

### **Acts of 1822, Ch. 156**

An act to change polling places, passed 2-17-1823

- The polling place for Election District 2 in AA shall be changed to Black Horse Tavern.

### **Acts of 1824, Ch. 13**

An act to change polling places, passed 1-10-1825

- The polling place for Election District 2 in AA shall be changed to the Free School.

### **Acts of 1831, Ch. 52**

An act to change polling places, passed 1-30-1832

- Sec. 1: The polling place for Election District 2 in AA shall be changed to the Free School.

### **Acts of 1834, Ch. 186**

An act to change boundaries, passed 3-12-1835

- Part of Election District 5 in AA shall be annexed to Election District 6 as follows: beginning at the beginning lines of Election Districts 5 and 6 at the river dividing AA and MO near Tridelphia Factory, then down the river to a large branch below the farm of Benjamin Scrivener, then up the branch to the farm of Samuel Straughan, then to a branch on the west side of his house, then up the branch to Roxbury Mill Road leading to Porters tavern to the division line between Districts 5 and 6.

### **Acts of 1836, Ch. 16**

An act to change boundaries, passed 1-14-1837

- Sec. 1: The division line between Election Districts 3 and 4 in AA shall run from Poultons old tavern along the public road to Samuel I. Donaldsons bridge on the Patapsco River, and not from the tavern to the lower ferry.
- Sec. 2: The area between the present line and the new one shall be annexed to Election District 3.

### **Acts of 1839, Ch. 104**

An act to increase districts, passed 3-17-1840

- Sec. 1: Five commissioners are named in this act to divide Election District 1 in AA into two districts. Their proceedings shall be filed with the county court clerk.
- Sec. 2: The new district adjoining Election District 2 shall be District 1 and the polling place at Butlers Tavern. The other one shall be Election District 8 and the polling place at the store of John S.E. Nutwell.

### **Acts of 1840, Ch. 247**

An act to change polling places, passed 3-9-1841

- The polling place for Election District 4 in AA shall be changed from the house of Owen Cecil to the house of Joshua Watts.

### **Acts of 1843, Ch. 35**

An act to change polling places, passed 1-22-1844

- Sec. 1: The polling place for Election District 1 in AA shall be changed to Owensville.

### **Acts of 1843, Ch. 220**

An act to change polling places, passed 2-28-1844

- Sec. 1: The polling place for Election District 1 in AA shall be changed to at or near the windmill on the land of Bushrod W. Marriott.

### **Acts of 1843, Ch. 298**

An act to change polling places, passed 3-8-1844

- Sec. 1: AA Board of County Commissioners shall change the polling place for Election District 2.
- Sec. 2: All laws specifying the Free School as the polling place for District 2 are repealed.

### **Acts of 1846, Ch. 326**

An act to change polling places, passed 3-10-1847

- Sec. 1: The polling place for Election District 1 in AA shall be changed to at or near the store of Jacob W. Bird.

### **Acts of 1846, Ch. 331**

An act to change polling places, passed 3-10-1847

- Sec. 1: AA Board of County Commissioners shall change the polling place for Election District 2.

### **Acts of 1849, Ch. 1**

An act to change polling places, passed 1-9-1850

- Sec. 1: The polling place for Election District 2 in AA shall be changed to the primary schoolhouse.

### **Acts of 1849, Ch. 73**



An act to change polling places, passed 2-13-1850

- Sec. 1: The polling place for Election District 4 in AA shall be changed from the tavern of Joshua Watts to near Pumphreys mill on land formerly owned by Jesse Pumphrey and now owned by John Lowman.

### **Acts of 1853, Ch. 78**

An act to increase districts, passed 3-30-1853

- Sec. 1: Five commissioners are named in this act to establish a new election district in AA from the upper parts of Election Districts 3 and 4. Their proceedings shall be filed with the clerks of the county court and county commissioners.
- Sec. 2: The new district shall be Election District 5 and the polling place at Joab Smith.

### **Acts of 1853, Ch. 368**

An act to change polling places, passed 5-27-1853

- Sec. 1: Five commissioners are named in this act to change the polling place for Election District 3 in AA. By September 1 the selection shall be filed with the circuit court clerk for recording.

### **Acts of 1872, Ch. 163**

An act re precincts, approved 4-1-1872

- Sec. 1: AA Board of County Commissioners is authorized to divide election districts into precincts, number them, and select polling places.

### **Acts of 1898, Ch. 209**

An act to establish precincts, approved 4-7-1898

- Sec. 1: AA election board is authorized to divide Precinct 1 of Election District 5 into two precincts.
- Sec. 2: The election board is authorized to divide Election District 4 into two precincts. Precinct 1 shall encompass the area south of the Washington & Baltimore Railroad, and the area north Precinct 2. The polling place for Precinct 1 shall be the house now used for District 4, and for Precinct 2 as selected by the election board, to be no more than .5 miles from Odenton.

### **Acts of 1922, Ch. 498**

An act to increase districts, approved 4-13-1922

- Sec. 1: Election District 7 in AA shall be established from part of Election District 8.
- Sec. 2: The boundaries shall be as follows: beginning on the division line between Election Districts 1 and 8 at West River, then southwest and west with the district line to the road between

Owensville and Sudley, then leaving the line and south with the road to Sudley, then still south with the road to Nutwell to Tracys Branch, then leaving the road and east and south with the branch to Herring Bay, then with the bay and the Chesapeake Bay to beginning.

- Sec. 3: The election board shall select the polling place.

## Acts of 1955, Ch. 682

An act to repeal and reenact Secs. 299-303 of and to add sections to AA Code, re boundaries, approved 4-25-1955, effective 6-1-1955

- Sec. 299: The boundaries of Election District 1 in AA shall be as follows: beginning at the mouth of the South River at the Chesapeake Bay, then east with the bay 2.65 miles to the QA line, then southwest with the county line 2.9 miles, then leaving the line and running northwest 4 miles to a point on a line between Dutchmans Point and Curtis Point .6 miles from the former, then leaving the bay and southwest with the West River 3.2 miles to Smith Creek, then northwest with the creek 1.1 miles to Rt. 468, then southwest and southeast with the road .4 miles to a private road leading to the land now or formerly owned by Louise Woodfield and the Grey heirs, then southwest with the road 1.25 miles to the county road between Sudley and Owensville to a point .55 miles northwest of Sudley, then northwest with the road .2 miles to the abandoned county road between Sudley and Mt. Zion and now running through the farms now or formerly owned by Robert Gross, Elinor Hall, and A.S. Seal, then southwest with the road 1.3 miles to Rt. 2, then northwest with the road .9 miles to Rt. 4 (Drury Road), then southwest with the road 3.15 miles to the county road passing east of Mt. Calvary Church, then northwest and west with the road 1.85 miles to Patuxent River Road, then north with the road .6 miles to the county road between St. Lukes Chapel and the road through the Sands, then west .5 miles to the Patuxent River and the PG line, then north with the river and county line 9.5 miles to Governors Bridge Road, then east with the county road between Governors Bridge and Riva .8 miles to the road through the Sands, then east still with the same road 2.1 miles to Rt. 424, then east still with the same road 2.6 miles to the county road between Riva and Davidsonville, then east still with the same road 1.4 miles to a projection of the S74°25'W232ft line of the deed in Land Records JHH 219, p. 71, then with the projection and lines of the land as now corrected S83°56'50"E233.6ft, then N43°21'30"E49.33ft to the tidewaters of South River, then east .7 miles to the river opposite Edgewater Beach, then southeast with the river 6.3 miles to beginning. Description is based on a map of AA prepared by the Dept. of Geology, Mines and Water Resources, 1949, revised 1954.
- Sec. 300: The boundaries of Election District 2 shall be as follows (monument numbers refer to the Annapolis Metropolitan Sewerage District): beginning at monument 11255 near the mouth of Back Creek, then S44°3'50"E274.96ft to monument 11256, then S20°13'40"E286.92ft to near the high water line of the Severn River, then S50°34'50"W217.88ft to monument 11016, then S28°19'40"W300ft to monument 11017, then S75°18'50"W305.95ft to a private road, then S4°25'50"E475.8ft to monument 11019, then S26°1'40"W308.7ft to a spike on the division line between Bembe Estate and the former land of William Edward Carr, then S15°2'W342.16ft, then S14°41'40"E344.02ft to monument 11022 near a 30ft road, then S41°3'40"W334.06ft to monument 11023, then S52°15'10"W342.48ft, then S3°28'E279.37ft, then S6°9'20"W495.77ft to monument 11026 near a private road, then S67°27'40"W698.04ft to monument 11027 near a

private road, then S87°58'30"W287.97ft to monument 11028, then S38°48'20"W249.47ft to monument 11029 near a private road, then S39°19'50"E650.26ft to monument 11030, then S24°25'50"E621.27ft to monument 11031, then S57°57'10"E554.39ft, then S58°57'W1620.8ft to monument 11275, then N82°W777.31ft to monument 11276 near the old Bay Ridge Railroad right of way, then S10°48'30"E885.3ft to monument 11277, then N88°59'30"W302.36ft to monument 11278, then N35°1'30"W470.09ft to monument 11279, then S53°5'10"W437ft to monument 11280 at the county road between Eastport and Arundel on the Bay, then N56°2'W1081.43ft to monument 11281 and the county road leading to Arundel on the Bay, then N38°26'50"W342.8ft to monument 11282 at Hillsmere Road, then with the road S32°46'W642.8ft to monument 11283, then with Annapolis Neck Road N30°35'40"W273.27ft, then N50°18'10: W136.48ft, then N71°7'20"W348.56ft to monument 11286, then leaving the road and N48°59'40"W192.03ft to monument 11287, then N38°24'40"W225.55ft, then N11°31'E200.18ft to monument 11289, then N58°4'W278.2ft to monument 11290, then N66°23'50"W187.75ft, then N52°42'20"W440.45ft to monument 11033, then N78°45'W60.68ft to monument 12223 at the south end of the division line between Lots 7 and 8 of Forest Hills, then S88°49'20"W537ft to monument 12224, then N80°43'20"W811.11ft, then N64°17'W240.68ft to monument 12225, then N52°15'30"W2035.88ft to monument 12226, then N42°52'10"W210.3ft, then N27°3'20"W155.55ft to monument 12227, then N54°53'E229.87ft to monument 11042 at Annapolis Neck Road, then with the road N24°40'30"W348.5ft to monument 11043, then N40°19'40"W972.2ft to monument 11044, then leaving the road N27°50'10"W758.9ft to Spa Road, then with the road N2°17'10"W206.52ft, then leaving the road N49°7'40"W751.5ft to monument 11047, then N48°35'30"W193.45ft to monument 11048, then N18°26'20"W258.54ft to a private road, then N70°46'10"W140.5ft to monument 11345, then N22°11'50"W451.94ft to monument 11347, then N31°3'30"W350.54ft to monument 11346 at Chinquapin Round Road, then with the road N60°16'20"W338.09ft, then N46°37'30"W444.02ft, then N42°40"W617.65ft to monument 11343, then leaving the road N77°53'50"W888.08ft to monument 11342 at a private road, then N74°58'W786.5ft to monument 11341, then N56°37'40"W107.25ft to monument 11340 at a private road, then N37°52'50"E13.88ft, then S87°43'20"W1467.12ft to monument 12229, then N2°34'30"W500ft to monument 12231, N2°34'30"W222.64ft to proposed monument 12258, then N53°37'20"W1601.86ft crossing Annapolis Edgewater State Road to proposed monument 12259, then N37°9'15"E1897.77ft to a post at the southwest corner of the fence on land leased by C & P Telephone Co., then with the fence and east line of the land of Arthur M. Benchoff N30°22'55"E494.65ft to the northeast corner of the land on Defense Highway, then crossing the road N60°14'10"E140.46ft to Hudson Street, then with the street N17°32'55"E125ft, then N23°19'55"E246ft, then leaving the street S71°30'40"E956.66ft to the northwest corner of Lot 5 of Parker Subdivision, then with the west line of the subdivision N38°17'25"E2169.79ft to Cowhide Branch Road, then with the road N31°52'30"W242.11ft, then N24°47'W252.31ft to monument 11118, then leaving the road N61°24'E236.41ft to monument 11119 at the marsh at the head of Weems Creek, then east with the creek 5800ft to the drawbridge at Revell Street, then northeast still with the creek 3600ft to its mouth, then northeast with the Severn River 1300ft, then northwest with the river 9.3 miles to Rt. 301, then southwest with the road .55 miles to Generals Highway, then south with the road 1 mile to Severn Cross Road, then south with the road between Severn Cross Road and Waterbury .9 miles to the county road between Waterbury

Road and St. Stephens Church Road, then southwest, northwest, and southwest with the road 1.7 miles to St. Stephens Church Road, then northwest with the road .8 miles to Rt. 301, then southwest with the road 2.2 miles to Rt. 424, then northwest with the road .4 miles to the Little Patuxent River, then south with the river 2.25 miles to the Patuxent River and the PG line, then southeast with the river 3.3 miles to Governors Bridge Road, then leaving the river and with the county road between Governors Bridge and Riva .8 miles to the road through the Sands, then east still with the same road 2.1 miles to Rt. 424, then east still with the same road 2.6 miles to the county road between Riva and Davidsonville, then east still with the same road 1.4 miles to a projection of the S74°25'W232ft line of the deed in Land Records JHH 219, p. 71, then with the projection and lines of the land as now corrected S83°56'50"E233.6ft, then N43°21'30"E49.33ft to the tidewaters of South River, then east .7 miles to the river opposite Edgewater Beach, then southeast with the river 6.3 miles to the mouth of the South River at the Chesapeake Bay, then east 2.65 miles to the QA line, then northeast with the county line 4 miles, then leaving the line and running northwest 3.2 miles to the mouth of the Severn River at the Chesapeake Bay, then northwest with the river 1.1 miles to the Annapolis city line, then southwest with the line .8 miles to beginning. Description is based on a map of AA prepared by the Dept. of Geology, Mines and Water Resources, 1949, revised 1954.

- Sec. 301: The boundaries of Election District 3 shall be as follows: beginning at the intersection of Stewart Avenue and Old Annapolis Stage Road, then south with the latter road 1.5 miles to Rt. 301, then south with the road 2.5 miles to an abandoned road and a line of the land of Harry S. Pumphrey, described in Land Records JHH 447, p. 371, then with the road S11°10'W154ft, then S6°5'W102.5ft, then S1°E89.3ft, then S5°15'E100.2ft, then S13°15'E69.5ft, then S22°15'E70.5ft, then S31°15'E112ft to Rt. 301, then leaving the abandoned road and with Rt. 301 1.7 miles to Severn Run, then southeast with the run and the Severn River 9.3 miles to the Annapolis city line, then southeast with the river to the bulkhead on the southeast side of the Naval Academy, then southwest with the bulkhead to the bulkhead on King George Street, then northeast across the river to the long wharf at the U.S. Lighthouse Depot, then southwest with the river .3 miles, then southeast 4.3 miles to the QA line in the Chesapeake Bay, then north with the QA and KE line through the bay 16 miles to the BA line, then northwest with the county line through the bay and the Patapsco River 11 miles to the BC line, then south with the city line .65 miles to the Patapsco River, then southwest with the city line 1.4 miles, then with the city line 1.8 miles to Curtis Creek, then southeast and southwest with the creek 1.6 miles to Marley Creek, then southwest with the creek 2.5 miles to Rt. 648, then northwest with the road .8 miles to Amberly Road projected in the Harundale Subdivision, then west across the Glen Burnie High School land .4 miles to the intersection of Rt. 2 and Fifth Avenue SE projected, then west with the avenue projected .9 miles to Stewart Avenue, then west with the avenue .5 miles to beginning. Description is based on a map of AA prepared by the Dept. of Geology, Mines and Water Resources, 1949, revised 1954.
- Sec. 302: The boundaries of Election District 4 shall be as follows: beginning at the intersection of Rt. 176 and the B & O Railroad, then southeast with the road .55 miles to Race Road, then south with the road .55 miles to the driveway of the home of D.T. Heinlman, then 1.53 miles to the intersection of Rt. 176 and Rt. 713, then east with Rt. 176 .55 miles to the old county road between Harmons and Dorsey, then east with the road .4 miles to the Pennsylvania Railroad, then

southeast .85 miles to the intersection of Rt. 170 and the driveway to the house of H.E. Wagner, then northeast with the north line of the Wagner farm .7 miles to a small branch, then southeast down the stream .85 miles to Saw Mill Branch, then northeast with the branch 1.1 miles to Old Annapolis Stage Road, then south with the road 1.5 miles to Rt. 301, then south with the road 2.5 miles to an abandoned road and a line of the land of Harry S. Pumphrey, described in Land Records JHH 447, p. 371, then with the road S11°10'W154ft, then S6°5'W102.5ft, then S1°E89.3ft, then S5°15'E100.2ft, then S13°15'E69.5ft, then S22°15'E70.5ft, then S31°15'E112ft to Rt. 301, then leaving the abandoned road and south with Rt. 301 2.2 miles to Dorrs Corner at Rt. 178, then south with Rt. 178 1 mile to Severn Cross Roads, then south with the road between Severn Cross Road and Waterbury .9 miles to the county road between Waterbury Road and St. Stephens Church Road, then southwest, northwest, and southwest with the road 1.7 miles to St. Stephens Church Road, then northwest with the road .8 miles to Rt. 301, then southwest with the road 2.2 miles to Rt. 424, then northwest with the road .4 miles to the Little Patuxent River, then south with the river 2.25 miles to the Patuxent River and the PG line, then northwest with river and the county line 8.6 miles to Baltimore Washington Expressway, then north still with the river and county line 2.5 miles to the B & O Railroad and the HO line, then northeast with the county line 7.4 miles to beginning. Description is based on a map of AA prepared by the Dept. of Geology, Mines and Water Resources, 1949, revised 1954.

- Sec. 303: The boundaries of Election District 5 shall be as follows: beginning at the intersection of Rt. 176 and the B & O Railroad, then southeast with the road .55 miles to Race Road, then south with the road .55 miles to the driveway of the home of D.T. Heinlman, then 1.53 miles to the intersection of Rt. 176 and Rt. 713, then east with Rt. 176 .55 miles to the old county road between Harmons and Dorsey, then east with the road .4 miles to the Pennsylvania Railroad, then southeast .85 miles to the intersection of Rt. 170 and the driveway to the house of H.E. Wagner, then northeast with the north line of the Wagner farm .7 miles to a small branch, then southeast down the stream .85 miles to Saw Mill Branch, then northeast with the branch 1.1 miles to Old Annapolis Stage Road, then south with the road 270 feet to Stewart Avenue, then east with the avenue .5 miles to Fifth Avenue, SE, then southeast and east with the avenue .9 miles to Rt. 2, then east across the Glen Burnie High School land .4 miles to the intersection of Rt. 648 and the projection of Amberly Road in Harundale Subdivision, then southeast with Rt. 648 .8 miles to Marley Creek, then northeast with the creek 2.5 miles to Curtis Creek, then northeast and northwest with the creek 1.6 miles to the BC line, then northwest with the city line 2.95 miles to the Patapsco River, then southwest with the river 5 miles to the mouth of Deep Creek or Deep Run at the BA and HO lines, then southwest with the creek and the HO line 3.8 miles to beginning. Description is based on a map of AA prepared by the Dept. of Geology, Mines and Water Resources, 1949, revised 1954.
- Sec. 303A: The boundaries of Election District 6, excepting the U.S. property, shall be as follows (monument numbers refer to the Annapolis Metropolitan Sewerage District): beginning at the mouth of Back Creek at monument 11255, then S44°3'50"E274.96ft to monument 11256, then S20°13'40"E286.92ft to near the high water line of the Severn River, then S50°34'50"W217.88ft to monument 11016, then S28°19'40"W300ft to monument 11017, then S75°18'50"W305.95ft to a private road, then S4°25'50"E475.8ft to monument 11019, then S26°1'40"W308.7ft to a spike on the division line between Bembe Estate and the former land of William Edward Carr, then

S15°2'W342.16ft, then S14°41'40"E344.02ft to monument 11022 near a 30ft road, then  
 S41°3'40"W334.06ft to monument 11023, then S52°15'10"W342.48ft, then S3°28'E279.37ft, then  
 S6°9'20"W495.77ft to monument 11026 near a private road, then S67°27.40"W698.04ft to  
 monument 11027 near a private road, then S87°58'30"W287.97ft to monument 11028, then  
 S38°48'20"W249.47ft to monument 11029 near a private road, then S39°19'50"E650.26ft to  
 monument 11030, then S24°25'50"E621.27ft to monument 11031, then S57°57'10"E554.39ft,  
 then S58°57'W1620.8ft to monument 11275, then N82°W777.31ft to monument 11276 near the  
 old Bay Ridge Railroad right of way, then S10°48'30"E885.3ft to monument 11277, then  
 N88°59'30"W302.36ft to monument 11278, then N35°1'30"W470.09ft to monument 11279, then  
 S53°5'10"W437ft to monument 11280 at the county road between Eastport and Arundel on the  
 Bay, then N56°2'W1081.43ft to monument 11281 and the county road leading to Arundel on the  
 Bay, then N38°26'50"W342.8ft to monument 11282 at Hillsmere Road, then with the road  
 S32°46'W642.8ft to monument 11283, then with Annapolis Neck Road N30°35'40"W273.27ft,  
 then N50°18'10":W136.48ft, then N71°7'20"W348.56ft to monument 11286, then leaving the road  
 and N48°59'40"W192.03ft to monument 11287, then N38°24'40"W225.55ft, then  
 N11°31'E200.18ft to monument 11289, then N58°4'W278.2ft to monument 11290, then  
 N66°23'50"W187.75ft, then N52°42'20"W440.45ft to monument 11033, then N78°45'W60.68ft to  
 monument 12223 at the south end of the division line between Lots 7 and 8 of Forest Hills, then  
 S88°49'20"W537ft to monument 12224, then N80°43'20"W811.11ft, then N64°17'W240.68ft to  
 monument 12225, then N52°15'30"W2035.88ft to monument 12226, then N42°52'10"W210.3ft,  
 then N27°3'20"W155.55ft to monument 12227, then N54°53'E229.87ft to monument 11042 at  
 Annapolis Neck Road, then with the road N24°40'30"W348.5ft to monument 11043, then  
 N40°19'40"W972.2ft to monument 11044, then leaving the road N27°50'10"W758.9ft to Spa  
 Road, then with the road N2°17'10"W206.52ft, then leaving the road N49°7'40"W751.5ft to  
 monument 11047, then N48°35'30"W193.45ft to monument 11048, then N18°26'20"W258.54ft to  
 a private road, then N70°46'10"W140.5ft to monument 11345, then N22°11'50"W451.94ft to  
 monument 11347, then N31°3'30"W350.54ft to monument 11346 at Chinquapin Round Road,  
 then with the road N60°16'20"W338.09ft, then N46°37'30"W444.02ft, then N42°40"W617.65ft to  
 monument 11343, then leaving the road N77°53'50"W888.08ft to monument 11342 at a private  
 road, then N74°58'W786.5ft to monument 11341, then N56°37'40"W107.25ft to monument  
 11340 at a private road, then N37°52'50"E13.88ft, then S87°43'20"W1467.12ft to monument  
 12229, then N2°34'30"W500ft to monument 12231, N2°34'30"W222.64ft to proposed monument  
 12258, then N53°37'20"W1601.86ft crossing Annapolis Edgewater State Road to proposed  
 monument 12259, then N37°9'15"E1897.77ft to a post at the southwest corner of the fence on  
 land leased by C & P Telephone Co., then with the fence and east line of the land of Arthur M.  
 Benchoff N30°22'55"E494.65ft to the northeast corner of the land on Defense Highway, then  
 crossing the road N60°14'10"E140.46ft to Hudson Street, then with the street N17°32'55"E125ft,  
 then N23°19'55"E246ft, then leaving the street S71°30'40"E956.66ft to the northwest corner of  
 Lot 5 of the Parker Subdivision, then with the west line of the subdivision N38°17'25"E2169.79ft  
 to Cowhide Branch Road, then with the road N31°52'30"W242.11ft, then N24°47'W252.31ft to  
 monument 11118, then leaving the road N61°24'E236.41ft to monument 11119 at the marsh at  
 the head of Weems Creek, then east with the creek 5800ft to the drawbridge at Revell Street, then  
 northeast still with the creek 3600ft to its mouth, then northeast with the Severn River 1300ft,

then southeast with the river to the bulkhead on the southeast side of the Naval Academy, then southwest with the bulkhead to King George Street, then northeast across the river to the long wharf of the U.S. Lighthouse Depot, then southwest to beginning.

- Sec. 303B: The boundaries of Election District 7 shall be as follows: beginning in the Chesapeake Bay at the QA line, then south with the QA and TA lines 6.65 miles, then leaving the county line and west 5.7 miles to the mouth of Rockhold Creek, then northwest with the creek .8 miles to the mouth of Tracys Creek, then north with the creek 1.2 miles to where it turns west, then still with the creek .4 miles to the county road between Nutwell and Sudley, then north with the road 2.5 miles to the south line of Election District 1, then northeast with a farm and private road 1.25 miles to Rt. 468, then north and northeast with the road .4 miles to Smiths Creek, then southeast with the creek 1.1 miles to the West River, then northeast with the river 3.2 miles to .6 miles from Dutchmans Point, then east 4 miles to beginning.
- Sec. 303C: The boundaries of Election District 8 shall be as follows: beginning at the end of the first line of Election District 7, then west with Rockhold Creek 5.7 miles to its mouth, then northwest with the creek .8 miles to the mouth of Tracys Creek, then north with the creek 1.2 miles to where it turns west, then still with the creek .4 miles to the county road between Nutwell and Sudley, then north with the road 2.5 miles to the south line of Election District 1, then northwest with the county road between Sudley and Owensville .2 miles to the abandoned county road between Sudley and Mt. Zion and now running through the farms now or formerly owned by Robert Gross, Elinor Hall, and A.S. Seal, then southwest with the road 1.3 miles to Rt. 2, then northwest with the road .9 miles to Rt. 4 (Drury Road), then southwest with the road 3.15 miles to the county road passing east of Mt. Calvary Church, then northwest and west with the road 1.85 miles to Patuxent River Road, then north with the road .6 miles to the county road between St. Lukes Chapel and the road through the Sands, then west .5 miles to the Patuxent River and the PG line, then south with the river 8.6 miles to the mouth of Lyons Creek, then northeast and east with the creek and the CV line 4 miles to the county road between Jewell and McKendree, then south with the county line 2.8 miles to Hall Creek, then southeast with the creek .95 miles, then leaving the creek and east with the CV line 4 miles, then southeast .75 miles to the Chesapeake Bay, then east to the TA line 4.45 miles, then north with the county line through the bay 2.8 miles to beginning.

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## Election Districts - BC

### Acts of 1817, Ch. 51

An act re districts in BC, passed 1-15-1818, confirmed by Acts of 1818, Ch. 87

- Sec. 1: The number and boundaries of election districts in BC shall be the same as the wards.

### Acts of 1882, Special Session, Ch. 2

An act to establish precincts, approved 2-6-1882

- Sec. 1: BC Board of Police Commissioners shall divide BC into 180 precincts, with nine in each

of the twenty wards. The precincts shall be numbered consecutively, beginning with one at the east line of the city.

- Sec. 2: The boundary descriptions of the precincts shall be recorded in a book that shall be filed with the clerk of the BC Superior Court for recording in the land records.
- Sec. 4: The division shall be completed within thirty days after passage of this act.
- Sec. 5: The mayor and city council shall group the precincts into twenty wards, with nine in each, and number them.
- Sec. 6: The ordinance laying out the wards shall contain descriptions of the boundaries and the numbers of the precincts in each one.
- Sec. 7: The mayor and city council shall complete its work within sixty days after passage of this act.

### **Acts of 1892, Ch. 400**

An act to change precincts, approved 4-7-1892

- Sec. 1: BC Board of Police Commissioners shall re-divide Ward 7 into nine precincts.

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## **Election Districts - BA**

### **Acts of 1807, Ch. 78**

An act to change polling places, passed 1-20-1808

- Sec. 2: Election judges shall select a new polling place, between one and two miles from the BC line, for Election District 1 in BA.
- Sec. 3: A certificate of selection shall be filed with the county court clerk for recording.

### **Acts of 1811, Ch. 6**

An act to change polling places, passed 12-27-1811

- Sec. 1: The polling place for Election District 5 in BA shall be moved from the tavern of Nicholas Merryman on old York Road to his new tavern on York Turnpike.
- Sec. 2: Election judges shall file a certificate of selection with the county court for recording.

### **Acts of 1819, Ch. 148**

An act to increase districts, passed 2-8-1819 [not confirmed]

- Sec. 1: Election District 8 in BA shall be established. The boundaries shall be as follows: beginning at the mouth of the Little Falls of Gunpowder, then up the falls to old Harford Road near Amos mill, then down the road passing Cromwells bridge to the dwelling house of Thomas Mills, then to the head of White Marsh Run, then down the run to Birds River, then with the river to beginning.



- Sec. 2: The polling place shall be at the public house kept by Abraham King.

### **Acts of 1821, Ch. 38**

An act to increase districts, passed 1-9-1822, confirmed by Acts of 1822, Ch. 14

- Sec. 2: Two commissioners from each of the seven election districts in BA are named in this act to divide the county, outside the limits of BC, into twelve election districts, number them, and select polling places. By July 15 the descriptions, numbers, and selections shall be filed with the county court clerk for recording.

### **Acts of 1823, Ch. 65**

An act to change boundaries, passed 1-19-1824

- The boundaries of Election District 4 in BA shall be changed as follows: beginning at Cockeys mill, then with the public road to Deer Park Road, then down the road to the top of Falls Hill, then with the road through the meadow of Edmund H. Stockdale by the widow Beasman to Morgans Run at Thomas Beasman, then up the run to Jordans mill, then with the run to the head of Barnharts meadow, then up Hawkins Branch to the meadow of Capt. Gorsuch, then up the spring branch of John Murray to its source, then to the FR line near Symon Kyler to the present line of Election District 4, then to beginning.

### **Acts of 1823, Ch. 153**

An act to change boundaries, passed 2-19-1824

- Sec. 1: Five commissioners are named in this act to review the boundaries of Election District 9 and upper part of Election District 10 in BA, make necessary changes, and select a polling place in District 9. By July 15 the descriptions and selection shall be filed with the county court clerk for recording.

### **Acts of 1824, Ch. 165**

An act to change boundaries, passed 2-25-1825

- Sec. 1: Five commissioners are named in this act to review the boundaries of Election District 9 and upper part of Election District 10 in BA and change them by annexing the latter to the former or by annexing that part of District 9 that was formerly part of Election District 3 to Election District 6. They shall also select a polling place for District 9. By August 1 the descriptions and selection shall be filed with the county court clerk for recording.

### **Acts of 1824, Ch. 172**

An act to change polling places, passed 2-25-1825

- Sec. 1: Three commissioners are named in this act to select a new polling place for Election

District 4 in BA. By August 1 the selection shall be filed with the county court clerk for recording.

### **Acts of 1825, Ch. 139**

An act to change boundaries, passed 3-1-1826

- The following part of Election District 10 in BA shall be annexed to Election District 11: beginning at Rockford near the farm of Archibald Gittings, then with the Little Falls of Gunpowder to Culloms Ford near the widow Jarrett, then with the road to the tavern to Samuel Webb, then with the road to the bridge at Merediths Ford, then down the Great Falls of the Gunpowder to Cromwells Bridge, then with old Harford Road to Baltimore and Harford Turnpike, then with the turnpike to beginning.

### **Acts of 1831, Ch. 232**

An act to increase districts, passed 3-7-1832, confirmed by Acts of 1832, Ch. 63

- Sec. 3: Three commissioners are appointed in this act to establish a new election district in BA from parts of Election Districts 6 and 9. Their return shall be filed with the county court clerk for recording.

### **Acts of 1834, Ch. 121**

An act to change boundaries, passed 2-20-1835

- The following part of Election District 8 in BA shall be annexed to Election District 7: beginning at the mill of E. Rider on the present line of District 8, then north to milestone nine on York Turnpike, then to Ridgelys Furnace Road on the district line.

### **Acts of 1835, Ch. 125**

An act to change polling places, passed 3-4-1836

- The polling place for Election District 1 in BA shall be changed to the tavern, formerly occupied by Abraham DeGroff and now by P.F. Friesting, near milestone seven on the Frederick Turnpike.

### **Acts of 1835, Ch. 209**

An act to increase districts, passed 3-25-1836 [no confirmation act found]

- Sec. 2: Three commissioners are named in this act to establish a new election district in BA from part of Election District 6. Their return shall be filed with the county court clerk for recording.
- Sec. 3: The district shall be Election District 14, and the polling place at Coxs Town. The polling place in Election District 6 shall be at Manchester.

### **Acts of 1835, Ch. 256**

An act to establish CR, passed 2-25-1836, confirmed by Acts of 1836, Ch. 19

- Sec. 1: CR shall be established out of parts of BA and FR. Boundary description given in this act.
- Sec. 6: CR shall have nine election districts, and their boundaries as well as those in BA and FR shall be established after confirmation of this act.

### **Acts of 1836, Ch. 162**

An act to change boundaries, passed 3-10-1837

- All that part of Election District 6 in BA, not included in CR, shall be annexed to Election District 5: beginning at the intersection of the north line of CR and line of Election District 5 in BA, then with the line to Black Rock Road, then with the road to the north line of District 5. The remainder of Election District 6 not included in CR shall be annexed to Election District 13.

### **Acts of 1838, Ch. 9**

An act to increase districts and renumber them, passed 1-15-1839

- Sec. 1: BA Board of County Commissioners shall appoint one person each from Election Districts 1-2, 5, and 7 to establish Pikesville Election District 3 from those districts.
- Sec. 2: County commissioners shall appoint one person each from Election Districts 5, 8-9, and 13 to establish White House Election District 5 from those districts and the remaining part of Dug Hill Election District.
- Sec. 3: BA shall contain the following election districts: Ellicotts Mill Election District 1, Randallstown Election District 2, Pikesville Election District 3, Reisterstown Election District 4, White House Election District 5, Middletown Election District 6, Wiseburg Election District 7, Cockeys Election District 8, Govanstown Election District 9, Slades Election District 10, Kings Election District 11, and Neck Election District 12.

### **Acts of 1838, Ch. 33**

An act to change polling places, passed 1-30-1839

- BA Board of County Commissioners shall change the polling place for Election District 11.

### **Acts of 1840, Ch. 137**

An act to change boundaries, passed 2-27-1841

- Sec. 2: The southwest line of White House Election District 5 in BA shall be extended as follows: beginning at the premises of Elizabeth Ambursee, then to Dover Schoolhouse, then to the Baptist Church by the county road, then to the house of Evan Davis, then to the house of Richard Stansbury, thus making the county road the boundary line.

### **Acts of 1842, Ch. 158**

An act to change polling places, passed 3-2-1842

- BA Board of County Commissioners shall change the polling place for Election District 5.

### **Acts of 1844, Ch. 148**

An act to change polling places, passed 3-1-1845

- Sec. 1: At the next election for the House of Delegates voters in Election District 11 in BA shall cast ballots on whether to keep the polling place at Burtons tavern or change it to the store of John D. Buck.

### **Acts of 1852, Ch. 107**

An act to change boundaries, passed 3-9-1852

- Sec. 1: The following part of Election District 3 in BA shall be annexed to Election District 9: between Falls Turnpike and Baltimore & Susquehanna Railroad from the BC limits to the first intersection of the road and railroad. The railroad shall form the division line between the two election districts.

### **Acts of 1852, Ch. 368**

An act to increase districts, passed 5-31-1852

- BA Board of County Commissioners is authorized to divide the county into sixteen election districts and select polling places. By the first Monday in January 1853 their proceedings shall be filed with the circuit court clerk for recording.

### **Acts of 1853, Ch. 430**

An act to increase districts, passed 5-31-1853

- Sec. 1: BA Board of County Commissioners is authorized to establish a new election district from part of Election District 1 and select a polling place.
- Sec. 2: Their proceedings shall be filed with the circuit court clerk for recording.

### **Acts of 1856, Ch. 301**

An act to change boundaries, passed 3-10-1856

The boundary lines between Election Districts 1 and 2 have become extinct.

- Sec. 1: The boundary lines between Election Districts 1 and 2 in BA shall be as follows: beginning at the Powhattan Cotton Factory, then to Franklin Turnpike, then with the south side of Dogwood Road to Bens Run, then with the run to Patapsco Falls.

### **Acts of 1860, Ch. 314**

An act to repeal Sec. 97 of Art. 3, Public Local Laws, re polling places in BA, passed 3-5-1860

- Sec. 1: Sec. 97 of Art. 3, Public Local Laws, is repealed. BA shall contain thirteen election districts according to their present boundaries. The polling places shall be as now or hereafter established by state law.

### **Acts of 1860, Ch. 337**

An act re polling places, passed 3-10-1860

- Sec. 1: At the election in November 1860 voters in Election District 11 in BA shall cast ballots to determine the future polling place. The choices shall be the tavern of William Dampman, tavern of Joshua L. Wright, or tavern of Richard Kerr.
- Sec. 5: Election judges shall file the election return with the circuit court clerk.

### **Acts of 1862, Ch. 51**

An act re polling places, passed 1-31-1862

- The polling place for Election District 5 in BA shall be changed to the house of Daniel Wilhelm on Falls Road.

### **Acts of 1868, Ch. 28**

An act to change boundaries, approved 2-18-1868

Commissioners appointed per Acts of 1839, Ch. 9 established Old Church Road from William Owings lower mill, now Painters mill, to the Garrison Church as the division line between Election Districts 3 and 4. Since then Old Church Road has been closed and a new road opened.

- Sec. 1: Part of the division line between Election Districts 3 and 4 in BA shall be changed to follow the north side of the new road replacing Old Church Road: beginning at the intersection of the old road and Western Maryland Railroad, then with the new road to Reisterstown Turnpike, then down the turnpike to Shelleys carpenter shop at the intersection with a new road leading to Garrison Church, then still with the new road to the intersection with another road to Garrison Church.

### **Acts of 1868, Ch. 433**

An act to establish precincts, approved 3-30-1868

- Sec. 1: Election Districts 1, 3, 9, and 11-12 in BA shall be divided into precincts.
- Sec. 2: Election District 1 shall be divided into two precincts. The boundaries of Precinct 1 shall be as follows: beginning where the lines of Election Districts 1 and 3 meet the BC line, then with Calverton Pike to Franklin Pike, then with the pike to Gwynns Falls, then with the falls to the division line between Districts 1 and 2, then with the line to the intersection of the road leading from Alberton and Johnny Cake Road, then with the road to Old Frederick Road, then with the

road to Frederick Pike, then with the pike to the BC line, then with the city line to beginning. The polling place shall be at Franklin. Precinct 2 shall encompass the remaining part of District 1, and the polling place shall be at Catonsville.

- Sec. 3: Election District 3 shall be divided into three precincts. The boundaries of Precinct 1 shall be as follows: beginning on Reisterstown Turnpike at the BC line, then with the turnpike to the lane of Caleb Hoops, then with lane to Pimlico Road, then with the road to Falls Turnpike, then with the road to Northern Central Railroad, then with the railroad to the BC line, then west with the line to beginning. The polling place shall be at Woodberry. The boundaries of Precinct 2 shall be as follows: beginning on Reisterstown Turnpike at the BC line, then with the turnpike to the stream near Hoops Lane, then with the stream through the land of Mrs. Hayward to Merrymans Branch, then with the branch to Liberty Turnpike, then south with the line of Election District 3 to the BC line, then with the line to beginning. The polling place shall be at Benvills, or Cusacks, Tavern on Liberty Turnpike. Precinct 3 shall encompass the remaining part of Election District 3, and the polling place shall be at Seven Mile House on Reisterstown Turnpike.
- Sec. 4: Election District 9 shall be divided into three precincts. The boundaries of Precinct 1 shall be as follows: beginning on Charles Street Avenue at the BC line, then east with the city line to Harford Turnpike, then with the turnpike to Hamilton Avenue, then with the avenue to Hillen Road, then down the road to Woodburn Avenue, then with the avenue to York Road, then with the road to old Powder Mill Road at Govanstown Hotel, then up the road to Lake Avenue, then with the avenue to Charles Street Avenue, then with the avenue to beginning. The polling place shall be at Cold Spring Hotel on York Turnpike. The boundaries of Precinct 2 shall be as follows: beginning on Charles Street Avenue at the BC line, then with the avenue to Lake Avenue, then west with the avenue to Falls Turnpike, then up the turnpike to Northern Central Railroad, then down the railroad to the BC line, then with the city line to beginning. The polling place shall be at Hampden Village on Falls Turnpike. Precinct 3 shall encompass the remaining part of Election District 9, and the polling place shall be at Towsontown.
- Sec. 5: Election District 11 shall be divided into two precincts. Precinct 1 shall encompass the area north of the Great Gunpowder River, and the polling place shall be at Wrights Tavern on Harford Road. Precinct 2 shall encompass the area south of the Great Gunpowder River, and the polling place shall be at Henrys Old Tavern near Brooks.
- Sec. 6: Election District 12 shall be divided into three precincts. The boundaries of Precinct 1 shall be as follows: beginning on Philadelphia Road at the BC line, then south with the city line to the Patapsco River, then with the river to the Chesapeake Bay, then with the bay to Back River, then with the river to Herring Run, then with the run to Philadelphia Road, then with the road to beginning. The polling place shall be at the tavern of Michael Adams near Canton. The boundaries of Precinct 2 shall be as follows: beginning on Philadelphia Road at Herring Run, then down the run to Back River, then with the river to its mouth, then with the Chesapeake Bay to the mouth of the Great Gunpowder River, then up the river to Bird River, then up the river to White Marsh Run, then with the run to Philadelphia Road, then down the road to beginning. The polling place shall be at the tavern of Frederick Waters at the forks of Middle River Road and Back River Road. Precinct 3 shall encompass the remaining part of Election District 12, and the polling place shall be at Grontroms Tavern at Gardenville on Belair Road.

**Acts of 1870, Ch. 138**

An act to establish precincts, approved 3-31-1870

- Sec. 1: Election District 7 in BA shall be divided into two precincts.
- Sec. 2: The boundaries of Precinct 1 shall be as follows: beginning at the intersection of the BA and HA line and the PA line, then south with the county line to old York Road near the dwelling house of George Kirkwood, then with the road to the county road between Arthur Shearin and Stablersville, then with the road to Reedy Run, then with the run to Third Mine Run, then with the run to the county road near Stablers saw mill, then with the road to Baltimore and York Turnpike at Littles old schoolhouse to Walkers mill, then with the county road that crosses Northern Central Railroad at Walkers Station to the west line of Election District 7, then north with the district line to the PA line, then with the state line to beginning. The polling place shall be at the house of Eli S. Sampson. Precinct 2 shall encompass the remaining part of Election District 7, the polling place shall be at Pleasant Hunters Hotel in Wisenburg.

**Acts of 1870, Ch. 429**

An act to repeal and reenact Secs. 1-3 and 5 of Acts of 1868, Ch. 433, re precincts and polling places, approved 4-4-1870

- Sec. 1: Election Districts 1, 3, 9, and 11-12 in BA shall be divided into precincts.
- Sec. 2: Election District 1 shall be divided into two precincts. The boundaries of Precinct 1 shall be as follows: beginning on Maidens Choice Road on the division line between Election Districts 1 and 13 at a culvert east of the dwelling house of W.R. Raisin, then north to the east line of the land of the Union Bank, then with the line to Frederick Turnpike, then across the road and with the division line between the lands of Charles J. Baker and Sophia Schwartz to the land of Howard Heald, then with the east line of that land to Old Frederick Road, then up the road to the southeast corner of the land of John Swann, then north through that land and the land of Reverdy Johnson, west of the Johnson house, then with Spring Branch west of the Johnson outbuildings to Dead Run Branch, with with the branch to Gwynns Falls at the division line between Districts 2 and 3, then with the district line to the BC line, then with the city line to the line of District 13, then with the line between Districts 1 and 13 to beginning. The polling place shall be at Three Mile House on Frederick Turnpike. Precinct 2 shall encompass the remaining part of District 1, and the polling place shall be at Catonsville. The polling place for Election District 13 shall be at the Green Spring Hotel near the four mile stone on Washington Road.
- Sec. 3: Election District 3 shall be divided into two precincts. The boundaries of Precinct 1 shall be as follows: bound on the north by Rogers Avenue to Reisterstown Turnpike, then with the turnpike to a stream at or near Hoopers Lane, then with the stream through the land of Mrs. Hayward to Merrymans Branch, then with the branch to Liberty Turnpike. The polling place shall be at the old Hammett House on Reisterstown Road. Precinct 2 shall encompass the remaining part of Election District 3, and the polling place shall be at Seven Mile House on Reisterstown Road.
- Sec. 5: Election District 11 shall be divided into two precincts. Precinct 1 shall encompass the area west of Baltimore and Jerusalem Turnpike, formerly Bel Air Road, and the polling place

shall be at Wrights Tavern on Harford Road. Precinct 2 shall encompass the remaining part of Election District 11, and the polling place shall be at Ridgelys Forges on Philadelphia Road.

### **Acts of 1876, Ch. 311**

An act to repeal and reenact Sec. 3 of Acts of 1870, Ch. 429, re precincts in Election District 3, approved 4-8-1876

- Sec. 2: Election District 3 in BA shall be divided into three precincts. The boundaries of Precinct 1 shall be as follows: beginning at a point where Madison Avenue and North Boundary Avenue would intersect, then north through Madison Avenue, Druid Hill Park, and Green Spring Avenue to Pimlico Road, then with the road to the east line of Election District 3, then south with the district line to North Boundary Avenue, then west to beginning. The polling place shall be at Woodberry. Precinct 2 shall encompass the area west of Precinct 1 and south of a line where Rogers Avenue and Green Spring Avenue intersect, then with the former avenue to Reisterstown Turnpike, then with the turnpike to a stream at or near Hoopers Lane, then with the stream to Merrymans Branch, then with the branch to the west line of District 3. The polling place shall be at old Hammett House on Reisterstown Turnpike. Precinct 3 shall encompass the remaining part of Election District 3, and the polling place shall be Seven Mile House on Reisterstown Turnpike.

### **Acts of 1878, Ch. 317**

An act to establish precincts, approved 4-5-1878

- Sec. 1: Election District 8 in BA shall be divided into two precincts.
- Sec. 2: BA Surveyor shall lay off the precinct lines as follows: beginning at Baltimore and Yorktown Turnpike opposite the public road leading into Texas, then with the road to the railroad at Texas, then to the road opposite the dwelling of William Park, then west to the division line between Election Districts 4 and 8, then with the district line in reverse, then east to the division line between Districts 8 and 10, then with the district line in reverse to beginning.
- Sec. 3: The area north of the line shall be Precinct 1, and the polling place shall be at Cockeysville. The area south of the line shall be Precinct 2, and the polling place shall be at or near the railroad station at Timonium.
- Sec. 5: Surveyor shall file the survey with the county commissioners by July 1.

### **Acts of 1880, Ch. 405**

An act to change boundaries, approved 4-10-1880

- Sec. 1: The part of Election District 6 in BA east and northeast of the Northern Central Railroad and between there and the present district line shall be annexed to Election District 7. The new division line between the two districts shall be the Northern Central Railroad from the PA line to the crossing at Bee Tree Run near where the run empties into a branch of the Great Gunpowder Falls, south of Bentley Springs Station.
- Sec. 2: The annexed area shall be part of Precinct 1 of Election District 7.



## **Acts of 1882, Ch. 182**

An act re precincts, approved 3-30-1882

- Sec. 1: Upon petitions from voters, the BA Board of County Commissioners may establish precincts, not to exceed ten in any one election district, or change the boundaries of the precincts.

## **Acts of 1898, Ch. 189**

An act to increase districts, approved 4-2-1898

- Sec. 1: Election Districts 14 and 15 in BA shall be established from Election District 12.
- Sec. 2: The boundaries of the changed Election District 12 shall be as follows: beginning at the intersection of the east BC line and Philadelphia Road, then northeast with the road to North Point Road, then southeast with the road to the private right of way leading into Kellers Pavilion and Park near Longs Battle Ground House, then south to the head of Bear Creek, then south with the creek to the Patapsco River, then with the river to the east BC line, then north with the city line to beginning.
- Sec. 3: The boundaries of Election District 14 shall be as follows: beginning at the intersection of the east BC line and Baltimore and Harford Turnpike, then with the turnpike to White Marsh Run, then with the run to Philadelphia Road, then southwest with the road to the east BC line, then north with the city line to beginning.
- Sec. 4: The boundaries of Election District 15 shall be as follows: beginning at the intersection of Philadelphia Road and White Marsh Run, then with the run to Bird River, then with the river to the Gunpowder River, then with the river, Saltpetre Creek, and Chesapeake Bay to Middle River, then with the river to Chesapeake Bay and Back River, then with the river to Chesapeake Bay and Patapsco River, then with the river to Bear Creek, then with the creek to the intersection of North Point Road and the private right of way leading into Kellers Pavilion and Park near Longs Battle Ground House, then with the former road to Philadelphia Road, then with the road to beginning.

## **Acts of 1900, Ch. 53**

An act to increase precincts, approved 3-8-1900

- Sec. 1: By June 1 the BA election board shall divide Precinct 2 of Election District 9 into two precincts, to be numbered 2 and 5.

## **Acts of 1900, Ch. 244**

An act to increase precincts, approved 4-5-1900

- Sec. 1: BA election board shall divide Precinct 1 of Election District 14 into two precincts, and number them 1 and 3.

## **Acts of 1902, Ch. 550**

An act to change boundaries, approved 4-11-1902

- Sec. 1: The division line between Precinct 2 of Election District 8 and Precinct 4 of Election District 9 in BA shall be changed as follows: beginning at the intersection of Roland Run and Joppa Road, then east to the county road between Sherwood and Lutherville, then with the road to the branch or stream near Lutherville, then southwest with the stream to beginning.

### **Acts of 1904, Ch. 182**

An act to change boundaries, approved 3-29-1904

- Sec. 1: The division line between Election Districts 1 and 3 in BA shall be changed as follows: beginning at the intersection of the west BC line and Gwynns Falls, then north with the city line to Baltimore and Liberty Turnpike, then with the turnpike to Gwynn Oak Avenue, then with the avenue to Gwynns Falls, then with the falls to the east line of Election District 2.

### **Acts of 1906, Ch. 106**

An act to change boundaries, approved 3-16-1906

- Sec. 1: The division line between Election Districts 1 and 13 in BA shall be changed as follows: beginning at the intersection of the south BC line and Wilkens Avenue, then west with the avenue to the current division line, then with the district line to the Patapsco River.

### **Acts of 1906, Ch. 251**

An act to repeal and reenact Secs. 2-4 of Acts of 1898, Ch. 189, re Election Districts 12 and 14-15, approved 3-31-1906

- Sec. 2: The boundaries of Election District 12 in BA shall be changed to the following: beginning at the intersection of the east BC line and Philadelphia Road, then northeast with the road to North Point Road if it was extended across Philadelphia Road, then southeast with North Point Road to the private right of way leading into Kellers Pavilion and Park near Longs Battle Ground House, then south to the head of Bear Creek, then south with the creek to the Patapsco River, then with the river to the east BC line, then north with the city line to beginning.
- Sec. 3: The boundaries of Election District 14 shall be as follows: beginning at the intersection of the east BC line and Baltimore and Harford Turnpike, then with the turnpike to White Marsh Run, then with the run to Philadelphia Road, then southwest with the road to Black River Neck Road, then south across Philadelphia Road, then southwest along the road to North Point Road, then north across Philadelphia Road, then southwest with the road to the east BC line, then north with the city line to beginning.
- Sec. 4: The boundaries of Election District 15 shall be as follows: beginning at the intersection of Philadelphia Road and White Marsh Run, then with the run to Bird River, then with the river to the Gunpowder River, then with the river, Saltpetre Creek, and Chesapeake Bay to Middle River, then with the river to the Chesapeake Bay and Back River, then with the river to Chesapeake Bay

and Patapsco River, then with the river to Bear Creek, then with the creek to the intersection of North Point Road and the private right of way leading into Kellers Pavilion and Park near Longs Battle Ground House, then with the former road to Philadelphia Road, then with the road to Back River Neck Road, then north across Philadelphia Road, then with the road to beginning.

### **Acts of 1908, Ch. 279**

An act to change boundaries, approved 4-6-1908

- Sec. 1: The boundaries between Election Districts 1 and 2 in BA shall be changed from the center of Dogwood Road between Gwynn Oak Avenue and the Patapsco River to the north or northeast side of the road. This shall place all of the road in Election District 1.

### **Acts of 1910, Ch. 44**

An act to change boundaries, approved 3-31-1910

- Sec. 1: The boundaries between Election Districts 1 and 3 in BA shall be changed to the following: beginning at Gwynns Falls at the east line of Election District 2, then with the falls to Powder Mill Run, then north with the run to Baltimore and Liberty Turnpike, then southeast with the turnpike to the west BC line.
- Sec. 2: The area east of the line shall be annexed to Election District 1.

### **Acts of 1920, Ch. 587**

An act to add sections to BA Code, re boundaries and precincts, approved 4-16-1920

- Sec. 197A: The boundaries between Election Districts 9 and 11 in BA shall changed to the following: beginning at the intersection of Harford Road and White Marsh Run, then northeast with the road to the Great Falls of the Gunpowder River, then west and northwest with the falls to Old Harford Road, then south and southeast with the road to the current division line between the districts, then south with the district line to White Marsh Run, then south and southeast with the run to beginning.
- Sec. 197B: The new boundaries causes part of Election District 11 to be annexed to District 9.
- Sec. 197C: BA election board may subdivide or change the boundaries of the precincts in Election Districts 9 and 11. Each precinct must contain at least 300 voters.

### **Acts of 1927, Ch. 229**

An act to add sections to BA Code, re boundaries and precincts, approved 4-1-1927

- Sec. 194A: The boundaries between Election Districts 8 and 9 in BA shall be changed to the following: beginning at the intersection of Seminary Avenue and Lutherville Road, then east with the avenue to York Road, then north with the road to the current south line of Election District 8, then west with the district line to Lutherville Road, then southwest and south with the road to beginning.

- Sec. 194B: The change annexes part of Election District 9 to Election District 8.
- Sec. 194C: The election board shall have the authority to increase or change the boundaries of precincts in Election Districts 8 and 9.

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## **Election Districts - CV**

### **Acts of 1872, Ch. 77**

An act re boundaries and precincts, approved 3-28-1872

- Sec. 1: CV Board of County Commissioners shall have the authority to change the boundaries of election districts and to establish precincts within them.

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## **Election Districts - CA**

### **Acts of 1801, Ch. 88**

An act to change polling places, passed 12-31-1801

- Sec. 1: Election judges for Election District 3 in CA shall select a new polling place.
- Sec. 2: A certificate of selection shall be filed with the county court clerk for recording.

### **Acts of 1805, Ch. 97**

An act to change polling places, passed 1-25-1806

- Sec. 9: The polling place for Election District 3 in CA shall be changed to Walnut Trees.

### **Acts of 1825, Ch. 47**

An act to change boundaries, passed 1-30-1826

- The boundaries between Election Districts 1 and 2 in CA shall be changed to the following: beginning on the Choptank River at the mouth of Framptons mill branch, then with the branch to Raccoon Trap, then to Lees Methodist Meeting House on the main road between Denton and Whiteleysburgh, then with the road to the DE line.

### **Acts of 1852, Ch. 222**

An act to change polling places, passed 5-18-1852

- Sec. 1: The polling place for Election District 3 in CA shall be at Harmony at a cross road leading to Gilpins Point.

### **Acts of 1854, Ch. 211**

An act to increase districts, passed 3-10-1854

- Sec. 1: A new election district in CA shall be established from part of the Middle and Lower Election Districts.
- Sec. 2: The boundaries shall be as follows: beginning at Newhope on the road between Federalsburg and Upper Hunting Creek, then with Walnut Tree Road by Friendship Church to Hubbards Crossroads, then with the public road by Concord Church towards Bloomery mills to the public road beginning near the church, then east through the farm of Bennett Todd and over the Camp Ground Branch to the DE line, then with the state line to the DO line, then with the county line to beginning.

### **Acts of 1861, Ch. 45**

An act to add sections to Art. 6, Public Local Laws, re precincts in CA, passed 6-19-1861

- Sec. 1: Election District 1 in CA shall be divided into two precincts. The boundaries for Precinct 1 shall be as follows: beginning at the QA line at Nine Bridges, then with the county road to Bridgetown to include that town, then with the county road to Hollingsworth Corner, then with the county road to Genns Shop, then with the county road to Old Town Branch, then with the county road to Greensboro to the road leading to Kuglurs Mill, then with the road and a branch from the mill to the Choptank River, then with the river to the DE line, then with the state line to the QA line, then with the county line to beginning. The remainder of Election District 1 shall encompass Precinct 2.
- Sec. 2: The polling place for Precinct 1 shall be at Melville, and for Precinct 2 at Greensboro.

### **Acts of 1862, Ch. 31**

An act to repeal Acts of 1861, Ch. 45, re precincts, passed 2-4-1862

- Sec. 1: Acts of 1861, Ch. 45, establishing precincts in Election District 1 in CA, is repealed.

### **Acts of 1870, Ch. 54**

An act to repeal and reenact Sec. 79 of Art. 6, Public Local Laws, re districts in CA, approved 2-19-1870

- Sec. 79: CA shall be divided into five election districts: Hendersons Election District 1, Greensboro Election District 2, Denton Election District 3, Harmony Election District 4, and Federalsburg Election District 5. Election District 1 shall consist of the upper part of the former Upper District 1 with the following boundaries: beginning at the crossing of the public road over Long Marsh Branch at the QA line, then with the road to Hollingsworth Corner, then with the road to Bens shop, then with the public road to Old Town Branch, then with the public road to Anthonys Mill, then to the Choptank River, then with the river to the DE line, then with the state line to beginning. Election District 2 shall consist of the remaining part of the former Upper District 1. Election District 3 shall consist of the former District 2. Election District 4 shall consist of the former District 3. Election District 5 shall consist of the former District 4. The

polling place for District 1 shall be at Henderson, for District 2 at Greensboro, for District 3 at Denton, for District 4 at Harmony, and for District 5 at Federalsburg.

### **Acts of 1880, Ch. 107**

An act to increase districts, approved 3-30-1880

- Sec. 1: Hillsborough Election District 6 in CA shall be established from part of Election District 3.
- Sec. 2: The boundaries shall be as follows: beginning at Hillsborough at the intersection of the CA, QA, and TA lines, then with the CA and TA line down Tuckahoe Creek to its mouth, then north up the Choptank River to Brick Mill, then with the county road to Boonsborough, then with the county road and the line of Election District 2 to Wilsons Mill and head of Tuckahoe Creek, then south with the CA and QA line to beginning.
- Sec. 3: The polling place shall be at Hillsborough.

### **Acts of 1884, Ch. 17**

An act to establish precincts, approved 3-4-1884

- Sec. 1: Election District 4 in CA shall be divided into two precincts.
- Sec. 2: The boundaries between the precincts shall be as follows: beginning at the Choptank River at the mouth of Hog Creek, then up the creek to the public road between Bethlehem and Harmony near the steam mill of R.M. Messick, then with the public road to Friendship M.E. Church passing near Union Grove.
- Sec. 3: Precinct 1 shall encompass the area north of the division line, and the polling place shall be at Harmony. Precinct 2 shall encompass the area south of the line, and the polling place shall be at Preston.

### **Acts of 1894, Ch. 335**

An act to repeal and reenact Sec. 112 of Art. 6, Public Local Laws, re polling places in CA, approved 4-6-1894

- Sec. 112: Election District 4 in CA shall have only one polling place, to be at Preston.

### **Acts of 1894, Ch. 499**

An act to increase districts and change boundaries, approved 4-6-1894

- Sec. 1: Ridgely Election District 7 in CA shall be established from parts of Election Districts 2 and 6, and American Corners Election District 8 from parts of Election Districts 3-5. The boundary line between Election Districts 2 and 3 shall be changed east of the Choptank River.
- Sec. 2: The boundaries for Election District 7 shall be as follows: beginning on the Choptank River north of Denton Bridge opposite the end of Park and Dunning Road, then up the river to the mouth of Deep Branch, also known as Mill Creek, then with the branch to Forge Branch to

Meadow Bridge Road at Marble Head farm, then with the road to the public road between Oakland and Greensborough, then with the road to the new Hoffman Road, then with the road to the public road between Ridgely and Bridgetown, then with the road to Spring Valley Branch on the north side of the farm of J.A. Roe, then with the branch to the QA line, then west and south with the county line and the division line between Election Districts 2 and 6 as now defined to the mouth of Ridgely and Longs Schoolhouse Road, then with the road to the entrance to the farm of Thomas Sparkling, then with the entrance to the division line between the farms of Sparkling and Thomas F. Garey, then with the line to the southeast corner of the Sparkling farm, then to the intersection of the Denton and Ridgely Road and Park and Dunning Road, then with the latter road to the Denton and Brick Mill River Road, then to beginning. The boundaries for Election District 8 shall be as follows: beginning at the mouth of Mill Creek on the east side of the Choptank River near Williston, then with the creek to the road leading across Todds Mill Dam, then with the road to the new road starting at the farm of Lacy Stevens, then with the road to the crossroads at the farm of William Stevens, then still with the new road to Smithville and Hickmantown Road, then to Woodenhawk Anderstown road, then with the road to the DE line, then south with the state line to the Woodenhawk Stream, then with the stream with the new road by way of Chitmans Lane to Chestnut Grove, then to the road between American Corners and Federalsburg, then with the road to Isaac Lehman Road, then to Three Bridge Federalsburg Road by way of Bayard Nichols Road to Nichols Post Office, then by way of Greer farm to Friendship Church, then with public roads to Grove, Fowling Creek, and Ganey's on the Choptank River, then with the river to beginning. The boundaries between Election Districts 2 and 3 on the east side of the Choptank River shall be changed to the following: beginning at the mouth of Chapel Branch on the Choptank River, then with the branch to the DE line.

- Sec. 3: The polling place for Election District 7 shall be at Ridgely, and for District 8 at American Corners.

### **Acts of 1965, Ch. 568**

An act to repeal Secs. 168-175 and reenact a new Sec. 168 of Art. 6, Public Local Laws, re districts in CA, approved 4-8-1965, effective 6-1-1965

- Sec. 168: CA is divided into eight election districts according to the names and boundaries shown on the map of CA revised in 1950 by the Dept. of Geology, Mines and Water Resources. Polling places shall remain the same unless and until changed by the election board.

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## **Election Districts - CR**

### **Acts of 1835, Ch. 256**

An act to establish CR, passed 2-25-1836, confirmed by Acts of 1836, Ch. 19

- Sec. 1: CR shall be established out of parts of BA and FR. Boundary description given in this act.
- Sec. 6: CR shall have nine election districts, and their boundaries as well as those in BA and FR shall be established after confirmation of this act.

## **Acts of 1836, Ch. 32**

An act to survey districts, passed 1-28-1837

- Sec. 1: Thirteen commissioners are named in this act to divide CR into nine election districts, number them, and select polling places. By July 1 the descriptions, numbers, and selections shall be filed with the county court clerk for recording.

## **Acts of 1837, Ch. 177**

An act to change boundaries, passed 3-19-1838

- Sec. 1: The boundaries between Election Districts 1 and 3 in CR shall be changed to the following: beginning at the intersection of Groves mill road and Manses mill road, then with the latter road, leaving Jacob Manse in District 3, to Piney Creek at Peters tavern, then up the creek to the PA line, then with the state line to the line of District 3.

## **Acts of 1837, Ch. 331**

An act to change boundaries, passed 3-29-1838

- Sec. 1: The boundaries of Election District 9 in CR shall be changed to the following: beginning at Parrs Spring, then with the original district line to Morgans Run, then with the run to Richard Frizzles Branch, then with the branch to the road between the mill of Philip Nicodemus and Calico House, then with the road to the mill, then with the original district lines to beginning.

## **Acts of 1840, Ch. 17**

An act to change boundaries, passed 4-2-1841

- The boundaries between Election Districts 3 and 7 in CR shall be changed to the following: beginning at the original boundary at Big Pipe Creek in the meadow of Peter Bixter, then to the dwelling house of Jacob Frock, leaving the house in District 7, then to the dwelling house of Adam Bish and William Bish, leaving the house in District 7, then to Westminster and Littlestown Turnpike at the intersection with the stone road, now the boundary between the districts.

## **Acts of 1842, Ch. 46**

An act to change polling places, passed 2-7-1843

- Three commissioners are named in this act to change the polling place for Election District 4 in CR. By July 1 the selection shall be filed with the county court clerk for recording.

## **Acts of 1843, Ch. 295**

An act to change polling places, passed 3-9-1844



- The polling place for Election District 3 in CR shall be changed to the tavern occupied by Peter Leppy.

### **Acts of 1845, Ch. 15**

An act to change boundaries, passed 1-5-1846

- The boundaries between Election Districts 4 and 7 in CR shall be changed to the following: boundary of District 7 shall be extended along Nicodemus Road to Morgans Run, then up the run to the county road between Stone Meeting House and Washington Road, then with road to the county road between Westminster and Warfieldsburg.

### **Acts of 1845, Ch. 160**

An act to change boundaries, passed 2-16-1846

- The boundaries between Election Districts 4 and 7 in CR shall be changed to the following: the boundary of District 7 shall run with Nicodemus Road to Morgans Run, then up the run to the county road between Stone Meeting House and Washington Road, then with the road to Washington Road.

### **Acts of 1845, Ch. 49**

An act to change boundaries, passed 1-30-1846

- Acts of 1845, Ch. 160, re boundaries between Election Districts 4 and 7 in CR, is repealed.

### **Acts of 1846, Ch. 309**

An act to change polling places, passed 3-9-1846

- The polling place for Election District 3 in CR shall changed from the site named in Acts of 1843, Ch. 295 to to the tavern of Peter E. Myers.

### **Acts of 1852, Ch. 101**

An act to increase districts, passed 3-24-1852

- Sec. 1: Three commissioners are named in this act to establish a new election district in CR from parts of Election Districts 1 and 2. They shall file their proceedings with the circuit court clerk.
- Sec. 2: The new district shall be Election District 10, and the polling place at Middleburg.

### **Acts of 1853, Ch. 254**

An act to change boundaries, passed 5-23-1853

- The part of Election District 4 in CR lying north and west of Washington Road shall be annexed

to Election District 7. The boundaries between Election Districts 5 and 9 shall be changed to the following: beginning at the intersection of the current line and new Liberty Road, then to the dwelling house of James McQuay, leaving the house in District 9, then to the dwelling house of John Hess, leaving the house in District 9, then to Washington Road, then with the road to Morgans Run, then with the run to the original boundary.

### **Acts of 1856, Ch. 240**

An act to increase districts, passed 3-10-1856

- Sec. 1: New Windsor Election District 11 in CR shall be established from parts of Election Districts 2, 7, and 9.
- Sec. 2: The boundaries shall be as follows: beginning at the intersection of the county line and Buffalo Road at Sams Creek, then up a branch of the creek to a spring near the dwelling of Abraham Albaugh, then to the road between Mount Airy and Westminster opposite the dwelling of Maj. Benjamin Gorsuch, then with the road to Nicodemus Road, then west with the road to the house of A. Brown, colored, then to Stone Chapel, then to Cassells mill on Little Pipe Creek, then down the creek to Melvilles mills, then to the saw mill of Upton Roop, then down the branch to Pipe Creek, then with the creek to the bridge on the road between McKinstry's mills and Uniontown, then to the bridge over Sams Creek near the Rineheart marble quarries, then up the creek to beginning.
- Sec. 3: The polling place shall be at New Windsor.

### **Acts of 1864, Ch. 297**

An act to change polling places, passed 3-8-1864

- Sec. 1: The polling place for Myers Election District in CR shall be changed from the house of Peter E. Myers to a house selected by the election judges in Myersville

### **Acts of 1870, Ch. 302**

An act to establish precincts, approved 4-11-1870

- Sec. 1: Westminster Election District 7 in CR shall be divided into two precincts.
- Sec. 2: The division line for the precinct shall be as follows: beginning on the Baltimore and Reisterstown Turnpike at the division line between Election Districts 4 and 7, then northwest with the turnpike to Westminster at the intersection of Littlestown Turnpike and Uniontown Turnpike, then with the latter turnpike to the road leading to Taneytown, then with the road to the division line between Districts 2 and 7. Precinct 1 shall encompass the area north and east of the line, and the polling place shall be at the courthouse. Precinct 2 shall encompass the area south and west of the line, and the polling place shall be in Westminster as selected by the county commissioners.

### **Acts of 1872, Ch. 66**

## An act to increase districts, approved 3-14-1872

- Sec. 1: Election District 12 in CR shall be established from Election Districts 2 and 10-11. The boundaries shall be as follows: beginning at Sams Creek at the boundary line between FR and CR where the tail race of McKinstrys mills empties, then to the public road between the mills and Linwood opposite the storehouse occupied by D.F. Albauth & Bro., then with the road to the bridge over Little Pipe Creek near Linwood, being a corner of Election District 2, then through the district to the dwelling house of Reuben Haines, excluding that house, then to the public road between Union Bridge and Union Town opposite a lane toward the public schoolhouse between the house and premises of Abraham Harris and Abraham Stoner, then to the spring at the head of Log Cabin Branch, being a corner of Election District 10, then down the branch to the road between Union Town and Middleburg, then with the road towards Middleburg opposite Hanns Lane between the lands of Abraham Shirk and Joseph Roop, then down the lane to its south end, then by the dwelling house of Lewis Haines, including that house, to Pipe Creek at the boundary line between CR and FR, then up the creek and Sams Creek to beginning.
- Sec. 2: The polling place shall be at Union Bridge.

## Acts of 1874, Ch. 175

An act to repeal and reenact Sec. 2 of Acts of 1870, Ch. 302, re precincts, approved 4-2-1874

- Sec. 2: The boundaries between Precincts 1 and 2 of Westminster Election District 7 in CR shall be changed to the following: beginning on the Western Maryland Railroad at the division line between Election Districts 7 and 11, then with the railroad to Cranberry Station, then to the mill of John W. Lucabaugh, then east to Cranberry Run, then with the run to the division line between Districts 6 and 7. The area south and east of the line shall be Precinct 1, and the polling place shall be the courthouse. The area north and west of the line shall be Precinct 2, and the polling place shall be in Westminster, as selected by the county commissioners.

## Acts of 1888, Ch. 337

An act to increase districts, approved 4-4-1888

- Sec. 1: Mount Airy Election District 13 in CR shall be established from part of Franklin Election District.
- Sec. 2: The boundaries shall be as follows: beginning at Parrs spring, then northeast with the Patapsco River to Gillis Falls, then with the falls to Cabbage Spring Branch, then west with the branch to Roop Road, then to the plank bridge on Buffalo Road opposite the gate of Albert Jones, then southwest with the FR and CR line to beginning.

## Acts of 1910, Ch. 192

An act to increase districts, approved 4-11-1910

- Sec. 1: Barrett Election District 14 in CR shall be established from part of Freedom Election

## District 5.

- Sec. 2: The boundaries shall be as follows: beginning at the bridge over Patapsco Falls at Gaithers Station on the B & O Railroad, then with the public road to Sykesville Road near the old Mount Pleasant Methodist Protestant Church, then north to the intersection of Liberty Road and Barrett Road at Freedom near the public schoolhouse, then north to the intersection of Bartholow Road and Poole Road, then with the latter to Griffe Road near Pooles Schoolhouse, then with the road to Morgans Run at the south line of Election District 4, then with the district line to a line of Franklin Election District, then with the district line to the line of Mount Airy Election District, then with the district line to the HO line, then with the county line to beginning.

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## Election Districts - CE

**Acts of 1801, Ch. 59**

An act to change boundaries and polling places, passed 12-31-1801

- Sec. 1: Some election districts in AL, CE, SM, and WA as not as equal as possible in regards to population, and some polling places are not centrally located. Some districts in PG have become unequal in population because of the establishment of the District of Columbia.
- Sec. 2: Commissioners in the affected counties shall review the election districts and, if necessary, alter the lines and select new polling places. The descriptions and selections shall be filed with the county court clerks by June 15 for recording.
- Sec. 4: Commissioners to lay out the districts are named in this act for the affected counties.

**Acts of 1810, Ch. 14**

An act to change polling places, passed 12-23-1810

- Sec. 2: Election judges shall select a new polling place for Election District 3 in CE.
- Sec. 3: A certificate of selection shall be filed with the county court clerk for recording.

**Acts of 1812, Ch. 19**

An act to change polling places, passed 11-25-1812

- Sec. 1: The polling place for Election District 3 in CE shall be changed to the former jail in Charlestown.

**Acts of 1816, Ch. 11**

An act to change polling places, passed 12-11-1816

- Sec. 1: The polling place for Election District 3 in CE shall be changed to Upper Hunting Creek, where elections were formerly held.

### **Acts of 1823, Ch. 63**

An act to change polling places, passed 1-16-1824

- Election judges shall select a new polling place for Election District 1 in CE at Cecilton.

### **Acts of 1823, Ch. 114**

An act to change polling places, passed 1-12-1824

- Election judges shall select a new polling place for Election District 3 in CE at Charlestown, at the former jail where elections are now held or somewhere else.

### **Acts of 1835, Ch. 259**

An act to increase districts, passed 3-29-1836, confirmed by Acts 1836, Ch. 267

- Sec. 2: Seven commissioners are named in this act to review election districts in CE and redive the county into not more than seven districts. They shall also number the districts and select polling places. By July 15, 1837 the descriptions, numbers, and selections shall be filed with the county court clerk for recording.

### **Acts of 1839, Ch. 164**

An act to change polling places, passed 2-21-1840

- Election judges shall select a polling place for Election District 5 in CE at Charlestown.

### **Acts of 1840, Ch. 106**

An act to change polling places, passed 1-11-1841

- Acts of 1839, Ch. 164, re the polling place for Election District 5 in CE, is repealed.

### **Acts of 1845, Ch. 226**

An act to change polling places, passed 3-3-1846

- Election judges shall change the polling place for Election District 2 in CE from Old Town to a house in Chesapeake City.

### **Acts of 1853, Ch. 94**

An act to increase districts, passed 4-11-1853

- Sec. 1: A new election district in CE shall be established from parts of Election Districts 6 and 7.
- Sec. 2: The boundaries shall be as follows: beginning at Octoraro Creek where it enters the state, then down the creek to the Susquehanna River, then up the river to the PA line, then with the

state line to beginning.

- Sec. 3: The new district shall be Election District 8, and the polling place shall be at Mount Pleasant, known as Rowlings Store.

### **Acts of 1856, Ch. 227**

An act to increase districts, passed 3-10-1856

- Sec. 1: A new election district in CE shall be established from parts of Election Districts 4-6.
- Sec. 2: The boundaries shall be as follows: beginning at the intersection of the PA line and the public road near John Donoho, then south with the road to the road between Rising Sun and Brick Meeting House, then south with the road to the road between the meeting house and Brickleys Crossroads, then east with the road to North East Creek, then south with the creek to the bridge on the road between Shalamiah and Nowlands Corner, then east with the road to the road between Elkton and the PA line, then with the road to the PA line near McDonnelly, then west with the state line to beginning.
- Sec. 3: The new district shall be Election District 9, and the polling place shall be at the village of Brick Meeting House.

### **Acts of 1858, Ch. 273**

An act to change boundaries, passed 3-5-1858

- Sec. 1: The boundaries between Election Districts 5-6 and 9 in CE shall be changed to the following: beginning for the lines of Election District 9 at the PA line on the road near John Brown, Jr., then south with the road to the road between Rising Sun and Brick Meeting House, then east with the road to the northwest corner of the land of Jacob Job, then south with the division line between the lands of Job, D.H. Heath, Job H. Kirk, Joseph Laird, Joseph Haines, and Thomas Maxwell to a black oak tree in the road between Brick Meeting House and Farmington, then south to Butler Stone near Slicers Schoolhouse on Charleston Road, then with the road to the road leading to North East, then with the road to the road between Battle Swamp and Nowland Corner, then with the road to North East Creek at Gilpins Bridge, then with the current lines of District 9 to the PA line.
- Sec. 2: The parts of Election Districts 5 and 6 included in Sec. 1 shall be annexed to Election District 9.

### **Acts of 1860, Ch. 338**

An act to amend Sec. 61 of Art. 8, Public Local Laws, boundaries in CE, passed 3-10-1860

- Sec. 1: The boundaries between Election Districts 3 and 5 in CE shall be changed to the following: beginning on the current division line where the road between Elkton and Turkey Point crosses Plumb Creek, then to where the road between Elkton and North East crosses Mill Creek.
- Sec. 2: County commissioners are authorized to hire someone to survey the line.

- Sec. 3: Sec. 61 of Art. 8, Public Local Laws, is repealed.

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## **Election Districts - CH**

### **Acts of 1819, Ch. 157**

An act to change polling places, passed 2-12-1820

The polling place for Election District 2 in a house at Allens Fresh is now uninhabitable.

- Sec. 1: Election judges shall select a new polling place for Election District 2 in CH at Allens Fresh.

### **Acts of 1856, Ch. 174**

An act to increase districts, passed 3-8-1856

- Sec. 1: CH Board of County Commissioners is authorized to appoint three examiners to review the boundaries of the election districts to determine if a new one should be established. The examiners shall also recommend a polling place. Their report shall be filed with the county commissioners.
- Sec. 2: County commissioners may confirm, modify, or reject the report and direct the examiners to change boundaries and/or establish a new district.
- Sec. 3: The examiners return shall be filed with the county commissioners.

### **Acts of 1868, Ch. 138**

An act to repeal and reenact Sec. 40 of Art. 9, Public Local Laws, re an increase in districts in CH, approved 4-3-1868

- Sec. 40: CH shall be divided into not less than six and not more than nine election districts. Nine commissioners are named in this act to establish the new districts and select polling places. If the boundaries are not public roads or bodies of water, the lines shall be surveyed. The descriptions, plats, and selections shall be filed with the county commissioners for recording.
- Sec. 2: If the commissioners fail to act, the current election districts shall remain in effect.

### **Acts of 1870, Ch. 264**

An act to amend Acts of 1868, Ch. 138, re boundaries, approved 4-4-1870

- Sec. 8: Upon petitions from voters, the CH Board of County Commissioners shall have the authority to change the boundaries of election districts.

### **Acts of 1886, Ch. 267**

An act re polling places, approved 4-7-1886

- Sec. 1: Upon petitions from voters, the CH Board of County Commissioners shall have the authority to change polling places.

### **Acts of 1914, Ch. 555**

An act to establish precincts, approved 4-10-1914

- Sec. 1: CH election board shall divide Election District 7 into two precincts.

### **Acts of 1918, Ch. 168**

An act to increase districts, approved 4-10-1918, effective 6-1-1918

- Sec. 1: Marbury Election District 10 in CH shall be established from parts of Hill Top Election District 2 and Crossroads Election District 3.
- Sec. 2: The boundaries shall be as follows: beginning at the intersection of the state road between Indian Head and La Plata and Carrington Road, then with the latter road to the county road between Port Tobacco and Pisgah, then with the road to Johnnie Cake Road between Pisgah and Ironsides Post Office, then with the road to Baxter Run, then west with the run to Reeder Run, then with the run to Chicamuxen Creek, then with the creek and the Potomac River to the mouth of Mattawoman Creek, then with the creek to Mattawoman Run, then with the run to the iron bridge and the state road, then with the road to beginning.
- Sec. 3: The polling place shall be at the Marbury Post Office.

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## **Election Districts - DO**

### **Acts of 1816, Ch. 35**

An act to increase districts, passed 1-2-1817, confirmed by Acts of 1817, Ch. 42

- Sec. 1: DO shall be divided into five election districts.

### **Acs of 1816, Ch. 127**

An act to increase districts, passed 1-27-1817

- Sec. 1: Nine commissioners are named in this act to divide DO into five election districts, number them, and select polling places. By July 1 the descriptions, numbers, and selection shall be filed with the county court clerk for recording.

### **Acts of 1821, Ch. 165**

An act to change polling places, passed 2-16-1822

- The polling place for Election District 3 in DO shall be changed to the house of Levin Woolford.



### **Acts of 1821, Ch. 188**

An act to increase districts, passed 2-21-1822, confirmed by Acts of 1822, Ch. 2

- Sec. 1: DO shall be divided into six election districts.

### **Acts of 1822, Ch. 5**

An act to survey districts, passed 12-16-1822

- Sec. 1: Five commissioners are named in this act to divide DO into six election districts, number them, and select polling places. The area between the branches of the Nanticoke River, commonly called the Fork, shall be one district. By April 1 the descriptions, numbers, and selections shall be filed with the county court clerk for recording.

### **Acts of 1823, Ch. 16**

An act to survey districts, passed 12-16-1823

- Commissioners in DO appointed in Acts of 1822, Ch. 5 could not complete their tasks by the deadline because they did not receive the law until April. Their proceedings are made valid by this act.

### **Acts of 1826, Ch. 177**

An act to increase districts, passed 3-9-1827

- Sec. 1: Five commissioners are named in this act to establish a new election district in DO, encompassing Meekins Neck, Hoopers Island, and Barren Island, per [Acts of 1826, Ch. 181], and select a polling place. By July 1 the descriptions and selection shall be filed with the county court clerk for recording.

### **Acts of 1826, Ch. 181**

An act to increase districts, passed 3-9-1827, confirmed by Acts of 1827, Ch. 2

- Sec. 1: DO shall be divided into seven election districts.

### **Acts of 1828, Ch. 1**

An act to increase districts, passed 1-12-1829, confirmed by Acts of 1829, Ch. 1

- Sec. 1: DO shall be divided into eight election districts.

### **Acts of 1829, Ch. 10**

An act to increase districts, passed 1-18-1830

- Sec. 1: Five commissioners are named in this act to carry into effect [Acts of 1828, Ch. 1].
- Sec. 2: They shall establish Election District 8 in DO from part of Cambridge Election District 7 and select polling places. By July 1 the description and selection shall be filed with the county court clerk for recording.

### **Acts of 1831, Ch. 40**

An act to change boundaries, passed 1-24-1832

- The following part of Vienna Election District 3 in DO shall be annexed to New Market Election District 2: beginning at the forks of the road at Minons old field, then down the road leading to Cratchens Ferry to the schoolhouse of Thomas Davidson, then with a private road by the schoolhouse and through the division line between the lands of Davidson and Elijah Bunsfield to the road between Vienna and New Market, then with the road to beginning.

### **Acts of 1831, Ch. 135**

An act to change polling places, passed 2-27-1832

- Sec. 1: The polling place for Election District 4 in DO is changed from the house of Levin Woolford to the house of Mrs. Ann M. Staplefort at Parsons Creek.

### **Acts of 1836, Ch. 69**

An act to change boundaries, passed 2-18-1837

- The southwest end of the division line between Election Districts 4 and 5 in DO, between Keenes Crossroads and Jones Bridge, commonly called Great Marsh Bridge, shall be changed to run from Keenes Crossroads to Burtons Landing and then southwest to the line of Election District 6.

### **Acts of 1838, Ch. 212**

An act to change boundaries, passed 3-21-1839

- The part of the division line between Election Districts 4 and 7 in DO at or near Church Creek shall be changed as follows: beginning at a bridge near the store house, formerly owned by Isaac F. Williams, in Church Creek, then south to the head of a branch of Buttons Creek, then with the creek to Blackwater River. The part of District 4 above this line shall be annexed to District 7.

### **Acts of 1840, Ch. 114**

An act to change polling places, passed 2-22-1841

- Sec. 1: The polling place for Election District 4 in DO shall be changed to the house of Richard Tall.

### **Acts of 1844, Ch. 298**

An act to change polling places, passed 3-10-1845

- At the next election for the House of Delegates voters in Lakes Election District in DO shall cast ballots on whether to keep the polling place at Staplefords store or change it to the store of William Andrew or elsewhere.

### **Acts of 1846, Ch. 239**

An act to change boundaries, passed 3-8-1847

A petition was filed to change the boundaries of Election Districts 1-3.

- Sec. 1: The boundary lines for Election District 1 in DO shall be as follows: beginning at the bridge over the northwest fork of the Nanticoke River at Federalsburg, then down the branch to the mouth of Harrisons Mill Creek, then up the creek to the dam of the mill, then with the county road to Nicolls Crossroads, then with the main road to the road between Crotchers Ferry and Vienna, then to Chicone Branch, then with the branch to the main road between Walnut Landing and Vienna, then with the road to the above northwest fork. The area between the new lines and the northwest fork of the Nanticoke River shall be annexed to District 1.

### **Acts of 1852, Ch. 117**

An act to increase districts, passed 3-5-1852

- Sec. 1: Church Creek Election District 9 in DO shall be established from parts of Election Districts 4 and 7.
- Sec. 2: The boundaries shall be as follows: beginning at the bridge on the county road between Church Creek and Cambridge at the intersection with Little Blackwater Road, commonly called Hurleys New Road, then with the latter road to Little Blackwater Road, then to Little Blackwater River, then down the river to Big Blackwater River, then with the river to the road leading to the Baptist Meeting House, then with the road to the county road leading to Taylors Island, then with the road to the head of Broad Cove, then with the cove to the river, then with Fishing Creek Branch to opposite Hurleys New Road.
- Sec. 3: The polling place shall be at Church Creek.

### **Acts of 1852, Ch. 174**

An act to increase districts, passed 5-24-1852

- Sec. 1: Straits Neck Election District 10 in DO shall be established from part of Election District 5.
- Sec. 2: The boundaries shall be as follows: beginning at the head of Fox Creek at or near Staplefords wind mill, then to the county road at Holmes front gate, then with the road to Blackwater Road, then with the road to Fearim Creek Bridge, then down Fearim Creek to Fishing Bay, then to the SO line to include all the islands in the county in or near the mouth of the Nanticoke River, then with the county line and down the river, Fishing Bay, Tangier Sound, and

Holland Straits to the Chesapeake Bay, then with the bay, Hoopers Straits, Honga River, and Fox Creek to beginning.

- Sec. 3: The polling place shall be at Todd Town.

### **Acts of 1854, Ch. 256**

An act to increase districts, passed 3-10-1854

- Sec. 1: Drawbridge Election District 11 in DO shall be established from part of Election District 3.
- Sec. 2: The boundaries shall be as follows: beginning at the bridge over the Transquaking River below Higgins mills, then with Mannings Road by Middletown to the drawbridge over the Chicmacomico River at Mannings store, then up the river to opposite Hard or Crafts Road, then to the road, then with the road to the Nanticoke River at the public landing south of Vickers wharf, then down the river to include the islands in District 3 to the mouth of the Transquaking River, then up the river to beginning.
- Sec. 3: The polling place shall be in the village of Drawbridge.

### **Acts of 1858, Ch. 198**

An act to change polling places, passed 3-5-1858

- Sec. 1: The polling place for Election District 6 in DO shall be changed from Fishing Creek Ferry to the store or dwelling of Robert H. Creighton.

### **Acts of 1858, Ch. 235**

An act to increase districts, passed 3-2-1858

- Sec. 1: Williamsburg Election District 12 in DO shall be established from part of New Market Election District 2.
- Sec. 2: The boundaries shall be as follows: beginning at the bridge of the Nanticoke River at Federalsburg, then with the county road separating DO and CA to Hunting Creek, then with the creek to the Choptank River, then with the river to Blink Horn Creek, then with the creek to its head and the county road between Cabin Creek and Hunting Creek, then with the manor line to Washington Chapel, then with the line and the road between the lands of Nathan Williams, Thomas A. Price, Nicholas Wright, Stephen Andrews, and James M. Hurlock, then with the plain road to the Henry D. Wright mill and branch, then with the branch to the Nanticoke River, then with the river to beginning.
- Sec. 3: The polling place for Election District 12 shall be at Williamsburg, and for District 2 at New Market.

### **Acts of 1861, Ch. 99**

An act to repeal Secs. 91 and 124 of Art. 10, Public Local Laws, re districts in DO, passed 8-7-1861

- Sec. 1: Secs. 91 and 124 of Art. 10, Public Local Laws, are repealed and the following sections substituted.
- Sec. 2: DO shall be divided into thirteen election districts.
- Sec. 3: Bucktown Election District 13 shall be established from Cambridge Election District 7. The boundaries shall be as follows: beginning at the mouth of the Blackwater River, then up the river to a fork, then up the east branch to Maple Dam Bridge, then south with the county road to the road of David M. Corkran, then with the road to Martins Road, then with the road to the county road between Bucktown and Cambridge at or near the gate of Levin Mowbray, then north with the road to Cordtown Road, then with the road to the road between Vienna and Cambridge, then with the road to the corner of the oat field of Dr. Curt and the road leading to Aires, then with the road to Transquaking Bridge, then with the Transquaking River to its mouth. The polling place shall be at Bucktown.

### **Acts of 1862, Ch. 168**

An act to amend Acts of 1858, Ch. 235, re Election District 12, passed 2-10-1862

- Sec. 2: The boundaries of Williamsburg Election District 12 in DO shall be changed to the following: beginning at the bridge on the main branch of the Nanticoke River at Federalsburg, then with the county road separating DO and CA to Hunting Creek, then with the creek to the Choptank River, then with the river to Blink Horn Creek, then with the creek to its head and the county road between Cabin Creek and Hunting Creek, then with the manor line to Washington Chapel, then with the line and the road between the lands of Nathan Williams, Thomas A. Price, Nicholas Wright, Stephen Andrews, and James M. Hurlock, then with the plain road to the Henry D. Wright mill and branch, then with the branch to the main branch of the Nanticoke River, then with the river to the mouth of Miles Branch, then with the branch to the county road between Johnsons Crossroads and Federalsburg, then with the road to beginning.

### **Acts of 1864, Ch. 60**

An act to increase districts, passed 1-25-1864

- Sec. 1: Hollands Island Election District 14 in DO shall be established and consist of the area in Straits Election District 10 south of Hoopers Straits. The polling place shall be at Thomas Park's.

### **Acts of 1872, Ch. 75**

An act to repeal and reenact Sec. 90 of Art. 10, Public Local Laws, re boundary changes in DO, approved 3-28-1872

- Sec. 90: Hollands Election District 14 in DO, formed from part of Straits Election District 10, shall be reannexed to District 10.

### **Acts of 1872, Ch. 156**

An act to repeal and reenact Sec. 92 of Art. 10, Public Local Laws, re boundary changes in DO,

approved 4-1-1872

- Sec. 92: The boundaries of Election District 12 in DO shall be as follows: beginning at the bridge on the main branch of the Nanticoke River at Federalsburg, then with the county road separating DO and CA to Upper Hunting Creek, then with the creek to Lower Hunting Creek, then up the creek to its head and the county road between Cabin Creek and Upper Hunting Creek, then with the road to the manor line, then with the line to Washington Chapel, then still with the line and the road between the lands of Nathan Williams, Thomas A. Price, Nicholas Wright, Stephen Andrews, and James M. Hurlock, then with the plain road to the Henry D. Wright mill and branch, then with the branch to the main branch of the Nanticoke River, then with the river to the mouth of Miles Branch, then with the branch to the county road between Johnsons Crossroads and Federalsburg, then with the road to beginning.

### **Acts of 1880, Ch. 456**

An act to increase districts, approved 4-10-1880

- Sec. 1: Linkwood Election District 14 in DO shall be established from parts of East New Market Election District 2, Vienna Election District 3, Cambridge Election District 7, and Drawbridge Election District 11. The polling place shall be at Linkwood.
- Sec. 2: The boundaries shall be as follows: beginning at the end of Tates Bank Road at the Great Choptank River, then with the road to the road between Cambridge and Hicksburg, then with the road to Jacktown, then with the road between Jacktown and Bucktown to the division line between Election Districts 7 and 13, then with the line to Transquaking Bridge beyond Aireys, then with the Transquaking River to the mouth of Dumpling Point Creek, then up the creek and branch to the county road at Middletown, then with the road by Salem to Jones Baptist Church, then with the county road by Little Birch mill to the new county road over Paynes mill pond, then with the road to the road between Hicksburg and East New Market, then with the road towards Hicksburg to the forks of the road leading to Indian Creek, then with Indian Creek Road to Indian Creek, then with the creek to the Great Choptank River, then down the river to beginning.

### **Acts of 1884, Ch. 363**

An act to establish precincts, approved 4-8-1884

- Sec. 1: Cambridge Election District 7 in DO shall be divided into two precincts: East Cambridge Precinct 1 and West Cambridge Precinct 2.
- Sec. 2: The boundary line between the two precincts shall be as follows: beginning at the end of Thomas Wharf, then with High Street to Poplar Street, then with the street to Race Street, then with the street to the town limits, then with the county road to Maple Dam Bridge, then with the county road to Lots Lane, then with the lane to the line of Election District 7. The area east of the line shall be Precinct 1, and the polling place shall be at the courthouse. The area west of the line shall be Precinct 2, and the polling place shall be in a house on Race Street between Muir and Washington Streets, to be selected by the proper authorities.

### **Acts of 1890, Ch. 276**

An act to increase precincts, approved 4-3-1890

- Sec. 1: Precinct 3 shall be established in Cambridge Election District 7 in DO. It shall encompass the area west of the following boundaries: beginning at the mouth of Jenkins Creek, then with the creek and the branch between the Chamberlaine farm and county road, then south to Bayly Road opposite the residence of Thomas Woolford, colored, then with the road and Church Creek Road to Church Creek and a line of Election District 9. The polling place shall be at Dailsville.

### **Acts of 1892, Ch. 565**

An act to establish precincts, approved 4-7-1892

- Sec. 1: Parsons Creek Election District 4 in DO shall be divided into two precincts. The boundaries shall be as follows: beginning at the head waters of Parsons Creek, then with Stuarts canal to the head waters of Blackwater River, then with the river to Big Water Bridge. The area east of the line shall be Precinct 1, and the polling place shall be at Madison. The area west of the line shall be Precinct 2, and the polling place shall be at Taylors Island.

### **Acts of 1894, Ch. 491**

An act to increase districts, approved 4-6-1894

- Sec. 1: Hurlock Election District 15 in DO shall be established from parts of East New Market Election District 2 and Williamsburg Election District 12. The polling place shall be at Hurlock.
- Sec. 2: The boundaries shall be as follows: beginning at the mouth of the mill creek of Benjamin Conway, then up the creek, mill pond, and branch to the county road between Hurlock and Ellwood, then with the road to Baltimore & Eastern Shore Railroad, then with the county road to the CA line, then with the county line to the Choptank River, then with the river to Wrights wharf, then with the county road to Blinkhorn Schoolhouse, then up Cabin Creek Road to the house of C.H. Prouse, then with the county road to Bonners Bay Pond, then down the branch and mill stream leading to upper Cabin Creek mill to the county road between Cabin Creek and Shiloh Church, then with the road to the county road between East New Market and Rhodesdale, then with the road to the line of Fork Election District, then with the line to the Nanticoke River, then up the river to beginning.

### **Acts of 1894, Ch. 601**

An act to increase districts, approved 4-6-1894

- Sec. 1: Madison Election District 16 in DO shall be established from part of Parsons Creek Election District 4. It shall contain the area west of the following line: beginning at the head waters of Parsons Creek, then with Stewarts canal to the head waters of the Blackwater River, then with the river to Big Blackwater Bridge. The polling place in Election District 4 shall be at Taylors Island, and in District 16 at Madison.

### **Acts of 1896, Ch. 227**

An act to establish precincts, approved 4-4-1896

- Sec. 1: Straits Election District 10 in DO shall be divided into two precincts. Precinct 2 shall encompass the area south of Hoopers Straits, and the polling place shall be at Hollands Island. Precinct 1 shall encompass the rest of the election district.

### **Acts of 1898, Ch. 418**

An act to increase precincts, approved 4-9-1898

- Sec. 1: Precinct 3 is established for Straits Election District 10 in DO. It shall compass Elliotts Island which lies east of Fishing Bay. The polling place shall be at Elliotts Island.

### **Acts of 1898, Ch. 517**

An act to increase precincts, approved 4-9-1898

- Sec. 1: Precinct 4 shall be established for Cambridge Election District 7 in DO from part of Precinct 2. It shall compass the area west of the following line: beginning at the foot of High Street in Cambridge, then south with the street to Puncheon Bridge at Washington Street, then west with the street to the line of Dailsville Precinct at the county road in front of the Chamberlaine farm.

### **Acts of 1900, Ch. 669**

An act to change a district name, approved 4-10-1900

- Sec. 1: The name of Parsons Creek Election District in DO shall be changed to Taylors Island Election District.

### **Acts of 1904, Ch. 555**

An act to change boundaries, approved 4-8-1904

- Sec. 1: The boundary lines between East New Market Election District 2 and Hurlock Election District 15 in DO shall be changed as follows: beginning at the mouth of Cabin Creek, then up the creek to Lower Cabin Creek mill, then up the mill ponds, stream, and branch to the county road between Cabin Creek village and Shiloh Church, then with the road to the county road between East New Market and Rhodesdale, then with the road to the line of Forks Election District.

### **Acts of 1906, Ch. 494**

An act to increase districts, approved 4-5-1906



- Sec. 1: Salem Election District 17 in DO shall be established from parts of Vienna Election District 3, Drawbridge Election District 11, and Linkwood Election District 14. The polling place shall be in the village of Salem.
- Sec. 2: The boundaries shall be as follows: beginning at the bridge on the county road at Little Brick Mills, then south with the mill stream to the Chicacomico River, then south with the river to the Transquaking River, then north with the river to Dumpling Point, then north with the Middletown Branch to the double bridges at Middletown, then west to Linkwood Road at the Middletown Schoolhouse, then north with the road to the road between Salem and Linkwood, then west with the road to the mouth of Red Lane Road, then north with the road to the road between Little Brick Mills and Hawkeye, then east with Little Brick Road to the road between the old Baptist Meeting House and Little Brick Mills, then north to beginning.

### **Acts of 1912, Ch. 686**

An act to establish precincts, approved 4-8-1912

- Sec. 1: Election District 2 in DO shall be divided into two precincts. The boundaries shall be as follows: beginning at the mouth of Cabin Creek, then east with the creek to opposite the north line between the lands of J.A Baker and Nathan Moxey, then south with the line to the north branch of the Warwick River, then east with the branch to a point opposite the north line between the lands of John Phelan and S.L. Webster, then south with the line to the state road between New East Market and Cambridge, then with the road to the division line between East New Market and Linkwood Election Districts, then north with the west line of the former district to beginning. The polling place for Precinct 1 shall be at East New Market, and for Precinct 2 at Secretary.

### **Acts of 1914, Ch. 364**

An act to increase districts, approved 4-10-1914

- Sec. 1: Precinct 3 of Straits Election District 10 in DO shall become Elliotts Island Election District 18. The polling place shall remain the same.

### **Acts of 1918, Ch. 225**

An act to repeal Acts of 1896, Ch. 227, re precincts, approved 4-10-1918

- Sec. 1: Acts of 1896, Ch. 227, re division of Straits Election District 10 in DO into precincts, is repealed.
- Sec. 2: The entire election district shall be a single precinct.

### **Acts of 1924, Ch. 287**

An act to increase precincts, approved 4-9-1924, effective 6-1-1924

- Sec. 1: Precinct 5 of Election District 7 in DO shall be established from the part of Precinct 1 east

of Cambridge Creek. The boundaries shall be as follows: beginning at the mouth of Cambridge Creek, then with the creek to a ravine at its head between the properties of Phillips Packing Co. and Edward Hayes, then with the ravine to the culvert under the state road 90 feet from the west line of the land of the Cambridge & Seaford Railroad, then east or northeast with the road to Jacktown, then still with the road to a line of Election District 14, then north or northwest with the district line to the Choptank River, then with the river to beginning. The polling place shall be in East Cambridge as selected by the election board.

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### **Election Districts - FR**

#### **Acts of 1802, Ch. 82**

An act to increase districts, passed 1-8-1803, confirmed by Acts of 1803, Ch. 19

- Sec. 3: FR shall be divided into nine election districts, an increase of two.

#### **Acts of 1803, Ch. 46**

An act to increase districts, passed 1-7-1804

- Sec. 1: Five commissioners are named in this act to divided FR into nine election districts, per [Acts of 1802, Ch. 82], number them, and select polling places. By May 1 the descriptions, numbers, and selections shall be filed with the county court for recording.

#### **Acts of 1821, Ch. 35**

An act to increase districts, passed 1-9-1822, confirmed by Acts of 1822, Ch. 6

- Sec. 2: FR shall be divided into eleven election districts, an increase of two.

#### **Acts of 1822, Ch. 13**

An act to increase districts, passed 12-18-1822

- Sec. 1: Nine commissioners are named in this act to divide FR into eleven election districts, number them, and select polling places. By May 1 the descriptions, numbers, and selections shall be filed with the county court clerk for recording.

#### **Acts of 1824, Ch. 84**

An act to increase districts, passed 1-31-1825 [not confirmed]

- Sec. 2: Election District 12 in FR shall be established from Election District 3.
- Sec. 3: Five commissioners are named in this act to establish the new district and select a polling place. By the third Monday in April 1826 the descriptions and selection shall be filed with the county court clerk for recording.

### **Acts of 1826, Ch. 31**

An act to increase districts, passed 1-24-1827 [not confirmed]

- Sec. 2: Election District 12 in FR shall be established from Election Districts 6 and 7.
- Sec. 3: Six commissioners are named in this act to establish the new district and select a polling place. By the first Monday in May 1828 the descriptions and selection shall be filed with the county court clerk for recording.

### **Acts of 1829, Ch. 168**

An act to increase districts, passed 2-28-1830, confirmed by Acts of 1830, Ch. 146

- Sec. 2: FR shall be divided into twelve election districts. The additional one shall be laid off from part of Election District 3.
- Sec. 3: Five commissioners are named in this act to establish the boundaries of the new election district and select a polling place. By the third Monday in April the description and selection shall be filed with the county court clerk for recording.

### **Acts of 1830, Ch. 35**

An act to increase districts, passed 1-29-1831, [not confirmed]

- Sec. 2: FR shall be divided into twelve election districts. The additional one shall be laid off from parts of Election Districts 6 and 7.

### **Acts of 1831, Ch. 112**

An act to increase districts, passed 2-16-1832, confirmed by Acts of 1832, Ch. 165

- Sec. 2: FR shall be divided into fourteen election districts, one from Election District 3 so as to include Jefferson which shall be the polling place, and one from Election Districts 6 and 7.
- Sec. 4: The one from Election Districts 6 and 7 shall be Election District 13.
- Sec. 5: The other one shall be Election District 14.

### **Acts of 1832, Ch. 165**

An act to increase districts, passed 3-13-1833

- Sec. 2: Six commissioners are named in this act to establish Election District 13 in FR and select the polling place.
- Sec. 3: Six commissioners are named in this act to establish Election District 14.
- Sec. 5: By the second Monday in May the descriptions and selection shall be filed with the county court clerk for recording.

### **Acts of 1834, Ch. 27**

An act supplemental to Acts of 1831, Ch. 112 and 1832, Ch. 365, re Election District 13, passed 1-24-

1835

- Sec. 1: Five commissioners are named in this act to establish Election District 13 in FR from parts of Election Districts 6 and 7 and select the polling place.
- Sec. 4: By the second Monday in May the plat, descriptions, and selection shall be filed with the county court clerk for recording.

### **Acts of 1835, Ch. 256**

An act to establish CR, passed 2-25-1836, confirmed by Acts of 1836, Ch. 19

- Sec. 1: CR shall be established out of parts of BA and FR. Boundary description given in this act.
- Sec. 6: CR shall have nine election districts, and their boundaries as well as those in BA and FR shall be established after confirmation of this act.

### **Acts of 1836, Ch. 91**

An act re boundaries, passed 3-3-1837

- Sec. 1: The boundaries of the following election districts in FR shall remain the same as before the creation of CR: Buckeys Town Election District 1, Frederick Election District 2, Middletown Election District 3, Creagers Town Election District 4, Emmitsburg Election District 5, Hauvers Election District 10, Woodsboro Election District 11, Petersville Election District 12, and Jefferson Election District 14.
- Sec. 2: The boundaries of Liberty Election District 8 and New Market Election District 9 shall remain the same as before the creation of CR except for those parts placed in the new county.

### **Acts of 1843, Ch. 323**

An act to increase districts, passed 3-9-1844

- Sec. 1: Three commissioners are named in this act to establish a new election district in FR from parts of the Creagerstown and Frederick Election Districts and select a polling place. By the third Monday in June the description and selection shall be filed with the county court clerk for recording.

### **Acts of 1847, Ch. 52**

An act to increase districts, passed 2-3-1848

- Sec. 1: Three commissioners are named in this act to establish a new election district in FR from parts of the Hauvers and Middletown Election Districts and select a polling place. By the third Monday in June the description and selection shall be filed with the county court clerk for recording.

### **Acts of 1847, Ch. 147**

## An act to increase districts, passed 2-28-1848

- Sec. 1: Three commissioners are named in this act to establish a new election district in FR from parts of the Buckeystown and New Market Election Districts and select a polling place. By the third Monday in June the description and selection shall be filed with the county court clerk for recording.

## Acts of 1852, Ch. 100

### An act to increase districts, passed 4-19-1852

- Sec. 1: Three commissioners are named in this act to establish a new election district in FR from parts of Election Districts 8, 9, and 11 and select a polling place.
- Sec. 2: The boundaries shall be as follows: beginning near the dwelling house of Jacob Harness on the road from Liberty Town, then to Biggs Ford on the Monocacy River, then down the river to beginning. By the first Monday in August the description and number of the district shall be filed with the circuit court clerk for recording. The polling place shall be in Mount Pleasant.

## Acts of 1852, Ch. 261

### An act to increase districts, passed 5-25-1852

- Sec. 1: Three commissioners are named in this act to establish Jackson Election District 16 in FR from parts of Catoctin and Middletown Election Districts and select a polling place. By the third Monday in June the description and selection shall be filed with the circuit court clerk for recording.
- Sec. 2: The boundaries shall be as follows: beginning at the Frederick Election District line above George Blessing, then to Catoctin Creek at the crossing of the road between Smithburg and Frederick, excluding the Blessing dwelling, then to the bridge lately built across the branch coming from Palmers mill on the road between old Hagerstown Road and Wolfville, then to the WA line above Jacob Renner, then with the county line to the turnpike between Frederick and Hagerstown, then to Shoemakers Schoolhouse, then to Koogles Schoolhouse, then to the road between Bealsville and Middletown at Kinneys mill, then to the Frederick District line above George W. Summers, then with the district line to beginning.

## Acts of 1852, Ch. 279

### An act to increase districts, passed 5-27-1852

- Sec. 1: Three commissioners are named in this act to establish a new election district in FR from parts of the Creagerstown, Emmittsburg, and Hauvers election districts and select a polling place. The boundaries shall be as follows: beginning at the summit of Catoctin Mountain near the furnace, then to a point near the blacksmith shop of Michael Zimmerman, then with the public road to the land of Thomas Metcalfe, then to the house of John R. Boller to include his house and village of Graceham, then with the public road from Mechanicstown to the Emmittsburg

crossroads, then with Emmittsburg Road to Beaver Dam Branch, then to north of the house of John A. Martin, then north to the house of William Boiler, then with Emmittsburg Road that goes to Wolfs tavern to the crossroads from Mechanicstown to Sabillesville, then to the Harman farm, then with the south side of the road to the new cut road near Gatt farm, then to beginning. By the third Monday in July the description and number of the district and selection of the polling place shall be filed with the circuit court clerk for recording.

### **Acts of 1854, Ch. 143**

An act to increase districts, passed 3-9-1854

- Sec. 1: Three commissioners are named in this act to establish a new election district in FR from parts of Election Districts 8 and 11 and select a polling place.
- Sec. 2: The boundaries shall be as follows: beginning at or near the stone bridge over Pipe Creek near Diffendall Mill, then to a point at or near Ladiesburg, then to Hill Schoolhouse, then to a point at or near Copper Mine Schoolhouse, then with Copper Mine Road to a point at or near the farm of Nicholas Norris, then to Sams Creek at the CR line, then with the county line to beginning. By the first Monday in November the description and number of the district and selection of the polling place shall be filed with the circuit court clerk for recording. The polling place shall be in Johnsville.

### **Acts of 1856, Ch. 168**

An act to create precincts, passed 3-8-1856

- Sec. 1: FR Board of County Commissioners is authorized to divide Election District 2 into two precincts. The boundaries shall be as follows: beginning at the Frederick and Woodsborough Turnpike Bridge, then with the turnpike to Frederick, then with Market Street and the turnpike to Monocacy Bridge on Georgetown Turnpike.
- Sec. 2: County commissioners shall select a polling place in each precinct.

### **Acts of 1860, Ch. 332**

An act to change boundary lines, passed 3-10-1860

- Sec. 1: Jefferson Election District in FR shall extended to include parts of the Frederick and Buckeystown Election Districts. The boundaries for the extended portion shall be as follows: beginning at the top of Catoctin Mountain between the lands of William Hershberger and Henry Culler at the county road, then with the road to Frederick and Harpers Ferry Ridge Road at Mrs. Stockman, then with the division line between the lands of William Smith and William Hargate, then with the division line between the lands of John Snider and Daniel Snider, then with the division line between the lands of Jacob Remsburg and Hamilton Gilbert, then to the branch at Georgetown Road, then with the road at the foot at the mountain to Trammelstown Road, then up the road to the top of the mountain.

## **Acts of 1861, Ch. 74**

An act to increase precincts, passed 6-25-1861

- Sec. 1: The western precinct of Election District 2 in FR shall be divided into two precincts. The boundaries shall be as follows: beginning at Monocacy Bridge on Georgetown Turnpike, then with Market Street through Frederick to Second Street, then with the street to Bentz Street, then north with the street to Fourth Street, then with the new cut or High Knob Road to the west line of District 2.
- Sec. 2: The county commissioners shall select a polling place in Frederick for the area west and south of the above line. The polling place for the area east and north of the line shall be at Primary School 71 on N. Market Street.

## **Acts of 1862, Ch. 53**

An act to repeal Acts of 1861, Ch. 74, re precincts in FR, passed 2-1-1862

- Sec. 1: FR Board of County Commissioners shall divide Frederick Election District 2 into two precincts. The boundaries shall be as follows: beginning on the Monocacy River at Carrolls Creek, then with the road leading into Frederick to Second Street, then west with the street to Bentz Street, then to the turnpike between Frederick and Hagerstown, then with the turnpike to the top of Catoctin Mountain at the west line of District 2.
- Sec. 2: Precinct 1 shall encompass the area south and east of the line, and Precinct 2 the area north and west of the line. The polling place for both shall be at the courthouse.
- Sec. 3: The county commissioners shall have the boundaries surveyed.
- Sec. 4: Acts of 1861, Ch. 74 is repealed.

## **Acts of 1862, Ch. 149**

An act to add a section to Art. 11, Public Local Laws, re polling places in FR, passed 3-4-1862

- Sec. 346: The polling place for Election District 10 in FR shall be at Smithfield Schoolhouse of school district 2.

## **Acts of 1872, Ch. 179**

An act to increase districts, approved 4-1-1872

- Sec. 1: Woodville Election District 18 in FR shall be established out of parts of Liberty Election District 8 and and New Market Election District 9.
- Sec. 2: The boundaries shall be as follows: beginning at the intersection of Buffalo Road and Tabots Branch, then with the branch to the crossing of Unionville and Linganore Road, then with the road to old Annapolis Road, then with the road to New Market Road, then with the road to Forrest Grove Schoolhouse, then to reservoir thirteen on the B & O Railroad, then to the tobacco house, formerly owned by Brook Buckstone, on Kemptown Road, then with the road to Penn shop on Buffalo Road, then with the road to the beginning.

- Sec. 3: The polling place shall be in Woodville.

## **Acts of 1872, Ch. 204**

An act to increase precincts, approved 4-1-1872

- Sec. 1: Election District 2 in FR shall be divided into four precincts.
- Sec. 2: The boundaries of Precinct 1 shall be as follows: beginning at the crossing of Georgetown Turnpike over the Monocacy River, then north with the turnpike to Frederick, then with Market Street to Patrick Street, then with the street and Frederick and Boonsboro Turnpike to the line of Election District 2, then south with the district line to the southwest corner of the district, then with the division line between Districts 1 and 2 to the Monocacy River, then with the river to beginning. The polling place shall be at or near United Fire Company Engine House in Frederick.
- Sec. 3: The boundaries of Precinct 2 shall be as follows: beginning at the crossing of Georgetown Turnpike over the Monocacy River, then north with the turnpike, then with Market Street to Second Street, then east with the street to Frederick and Monocacy Turnpike, then with the turnpike to the Monocacy River, then with the river to beginning. The polling place shall be at or near the market house in Frederick.
- Sec. 4: The boundaries of Precinct 3 shall be as follows: beginning at the intersection of Market and Patrick Streets in Frederick, then west with the latter street and Frederick and Boonsboro Turnpike to the line of Election District 2, then with the division line between Districts 2, 3, and 16 to the road between Frederick and Hamburg, then with the road to Frederick, then east with Seventh Street to Market Street, then south with the street to beginning. The polling place shall be at the courthouse.
- Sec. 5: The boundaries of Precinct 4 shall be as follows: beginning at the intersection of Market and Second Streets in Frederick, then north with the former street to Seventh Street, then west with the street to the road between Frederick and Hamburg, then with the road to the line of Election District 2, then north with the line to the northwest corner of the district, then with the north line of the district to the Monocacy River, then with the river to Frederick and Monocacy Turnpike, then west with the turnpike to Second Street, then west with the street to beginning. The polling place shall be at or near Primary School 9 in Frederick.
- Sec. 8: Acts of 1862, Ch. 53, re precincts in Election District 2, is repealed.

## **Acts of 1878, Ch. 179**

An act to increase districts, approved 3-29-1878

- Sec. 1: Linganore Election District 19 in FR shall be established out of part of Liberty District 8.
- Sec. 2: The boundaries shall be as follows: beginning at the intersection of Coppermine Road and Johnsville Election District line, then south to the spring house of Henry Carter, then with the spring branch to New Liberty Road, then south to the bend in the public road west of the dwelling house of William H. Baker, then with the road to the Woodville Election District line, then with the district line to the CR line, then with the county line to the Johnsville Election District line, then with the district line to beginning.
- Sec. 3: The polling place shall be in Unionville.



### **Acts of 1878, Ch. 250**

An act to increase districts, approved 4-5-1878

- Sec. 1: Lewistown Election District 20 in FR shall be established out of parts of Frederick Election District 2 and Creagerstown Election District 4.
- Sec. 2: The boundaries shall be as follows: beginning at the southwest corner of the Mechanicstown Election District line, then northeast with the line to the crossing of the road from Eicholtz mills to Lewistown near the dwelling house of A.G.P. Wiles, then southeast to the Woodsborough Election District line on the Monocacy River at the north corner of the dwelling house of George L. Devilbiss, then south with the district line to Biggs Ford on the river, then northwest to the north corner of Bethel Church, then northwest to the Catoclin Election District line at Hamburg Road, then north with the district line to beginning.
- Sec. 3: The polling place shall be in Lewistown.

### **Acts of 1884, Ch. 149**

An act to increase districts, approved 3-31-1884

- Sec. 1: Tuscarora Election District 21 in FR shall be established out of part of Frederick Election District 2.
- Sec. 2: The boundaries shall be as follows: beginning at the northeast corner of Frederick Election District 2, then with the west line of the district to Shookstown Road, then with the road to the county road leading by the artesian wells, then to the southeast corner of the dwelling house of Edward Kemp, then to the bridge over the creek at Aubert fording on Rocky Spring Road, then to the county road leading past Charles T.F. Howard to Parson, formerly Getzendanner, mill, then with the road to the mouth of the lane to Frederick and Emmittsburg Turnpike, then to the Lewistown Election District line at the county road leading by and from D. Lunday lime kilns to Frederick and Emmittsburg Turnpike, then northwest with the division line between Election Districts 2 and 20 to the beginning on Catoclin Mountain.
- Sec. 3: The polling place shall be in Brookville.

### **Acts of 1888, Ch. 217**

An act to add a section to Art. 11, Public Local Laws, re districts in FR, approved 3-31-1888

- Sec. 49A: FR Board of County Commissioners shall have the authority to create new election districts, change boundary lines, and designate polling places. No new election district shall be established under this act except by petition from at least 150 registered voters within the proposed district. In addition, the new and old districts must contain a minimum of 300 register voters.

### **Acts of 1894, Ch. 78**

An act to add sections to Art. 11, Public Local Laws, re precincts in FR, approved 3-8-1894

- Sec. 106A: Election District 12 in FR shall be divided into two precincts. Precinct 1 shall include the area outside the corporate limits of Brunswick. Precinct 2 shall include the area within the corporate limits of Brunswick. The county commissioners shall select the polling places.

### **Acts of 1896, Ch. 401**

An act to increase districts, approved 4-4-1896

- Sec. 1: Burkittsville Election District 22 in FR shall be established out of parts of Middletown Election District 3 and Petersville Election District 12.
- Sec. 2: The boundaries shall be as follows: beginning at the WA line at White Rock on South Mountain, then southeast through the intersection of Middletown and Petersville and Mill Roads to Catoctin Creek, then south to where Broad Run Creek enters Catoctin Creek, then up Broad Run Creek to the entrance of a branch from Harley or Boone Pond, then with the branch to where it crosses the road from Burkittsville to Petersville, then with the road to Gouveneur Road, then west with the road across Burkittsville and Knoxville Road to the top of South Mountain at the county line, then with the mountain and county line to beginning.
- Sec. 3: The polling place shall be in Burkittsville.

### **Acts of 1898, Ch. 155**

An act to increase districts, approved 4-7-1898

- Sec. 1: Braddock Election District 24 in FR shall be established out of part of Frederick Election District 2.
- Sec. 2: The boundaries shall be as follows: beginning on Catoctin Mountain where the lines of Election Districts 2, 3, and 14 intersect, then east with the line of Ballenger Election District 23 to the southeast corner of the Mount Philip farm house, then northeast with the line of District 23 to the southeast corner of the dwelling house of Frederick Oland, then north with Oland Road to Butterfly Lane Road, then northeast to Baltimore and Fredericktown Turnpike at the entrance of a private lane to the premises of W.W. Mines, then north with the lane to a point 100 yards northeast of the Mines residence, then north to the south line of Election District 21, then west with the district line to the division line between Election Districts 2 and 3, then with the district line to beginning.
- Sec. 3: The polling place shall be in Braddock.

### **Acts of 1898, Ch. 203**

An act to increase districts, approved 4-7-1898

- Sec. 1: Ballenger Election District 23 in FR shall be established out of parts of Buckeystown Election District 1, Frederick Election District 2, and Jefferson Election District 14.
- Sec. 2: The boundaries shall be as follows: beginning on Catoctin Mountain where the lines of Election Districts 2, 3, and 14 intersect, then east with the line of Braddock Election District 24 to the southeast corner of the Mount Philip farm house, then northeast with the line of District 24 to

the southeast corner of the dwelling house of Frederick Oland, then north with Oland Road to Butterfly Lane Road, then with the latter road to Frederick and Jefferson Turnpike near the first toll gate from Frederick, then northeast with the road to Frederick and Ballenger Creek Turnpike, then with the turnpike and Point of Rocks Road to the road from Point of Rocks to Red Hill Schoolhouse Road, then continuing with the road to Frederick and Jefferson Turnpike near the second toll gate on the summit of Catoctin Mountain, then north with the summit through District 14 to the division line between that district and District 2 to beginning.

- Sec. 3: The polling place shall be in Feagaville.

### **Acts of 1898, Ch. 230**

An act to add sections to Art. 11, Public Local Laws, re precincts in FR, approved 4-7-1898

- Sec. 106D: Emmittsburg Election District 5 in FR shall be divided into two precincts. The boundaries shall be as follows: beginning at the intersection of the PA line and the public road between Emmittsburg and Gettysburg, then south with the road to the public square in Emmittsburg, then south with Emmittsburg and Frederick Turnpike to the first toll gate, then with Emmittsburg and Creagerstown Road to the south line of Election District 5. The area west of the line shall be Precinct 1, and the area east Precinct 2.

### **Acts of 1904, Ch. 85**

An act to increase districts, approved 3-15-1904

- Sec. 1: Brunswick Election District 25 in FR shall be established out of Precinct 2 of Election District 12.
- Sec. 2: The boundaries shall be the corporate limits of the town of Brunswick and the limits of Precinct 2 of Election District 12 as established by Acts of 1894, Ch. 78.
- Sec. 3: The polling place shall be at Brunswick.

### **Acts of 1904, Ch. 596**

An act to increase districts, approved 4-12-1904

- Sec. 1: Walkersville Election District in FR shall be established out of parts of Woodsborough Election District 11 and Mount Pleasant Election District 13.
- Sec. 2: The boundaries shall be as follows: beginning at Links Fort on the Monocacy River, then with the east bank of the river to Ceresville Bridge on Frederick and Woodsborough Turnpike, then with the road to Frederick and Libertytown Turnpike, then with the road to the covered Creamer Bridge over Israels Creek, then with the west bank of the creek to Johnsons Lane Road, then with the road to Ridge Road leading from Morgans mill to Mount Pleasant, then to the intersection of Dutrow Road and Water Street Road, then with Dutrow road to Middle Road, then with the division line between Election Districts 8 and 13 to the southeast corner of the land of James Boone, then with the line of District 11 to Bostian Mill Road near the residence of Charles Nolley, then with the road to Smiths Schoolhouse on Frederick and Woodsborough Turnpike,

then to beginning.

- Sec. 3: The polling place shall be at Walkersville.

## **Acts of 1910, Ch. 646**

An act to establish precincts, approved 4-11-1910

- Sec. 1: Hauvers Election District 10 in FR shall be divided into two precincts.
- Sec. 2: The boundaries shall be as follows: beginning near Mount Zion Church on the WA line, then with the public road between the church and Deerfield to the public road between Foxville and Deerfield just east of the house of Joseph B. Lantz, then east and just south of the house of John H. Ambrose to the division line between Hauvers and Mechanicstown Election Districts just north of the house of John Warner.
- Sec. 3: The area north of the line shall be Precinct 1, and the area south Precinct 2.
- Sec. 4: The polling place for Precinct 1 shall be at Sabillasville, and for Precinct 2 at Foxville.

## **Acts of 1922, Ch. 222**

An act to change district names, approved 4-13-1922

- Sec. 1: The name of Mechanicstown Election District 15 in FR shall be changed to Thurmont.

## **Acts of 1955, Ch. 206**

An act add a section to Art. 11, Public Local Laws, re boundaries in FR, approved 4-1-1955, effective 6-1-1955

- Sec. 146A (a): The boundaries of Braddock Election District 24 in FR shall be changed to the following: beginning on the boundary line of Election Districts 3 and 14 on the west side of Catoctin Mountain 1500 feet west of the intersection of the lines of those districts and District 24, then south paralleling Jefferson Boulevard to Teen Barnes Road, then east with the road 3000 feet, then north paralleling the boulevard to the current line of District 24, then east with the division line between Districts 23 and 24 to the southeast corner of the Mt. Phillip farm house, then northeast still with the district line to the southeast corner of the dwelling house on the land of George B. Humberson, formerly owned by Frederick Oland, then north with the road from the land to Butterfly Lane, then northeast to Alternate Rt. 40 at the entrance to a private road to the Waverly Farm, then north with the road to 100 yards northeast of the main dwelling on the farm, then north to the south line of District 21, then west with the division line between Districts 21 and 24 to the division line between Districts 3 and 24, then to the intersection of Ridge Road and Rt. 40, then west with Rt. 40 1500 feet, then south parallel to and west of Ridge Road, Maryland Avenue, and Jefferson Boulevard 1500 feet to beginning.
- Sec. 146A (b): The boundaries of Ballenger Election District 23 shall remain unchanged except that a small part of the northwest corner of the district is annexed to District 24.
- Sec. 146A (c): The boundaries of Jefferson Election District 14 shall remain unchanged except that a small part of the northeast corner of the district is annexed to District 24.

- Sec. 146A (d): The boundaries of Middletown Election District 3 shall remain unchanged except that the east part of the district is annexed to District 24.

## Acts of 1970, Ch. 654

An act add sections to Art. 11, Public Local Laws, re boundaries in FR, approved 5-5-1970, effective 6-1-1970

- Sec. 7-2: The boundaries of Frederick Election District 2 in FR shall be changed to the following: beginning on the north side of West Seventh Street on the north extension 10 feet west of Military Road, then S44°1'6"W2984.06ft, then N24°41'54"W1197.25ft at the H & F Railroad and 78.1 feet southeast of the main entrance of Montevue, then with West Fourth Street for five courses N24°41'54"W1468.81ft, N20°18'33"W849.21ft, 1170.88ft along the arc of a curve to the right with a radius of 1356.81ft and chord of N4°24'47"E1134.89ft, N29°8'7"E491.65ft, 2378.28ft along the arc of a curve to the left with a radius of 4623.66ft and chord of N14°23'58"E2352.15ft to a corner of Lots 4 and 5 of West Hills shown in Plat Book 3, p. 182, then to exclude the property on plat 3A of West Hills shown in Plat Book 5, p. 81, for eight courses N83°32'43"W855.56ft, N6°27'17"E200ft, N83°32'43"W385.43ft, N6°27'17"E50ft, 639.94ft along the arc of a curve to the left with a radius of 3443.66ft and chord of N12°9'47"W639.06ft, N23°43"W50ft, N66°59'17"E57.27ft, N23°43"W200ft to a line of the land of Alden R. Fisher, then with the land for four courses S66°59'17"W441.91ft, N45°39'W643.5ft, S71°17'W1105.5ft to the land of Linwood T. Offutt, then with the land for three courses S13°32'48"E459.1ft, N88°10'6"W1794.6ft, S5°54'45"W319.5ft to the northeast corner of the land of Clarence W. Lantz, then with the east line S34°12'W698ft to Rocky Springs Road, then with the road N43°28'W247ft, then with Kemp Lane for seven courses S38°37'22"W951.73ft, S9°2'W893.75ft, S3°45'W2234ft to a corner of Fort Detrick, then with the land for two courses S77°W1160ft, S19°29'25"W893.24ft to the northwest corner of the Detrick land, S71°54'48"W384ft, S43°12'30"W341.3ft to the intersection of Kemp Lane and Shookstown Road, then with the road S44°30'E86ft, then with Bowers Road S42°42'30"W567.9ft to the northeast corner of the land of Richard L. Latterell, then with the land for three courses S48°56'20"E960ft to a corner of the land of Josephus L. Reeder recently conveyed to Lucy P. Warfield et al, then with the land for fourteen courses S47°15'40"W544.25ft, N52°3'45"W854.8ft, S64°2'15"W26.82ft, S13°3'15"W332ft, N83°51'45"W402.9ft, S9°21'W229.6ft, S51°8'W499.5ft, S43°24'30"W180ft, S10°10'W50.6ft, S16°15'W173ft, S37°W631.8ft, N73°15'W210ft to Rock Creek Drive, then with the drive for two courses S37°W340ft, S64°55'15"W147.5ft to Rt. 40, then with the road for three courses S55°7'5"E2887.14ft, 789.59ft along the arc of a curve to the left with a radius of 2750.35ft and chord of S63°20'33"E786.88ft, S80°30'5"E730.91ft, S8°5'E1150.47ft to the end of the fourth line in a deed in Land Records 366, p. 576, then with the deed lines in reverse for four courses S9°50'E339.57ft, S65°10'W91.57ft, S68°55'W551.93ft, S69°10'W937.2ft to a line of the land of Raymond E. Sikes et al, then with the land for eight courses N47°8'W594ft, N51°16'W478.5ft, N68°50'W396ft, N69°20'W212.9ft, S57°37'W323.12ft, S29°7'W450.94ft, S25°25'W200ft, S64°35'E2279.73ft, S36°40'14"W209.86ft to Butterfly Lane at the southwest corner of the Hillcrest Orchard land, then with the lane for seven courses S67°44'46"E254.75ft, 364.73ft along the arc of a curve to the left with a radius of 1742.95ft and chord of

S73°34'36"E354.12ft, S79°24'26"E1340ft, 603.87ft along the arc of a curve to the right with a radius of 3100 and chord of S73°49'36"E602.92ft, S69°14'46"E641.15ft, S63°40'32"E553.39ft to the southwest corner of the land of Charles I. Wiles, S54°49'48"E3000.03ft to a corner of the land of St. Johns School, N72°42'30"E1197.6ft to a line of the King Farm, S9°36'30"W with Ballenger Creek Road to its north branch, then with the creek to the Monocacy River, then up the river to south of Biggs Ford Road at the current north line of District 2, then with the line to Fort Detrick, then east and south with Detrick to beginning.

- Sec. 7-21: The boundaries of Tuscarora Election District 21 shall remain the same, except for a small part in the southeast corner that is annexed to Election District 2.
- Sec. 7-24: The boundaries of Braddock Election District 24 shall remain the same, except for a small part in the east corner that is annexed to Election District 2.

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## Election Districts - GA

### Acts of 1872, Ch. 212

An act re establishment of GA, approved 4-1-1872

- Sec. 11: Persons are named in this act to take a census in AL Election Districts 1-3, 10-11, and 14-15 and parts of Election Districts 4-5 and 16. Their returns shall be filed with the GA Circuit Court clerk for recording in the land records.

### Acts of 1874, Ch. 369

An act to rearrange and renumber districts, approved 4-11-1874

- Sec. 1: Old Election District 1 in AL shall be Election District 1 in GA.
- Sec. 2: Old Election District 2 in AL shall be Election District 2 in GA.
- Sec. 3: Old Election District 3 in AL shall be Election District 3 in GA.
- Sec. 4: Those parts of old Election Districts 4 and 16 in AL now in GA shall be Election District 4.
- Sec. 5: Those parts of old Election Districts 5 and 12 in AL now in GA shall be Election District 9.
- Sec. 6: Old Election Districts 11, 14, 15, and 10 in AL shall be Election Districts 5, 6, 7, and 8 in GA respectively.

### Acts of 1876, Ch. 7

An act to change boundaries, approved 2-4-1876

- Sec. 1: The boundaries between Election Districts 2 and 5 in GA shall be changed to the following: beginning at or near the summit of Winding Ridge at the Mason Dixon Line, then with the summit to Bear Creek at the current division line between the districts, then with the line as now located.
- Sec. 2: The area south and east of this line shall be annexed to Election District 5. The polling

places shall remain unchanged with Selbysport for Election District 2 and Accident for Election District 5.

### **Acts of 1876, Ch. 51**

An act to change boundaries, approved 3-9-1876

- Sec. 1: The boundaries between Election Districts 3 and 5 in GA shall be changed to the following: beginning at the intersection of Morgantown Road and National Road, then southeast to Samuel Engle Mill Road at the top of Negro Mountain and the current division line between the districts, then with the line as now located. The area north and east of this line shall be annexed to Election District 3. The polling places shall remain unchanged with Grantsville for Election District 3 and Accident for Election District 5.

### **Acts of 1880, Ch. 309**

An act to change boundaries, approved 4-10-1880

- Sec. 1: The boundaries between Election Districts 3 and 5 in GA shall be changed to the following: beginning at the top of Negro Mountain at Samuel Engle Mill Road, then with the road to Westerman bridge over the Casselman River, then with the river to the division line between Districts 1 and 3.
- Sec. 2: The area west of this line shall be annexed to Election District 5. The polling places shall remain unchanged with Grantsville for Election District 3 and Accident for Election District 5.

### **Acts of 1882, Ch. 89**

An act to change boundaries, approved 3-21-1882

- Sec. 1: The boundaries between Election Districts 5 and 6 in GA shall be changed to the following: beginning at the head of the north fork of the Casselman River, then to Lynns Sugar Camp, then to the top of Negro Mountain at Grantsville and Oakland Road, then to the current division line between the districts near the west place.
- Sec. 2: The area within this line shall be annexed to Election District 5. The polling places shall remain unchanged with Accident for Election District 5 and Sang Run for Election District 6.

### **Acts of 1882, Ch. 143**

An act to increase districts and change boundaries and polling places, approved 3-30-1882

- Sec. 1: Election District 10 in GA shall be established from parts of Election Districts 1 and 7-8. Election District 11 shall be established from parts of Election Districts 3 and 4.
- Sec. 2: The boundaries of Election District 10 shall be as follows: beginning at the burnt schoolhouse on Hooppole Ridge in Election District 7, then with Broad Ford Run to its mouth and Ryans Glade Road, then with the road to the M.E. church in Ryans Glade in District 8, then with Altamont Road to the saw mill of John Davis on Laurel Run, then with the run to the North

Branch of the Potomac River, then with the branch to Kitzmillersville, then with Hamills line to beginning.

- Sec. 3: The boundaries between Election Districts 3 and 4 shall be changed to the following: beginning at the foot of Savage Mountain at the intersection of two county roads, then down the mountain to the head waters of mill run, then with the run to the AL line, then with the county line to the line of Election District 9, then with the district line to or near John Wilhelm at Little Savage. The boundaries of Election District 11 shall be as follows: beginning at the bridge across Little Savage near John Wilhelm, then with Barton and Lonaconing Road to Mrs. Hanson Brown on Pea Ridge, then with the road down and across the ridge to Henry Broadwater, Jr. at the head of Harton Hollow, then to William W. Broadwater, then across the head waters of Bear Pen Run, then with the run to the Savage River, then with the river to the old ford, then across the river with the public road to beginning.
- Sec. 4: The polling place for Election District 10 shall be at Deer Park, and for Election District 11 at the Elbow at the house of Joseph Warnick. The polling place for Election District 8 shall be moved from Fort Pendleton to Mrs. Thomas Grimes on Northwestern Glade. The polling place for Election District 1 shall be moved from Altamont to Swanton on the B & O Railroad.

### **Acts of 1884, Ch. 325**

An act to change boundaries, approved 4-8-1884

- Sec. 1: The boundaries between Election Districts 1 and 10 in GA shall be changed to the following: beginning at Kitzmillersville on the north branch of the Potomac River, then with the county road and the original line between the districts to Wilsons store on the B & O Railroad, then leaving the original district line and with the old road to Ingman farm, then with the road past Little England Schoolhouse to Deep Creek bridge at the original line between the districts.
- Sec. 3: The area between original line and the new one shall be annexed to Election District 10. The polling places shall remain unchanged, with Swanton for Election District 1 and Deer Park for Election District 10.

### **Acts of 1886, Ch. 208**

An act to increase districts, approved 4-7-1886

- Sec. 1: Election District 12 in GA shall be established from parts of Election Districts 1 and 10.
- Sec. 2: The boundaries shall be as follows: beginning at the North Branch of the Potomac River at the mouth of Lost Land Run, then north with the run to the top of Backbone Mountain, then with the mountain to Bloomington Road, then east with the road to Folly Run, then south with the run to its mouth at the North Branch, then west with the Potomac River to beginning.
- Sec. 3: The polling place shall be at Kitzmillersville.

### **Acts of 1886, Ch. 329**

An act to repeal and reenact Acts of 1882, Ch. 89, re boundaries, approved 4-7-1886



- Sec. 1: The boundaries between Election Districts 5 and 6 in GA shall revert to those that existed prior to the passage of Acts of 1882, Ch. 89.
- Sec. 2: This action will annex part of Election District 5 to Election District 6.

### **Acts of 1888, Ch. 4**

An act to repeal Acts of 1886, Ch. 208, re increased districts, approved 2-2-1888

- Sec. 1: Acts of 1886, Ch. 208, establishing Election District 12 in GA, is repealed.

### **Acts of 1890, Ch. 537**

An act to increase districts, approved 4-8-1890

- Sec. 1: Bittinger Election District 12 in GA shall be established from parts of Election Districts 1 and 3-5. The boundaries shall be as follows: beginning at the intersection of Ridge Road and Meadow Mountain Road at Mary Otto, then with the former road by way of Yommers mill to Grantsville Road at Benedict Beachey, then to the top of Negro Mountain by way of Bushes mill and the former place of John Spiker, then with the top of the mountain to the county road between John Harman and Accident, then with the road to the upper end of the Harman farm, then to the forks of Oakland and Swanton Road on the east side of the mountain by way of Jeremiah Burst, then to the head of the north branch of the middle fork at Buck Mason, then with the north fork to the mouth of Black Hawk at Stemples mill seat, then to the mouth of Monroes Run by way of Oharers mill, then to James Resh in the back woods, then to Horse Pond Run by way of Ashford Warnick at the old lumber camp near Perry Broadwater, then with the run to beginning.
- Sec. 2: The polling place shall be at Bittinger.

### **Acts of 1892, Ch. 336**

An act to change boundaries, approved 4-7-1892

- Sec. 1: The boundaries between Election Districts 3 and 12 in GA shall be changed to the following: beginning at the residence of James Madison Durst, then to the top of Meadow Mountain, then with the mountain to the residence of James Ross, then with the district line to the residence of Charles O. Warnick, then by way of Jacob Hoover to the county road near the farm of Benedict Beachey.
- Sec. 2: The area between the old division line and the new one shall be annexed to Election District 3. The polling places shall remain unchanged, with Grantsville for Election District 3 and Bittinger for Election District 12.

### **Acts of 1894, Ch. 600**

An act to change boundaries and establish precincts, approved 4-6-1894

- Sec. 1: GA Board of County Commissioners is authorized to change the boundary line between

Election Districts 1 and 10 so that District 1 shall have two precincts and District 10 one precinct. The polling place for Precinct 1 shall be the one now used for District 1. The polling place for Precinct 2 shall be at Kitzmillersville. The polling place for Election District 10 shall remain the same.

### **Acts of 1896, Ch. 394**

An act to establish precincts and polling places, approved 4-4-1896

- Sec. 1: Election District 7 in GA shall be divided into two precincts. Precinct 1 shall encompass the area east of Hooppole Road and east of Third Street in Oakland and Aurora Road, and the polling place shall be at the courthouse. Precinct 2 shall encompass the area west of Third Street in Oakland and Aurora Road, and the polling place shall be at the town council chamber.

### **Acts of 1898, Ch. 4**

An act to increase districts, approved 2-11-1898

- Sec. 1: Election District 14 in GA shall be established from part of Election District 7.
- Sec. 2: Election District 7 shall be comprised of the area east of Hooppole Road, Third Street in Oakland, and Aurora Road. Election District 14 shall be comprised of the area west of that line.
- Sec. 3: The election board shall select the polling places.

### **Acts of 1898, Ch. 36**

An act to increase districts, approved 3-14-1898

- Sec. 1: Election District 13 in GA shall be established from parts of Election Districts 1 and 10.
- Sec. 2: The boundaries shall be as follows: beginning at the mouth of Lost Land Run, then with the northeast branch to the run to Oakland and Bloomington Road on top of Backbone Mountain, then east with the road to Backbone Farm above Swanton, then south with Mount Zion Road to the mouth of Three Fork Run at Chaffee, then with the Potomac River to beginning.
- Sec. 3: The polling place shall be at Kitzmillersville.

### **Acts of 1900, Ch. 35**

An act to change boundaries, approved 3-13-1900

- Sec. 2: The boundaries of Election District 13 in GA shall be changed to the following: beginning at the mouth of Three Forks Run at Chaffee on the Potomac River, then west up the south prong of the run to Mud Bridge on Wilson and Kitzmiller Road, then with the road to the top of Backbone Mountain to the second line of the district, then with the district line to beginning.

### **Acts of 1908, Ch. 67**

An act re boundaries, approved 3-10-1908

No act has been passed defining the boundaries of all election districts in GA, the terms of Acts of 1874,

Ch. 369 being vague and unsatisfactory. Districts established since then have left the the boundaries of the other districts without adequate descriptions.

- Sec. 1: The boundaries of the fourteen election districts in GA shall be as defined in this act.
- Sec. 2: The boundaries of Swanton Election District 1 shall be as follows: beginning at the state line on the Potomac River opposite the mouth of Three Forks Run near Chaffee, then west up the south prong of the run to Mud Bridge on Wilson and Kitzmiller Road, then with the road across the top of Backbone Mountain to the Wilson store on the B & O Railroad, then to the head of Deep Creek, then down the creek to the mouth of Meadow Mountain Run, then up the run to its head, then to the head of the north branch of Middle Fork Run near Buckner Mason, then with the branch to the mouth of Black Hawk Run north of Tom Ridge, then down the Middle Fork Run to Crab Tree Creek, then S12°E to Thomas Dump on the B & O Railroad, then west with the railroad 140 perches to a point 16 perches west of the Frankville depot, then leaving the railroad and S20°E248 perches to four chestnut trees near the laurel thicket at McRobies Path, then west with Westernport and Clarksburg Road to Folly Run, then down the run to the state line, then with the Potomac River to beginning.
- Sec. 3: The boundaries of Selbysport Election District 2 shall be as follows: beginning at or near the summit of Winding Ridge at the Mason Dixon line, then southwest with the summit to Bear Creek, then to a spring along the county road at Elder, then to the Youghiogheny River at the mouth of White Rock Run, then west up the run to the state line, then north with the line to the Mason Dixon line, then east with the state line to beginning.
- Sec. 4: The boundaries of Grantsville Election District 3 shall be as follows: beginning at the bridge over the Savage River near the place of John Wilhelm, then with Barton and Lonaconing Road to the place of Mrs. Hanson Brown on Pea Ridge, then south on the ridge with Barton Road to Henry Broadwater, Jr. at the head of Harton Hollow, then across to William W. Broadwater, then across to the head waters of Bear Pen Run near the place of James Reshe in the Backwoods, then to Horse Pond or Poplar Run by way of the old lumber camp of Ashford Warnick near Perry Broadwater, then with the run to one of its springs at James Madison Dust, then to the top of Meadow Mountain, then with the mountain to the residence of James Ross, then to the residence of Charles O. Warwick, then by way of Jacob Hoover to the county road near the farm of Benedict Beachy, then to the top of Negro Mountain by Rushes mill and the former place of John Spiker to the county road between Bittinger and Engles Milles, then north to the forks of Morgantown Road and National Pike west of Keyser, then north to the Mason Dixon line, then east with the state line to a point north of Recknors tavern on National Pike, then south and around the tavern to Mud Lick Run, then down the run to the Savage River, then down the river to beginning.
- Sec. 5: The boundaries of Bloomington Election District 4 shall be as follows: beginning at the state line on the Potomac River opposite the mouth of Folly Run, then down the river to south of the mouth of the Savage River, then north to the mouth, then with the AL line to Mill Run, then up the run to the head of the west fork of the run, then to the old ford on the Savage River, then up the river to the mouth of Bear Pen Run, then up the run to its head near the place of James Reshe, then to the mouth of Black Hawk Run north of Tom Ridge, then down the Middle Fork River to Crab Tree Creek, then S12°E to Thomas Dump on the B & O Railroad, then west with

the railroad 140 perches to a point 16 perches west of the Frankville depot, then leaving the railroad and S20°E248 perches to four chestnut trees near the laurel thicket at McRobies Path, then west with Westernport and Clarksburg Road to Folly Run, then down the run to beginning.

- Sec. 6: The boundaries of Accident Election District 5 shall be as follows: beginning at or near the summit of Winding Ridge at the Mason Dixon line, then southwest with the summit to Bear Creek, then to a spring along the county road at Elder, then to the Youghiogheny River at the mouth of White Rock Run, then to the summit of Bishoffs Hill, then east to the forks of the county roads at the old West place, then east to the summit of Negro Mountain at the county road between John Harman and Accident, then north with the crest of the mountain to the county road between Bittinger and Engles Mills, then north to the forks of Morgantown Road and old National Pike west of Keyser, then north to the Mason Dixon line, then west with the state line to beginning.
- Sec. 7: The boundaries of Sang Run Election District 6 shall be as follows: beginning at mouth of White Rock Run on the Youghiogheny River, then to the summit of Bishoffs Hill, then east to the forks of the county roads at the old West place, then east to the summit of Negro Mountain at the county road between John Harman and Accident, then east with the road to the forks of the road between McHenry and John Harman, then to the head spring of Meadow Mountain Run on the east side of Meadow Mountain, then down the run to Deep Creek, then down the creek to its mouth on the Youghiogheny River, then up the river to the mouth of Muddy Creek, then up the creek to the mouth of Hoyes Run, then west up the run to the state line, then north with the state line to White Rock Run, then down the run to beginning.
- Sec. 8: The boundaries of East Oakland Election District 7 shall be as follows: beginning at the forks of West Union Road and Mason Road at Gortner, then north with the West Union and Oakland Road to Oakland, then with Third Street through the town to Hooppole Ridge Road, then with the road to Deep Creek, then up the creek to the state dam, then to Burnt Schoolhouse, then to the head spring of Broad Ford Run, then with the run to its mouth on the Little Youghiogheny River, then to Ryans Glade Road as formerly located east of Mountain Lake Park and Loch Linn, then with the road across Backbone Mountain at Kelso Gap to the summit, then southwest with the crest of the mountain to the old Moorefield Turnpike, then west with the outline of the turnpike to Mason Road, then with the road to beginning.
- Sec. 9: The boundaries of Ryans Glade Election District 8 shall be as follows: beginning on the state line at the Rhine Fork of the Youghiogheny River, then down the river to the mouth of Cherry Creek, then up the creek to the mouth of Bungeys Run, then up the run to old Moorefield Turnpike, then to the forks of West Union Road and Mason Road at Gortner, then with the latter to old Moorefield Road, then east with the road to the summit of Backbone Mountain, then northeast with the crest of the mountain to Ryans Glade Road, then with the road to the forks at the M.E. church, then with Altamont Road to the bridge over Laurel Run near the Davis mill, then down the run to the state line on the Potomac River near Schell, then up the river to its source, then north with the state line to beginning.
- Sec. 10: The boundaries of Johnson Election District 9 shall be as follows: beginning on the summit of Great Savage Mountain at the Mason Dixon line, then with the AL line to Wrights Run, then up the run by its west fork to its head, then crossing Savage Mountain to the bridge over the Savage River near the place of John Wilhelm, then up the river to the mouth of Mudlick

Run, then up the run to a point from which a line drawn north will pass west of the former Recknor tavern on old National Pike, then north to the Mason Dixon line, then east with the state line to beginning.

- Sec. 11: The boundaries of Deer Park Election District 10 shall be as follows: beginning at the state dam across Deep Creek east of Shaysville, then to Burnt Schoolhouse, then to the head spring of Broad Ford Run, then with the run to its mouth on the Little Youghiogheny River, then to Ryans Glade Road as formerly located east of Mountain Lake Park and Loch Linn, then with the road across Backbone Mountain at Kelso Gap to the M.E. church in Ryans Glade at the forks of Ryans Glade and Altamont Roads, then with the latter road to the bridge over Laurel Run near the Davis mill, then down the run to the state line on the Potomac River near Schell, then down the river to opposite the mouth of Lost land Run, then up the north prong of the run to the summit of Backbone Mountain, then northeast with the crest of the mountain to the county road between Kitzmillerville and Wilsons store, then with the road to Wilsons store on the B & O Railroad, then to the head of Deep Creek, then down the creek to beginning.
- Sec. 12: The boundaries of Elbos Election District 11 shall be as follows: beginning on Mill Run at the AL line, then with the county line to Wrights Run, then up the run by its west fork to its head, then crossing Savage Mountain to the bridge over the Savage River near the place of John Wilhelm, then with Barton and Lonaconing Road to the place of Mrs. Hanson Brown on Pea Ridge, then south on the ridge with Barton Road to Henry Broadwater, Jr. at the head of Harton Hollow, then across to William W. Broadwater, then across to the head waters of Bear Pen Run near the place of James Reshe, then down the run to the Savage River, then down the river to the old ford, then to the head of the west fork of Mill Run, then with the run to beginning.
- Sec. 13: The boundaries of Bittinger Election District 12 shall be as follows: beginning at the head of Bear Pen Run near the place of James Reshe in the Backwoods, then to Horse Pond or Poplar Run by way of Ashford Warnick at the old lumber camp near Perry Broadwater, then with the run to one of its springs at James Madison Dust, then to the top of Meadow Mountain, then with the mountain to the residence of James Ross, then to the residence of Charles O. Warnick, by way of Jacob Hoover to the county road near the farm of Benedict Beachy, then to the top of Negro Mountain by Rushes mill and the former place of John Spiker, then south with the top of the mountain to the county road between John Harman and Accident, then east with the road to the forks of the road between John Harman and McHenry, then to the head spring of Meadow Mountain Run on the east side of Meadow Mountain, then to the head of the north branch of Middle Fork near Buckner Mason, then with the fork to the mouth of Black Hawk Run, then to beginning.
- Sec. 14: The boundaries of Kitzmillerville Election District 13 shall be as follows: beginning on the state line on the Potomac River opposite the mouth of Three Forks Run near Chaffee, then west up the south prong of the run to Mud Bridge on Wilson and Kitzmiller Road, then with the road across the top of Backbone Mountain, then southwest with the crest of the mountain to the northeast branch of Lost Land Run, then with the run to its mouth and the state line, then with the Potomac River to beginning.
- Sec. 15: The boundaries of West Oakland Election District 14 shall be as follows: beginning on the state line at the Rhine Fork of the Youghiogheny River, then down the river to the mouth of Cherry Creek, then up the creek to the mouth of Bungeys Run, then up the run to old Moorefield

Turnpike, then to the forks of West Union and Mason Roads at Gorner, then north with the West Union and Oakland Road to Oakland, then with Third Street through the town to Hooppole Ridge Road, then with the road to Deep Creek, then with the creek to its mouth at the Youghiogheny River, then up the river to the mouth of Muddy Creek, then up the creek to the mouth of Hoyes Run, then west up the run to the state line, then south with the state line to beginning.

### **Acts of 1912, Ch. 481**

An act to establish precincts, approved 4-8-1912

- Sec. 1: Election District 8 in GA shall be divided into two precincts. Precinct 1 shall encompass the area east of the summit of Backbone Mountain to the line of Election District 7, and the polling place shall be at Hoyer Place, the current polling place for the entire district. Precinct 2 shall encompass the areas west of the line, and the polling place shall be at Red House.

### **Acts of 1914, Ch. 282**

An act to amend Sec. 1 of Acts of 1912, Ch. 481, re precincts, approved 4-4-1914

- Sec. 1: Election District 8 in GA shall be divided into two precincts. Precinct 1 shall encompass the following area east of the summit of Backbone Mountain: beginning at the line of Election District 7 on the north, then to Laurel Run and the north prong of the run from its mouth below Dobbin, then up the run and prong to its source, then north to the summit of Backbone Mountain, then north to beginning. Precinct 2 shall encompass the following area west of the summit of Backbone Mountain: beginning at the line of Election District 7, then to the state line, then south with the state line to the Potomac River, then down the river to the mouth of Laurel Run below Dobbin, then up the run and the north prong to its source, then north to the summit of Backbone Mountain, then with the summit to beginning. The polling place for Precinct 1 shall be at Hoyer Place, the former polling place for the entire district, and for Precinct 2 at Red House.
- Sec. 2: This boundary change annexes part of Precinct 1 into Precinct 2.

### **Acts of 1922, Ch. 19**

An act to increase districts, approved 3-1-1922, effective 6-1-1922

- Sec. 1: Avilton Election District 15 in GA shall be established from Election Districts 3, 9, and 11.
- Sec. 2: The boundaries shall be as follows: beginning at the forks of the road at Lewis Warnick on Lower New Germany Road, then with the road by way of the Dorsey place to National Pike, then with the pike to the line of Election District 9, then to Callahan Road and Frostburg Road, then east to Big Savage Mountain, then with the top of the mountain to Lonaconing Road, then to the mouth of Little Savage River, then to beginning.
- Sec. 3: The election board shall select the polling place.

### **Acts of 1922, Ch. 269**

An act to repeal and reenact Sec. 127 of Art. 33, re precincts, approved 4-13-1922, effective 6-1-1922  
Voters in GA face hardships getting to polling places because of the mountains and bad roads.

- Sec. 127: County election boards shall have the authority to establish precincts and change their boundaries and polling places. Each precinct shall contain a minimum of 400 voters, except in GA.

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## **Election Districts - HA**

### **Acts of 1816, Ch. 36**

An act to change polling places, passed 1-2-1817

- Sec. 1: The polling place for Election District 1 in HA shall be changed to the house of George Cunningham in Abingdon.

### **Acts of 1821, Ch. 214**

An act to change polling places, passed 2-13-1822

- Election judges shall select a new polling place for Election District 2 in HA at Halls Crossroads.

### **Acts of 1822, Ch. 51**

An act to change polling places, passed 1-15-1823

- Sec. 1: The polling place for Election District 4 in HA shall be changed to a new house lately built by Samuel Marshall, 100 yards from the present polling place.

### **Acts of 1826, Ch. 41**

An act to change boundaries, passed 1-20-1827

- Sec. 1: The following part of Halls Crossroads Election District in HA shall be annexed to Bel Air Election District: beginning at the intersection of the original division line between the districts and the new road leading from Rock Run Bridge, then with the road to Quarry Run, then with the run to the original district line at Cox Mill, then with the district line to beginning.

### **Acts of 1830, Ch. 26**

An act to change boundaries, passed 1-23-1831

- The following parts of Election Districts 2 and 3 in HA shall be annexed to Election District 5: between Deer Creek and the road on the south side of the creek between the mill dam of William Wilson and tan yard of Joshua Husband to Priestford Bridge.

### **Acts of 1842, Ch. 139**

An act to increase polling places, passed 2-26-1843

- Sec. 1: An additional polling place shall be established in Election District 2 in HA. It shall be in Havre de Grace and be confined to the voters within the city limits.

### **Acts of 1876, Ch. 154**

An act re precincts in HA and TA, passed 3-25-1876

- Sec. 1: HA Board of County Commissioners and TA Board of County Commissioners are authorized to divide election districts into precincts and to select polling places.

### **Acts of 1884, Ch. 20**

An act to establish precincts, passed 3-4-1884

- Sec. 1: HA Board of County Commissioners is authorized to divide Election District 1 into two precincts. The polling places shall be at Abingdon and Magnolia.

### **Acts of 1898, Ch. 201**

An act to establish precincts, approved 4-7-1898

- Sec. 1: HA election board is authorized to divide election districts into precincts. The boundaries between Election Districts 5 and 6 shall remain unchanged.
- Sec. 2: Election board shall select the polling places for the precincts.

### **Acts of 1908, Ch. 711**

An act to change boundaries, approved 4-6-1908

- Sec. 1: The boundaries between Election Districts 2 and 3 in HA shall be changed to the following: beginning at the current division line at Havilands Corner, then south with a private road through the land of the late Hosea Barnes to the public road between Churchville and Alden, then west with the public road leading from Stricklands Corner to Carsons Run, then south with the public road between the run and Belcamp to the current division line at Kithleys old shops.
- Sec. 2: This change annexes part of Election District 2 to Election District 3.

### **Acts of 1969, Ch. 461**

An act to repeal and reenact Sec. 233 of Art. 13, Public Local Laws, re boundaries in HA, approved 5-2-1969, effective 1-1-1971

- Sec. 233: HA shall be divided into six election districts which shall have the current boundaries except for the following. The boundaries of Election District 1 shall include Edgewood Arsenal, between the Gunpowder and Bush Rivers. The boundaries of Election District 2 shall exclude the



part annexed to Election District 6 and shall include Aberdeen Proving Ground, between the Bush River and the head of the Chesapeake Bay. The boundaries of Election District 6 shall be as follows: beginning on the Susquehanna River at the CE line and Rt. 95, then southwest with the road to Robinwood Road, then south with the road to Pulaski Highway, then southwest to Swan Creek, then with the creek to its mouth, then N45°E to the CE line, then northwest with the county line, Chesapeake Bay, and Susquehanna River to beginning.

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## Election Districts - HO

### Acts of Dec. 1841, Ch. 13

An act to change polling places, passed 1-15-1842

- Sec. 1: The polling place for Election District 7 in Howard District shall be changed to Cooksville.

### Acts of 1843, Ch. 195

An act to establish election districts, passed 2-28-1844

- Sec. 1: By August 1 Howard District Commissioners shall establish five election districts, number them, and select polling places. The descriptions, numbers, and selections shall be filed with the district court clerk for recording.

### Acts of 1844, Ch. 69

An act to change boundaries and polling places, passed 2-4-1845

- Sec. 1: The polling place in Election District 3 in Howard District shall at the house of Israel McKenzie.
- Sec. 2: The boundaries between Election Districts 4 and 5 shall be changed to the following: beginning at the entrance of the lane of Gen. Hood on Frederick Turnpike Road, then with the road to Hobbs mill to the south end of the lane between Perry G. Hobb and Robert Hobb, then to the house of William Wesley Scrivener, leaving him in District 4, then to John Elder, leaving him in District 3.

### Acts of 1860, Ch. 15

An act to add a section to Art. 12, Public Local Laws, re boundaries in HO, passed 2-13-1860

- Sec. 1: The boundaries of Election District 1 in HO shall be changed to the following: beginning at the intersection of old Annapolis Road and Columbia Turnpike, then with the former road to a point at or near the house of George Stockett, then with the road through the lands of William J. Timanus and Ashbury to the county road between Hillen and Elk Ridge Landing, then with the current district lines to beginning.

## **Acts of 1868, Ch. 388**

An act to increase districts, approved 3-30-1868

- Sec. 1: Election District 6 in HO shall be established from part of Election District 2. The boundaries shall be as follows: beginning at Jessups Cut on the Washington Branch of the B & O Railroad, then with the old Annapolis and Elk Ridge Road to Columbia Turnpike, then with the turnpike to the MO line at the Patuxent River, then with the river to the Washington Branch of the B & O Railroad, then with the railroad to beginning.
- Sec. 2: County commissioners shall select polling places in Election Districts 1 and 6.

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## **Election Districts - KE**

## **Acts of 1809, Ch. 46**

An act to change polling places, passed 1-6-1810

Per petition of Simon Weeks who cites the inconvenience of a private family occupying the polling place property.

- Sec. 2: Election judges shall select a new polling place for Election District 1 in KE.
- Sec. 3: A certificate of selection shall be filed with the county court clerk for recording.

## **Acts of 1813, Ch. 157**

An act to change polling places, passed 1-31-1814

- Sec. 1: Election judges shall select a new polling place for Election District 1 in KE.
- Sec. 2: A certificate of selection shall be filed with the county court clerk for recording.

## **Acts of 1860, Ch. 21**

An act increase districts, passed 2-17-1860

- Sec. 1: Nine commissioners are named in this act to divide KE into five election districts, number them, and select polling places.
- Sec. 2: By the second Monday in May their proceedings shall be filed with the circuit court clerk for recording. They shall also be filed with the county commissioners for recording in their proceedings and preservation of the original.

## **Acts of 1878, Ch. 220**

An act to change polling places, approved 4-1-1878

- Sec. 1: The polling place for Election District 3 in KE shall be changed from Worton Heights or Hanesville to Smithville.

**Acts of 1884, Ch. 452**

An act to establish precincts, approved 4-8-1884

- Sec. 1: Election District 4 in KE shall be divided into two precincts.
- Sec. 2: The boundaries between the precincts shall be as follows: beginning at the mouth of Radcliffe Creek, then with the creek and the stream from the mill pond of the Chestertown Straw Board Co. to the public road between Chestertown and Fairlee at or near the mills, then with the road to Harrisburg to Fannells Branch to schoolhouse 4 to the stream that forms the division line between Election Districts 4 and 5. The area north and east of the line shall be Precinct 1, and the polling place shall be at the courthouse. The area south and west of the line shall be Precinct 2, and the polling place shall be at Pomona.

**Acts of 1896, Ch. 289**

An act to repeal and reenact Secs. 96-98 of and to add sections to Art. 15, Public Local Laws, re increase in districts in KE, approved 4-2-1896

- Sec. 96: KE shall be divided into seven election districts.
- Sec. 97: The boundaries of Election District 1 shall be as follows: beginning on the DE line at the QA line, then north with the state line to the CE line, then west with the county line and the Sassafras River to Mill Creek, then up the creek to its head, then south to the public road between Lambson and Chesterville, then with the road through Chesterville and to the Chester River at Crumpton, then up the river to the beginning. The district shall be divided into two precincts. Millington Precinct shall encompass the area south of the Baltimore & Delaware Bay Railroad, with the polling place at Millington. Galena Precinct shall encompass the area north of the railroad, with the polling place at Galena.
- Sec. 98: The boundaries of Election District 2 shall be as follows: beginning at Mill Creek at the Sassafras River, then down the river to the public road at Betterton, then with the road to the public road between Coleman and Lynchs, then with the road to Lynchs, then with the public road to Rileys mill on Morgan Creek, then with the creek to the Chester River, then up the river to the public road at Crumpton, then with the road to Chesterville and the public road leading toward Lambson to the line of Election District 1, then north with the district line to Mill Creek, then with the creek to beginning. The polling place shall be at Kennedyville.
- Sec. 98A: The boundaries of Election District 3 shall be as follows: beginning at the public road at Betterton on the Sassafras River, then down the river and Chesapeake Bay to the mouth of Worton Creek, then up the creek to the public road at Buck Neck Landing, then with the road to Millington and the public road towards Chestertown to the public road between Eliason and the Watson farm, then with the road to the road between Worton Station and Chestertown, then with the road and the public road between Goose Hill and a mill stream, then with the stream to the public road at Rileys mill, then with the public road to and through Lynchs and the public road through the Norris land towards Barnards Wharf to the public road near the mill at the head of Still Pond Creek, then with the road towards Still Pond and to the beginning. The polling place shall be at Worton.

- Sec. 98B: The boundaries of Election District 4 shall be as follows: beginning on the Chester River at the mouth of Morgan Creek, then up the creek to the public road at Goose Hill, then with the road to the road leading to Worton Station, then with the road and the public road towards Hanesville, then with the public road from Eliasons to the public road between Fairlee and Chestertown, then with the public road towards Chestertown to the stream near Straw Board Mill, then with the stream, Radcliff Creek, and Chester River to beginning. The polling place shall be at Chestertown.
- Sec. 98C: The boundaries of Election District 5 shall be as follows: beginning at the public road near Prices mill at the headwaters of Lankford Bay, then with the road to Rees Corner and Swan Creek bridge, then west to the Chesapeake Bay, with the bay, Chester River, and west fork of Lankford Bay to beginning. The polling place shall be Rock Hall.
- Sec. 98D: The boundaries of Election District 6 shall be as follows: beginning at Buck Neck Landing on Worton Creek, then with the public road towards Hanesville to Millington, then with the road towards Chestertown to Eliasons Corner, then with the road to the road between Fairlee and Chestertown, then with the road to the road between Aldridge gate and Lankford, then with the road to Lankford, then with the road between Lankford and Prices Mills to Rees Corner and the Swan Creek bridge, then west to the Chesapeake Bay, then up the bay to Worton Creek, then up the creek to beginning. The polling place shall be at Fairlee.
- Sec. 98E: The boundaries of Election District 7 shall be as follows: beginning at the mouth of Radcliff Creek on the Chester River, then up the creek to the public road between Chestertown and Fairlee, then with the road to the public road between Aldridge gate and Lankford, then with the road and the public road between Lankford and Prices Mill to the headwaters of the west fork of Lankford Bay, then down the bay and up the Chester River to beginning. The polling place shall be at Pomona.

## **Acts of 1908, Ch. 200**

An act to change boundaries and establish precincts, approved 3-30-1908

- Sec. 1: Election District 3 in KE shall be enlarged and divided into two precincts.
- Sec. 2: The boundaries between Precinct 1 and 2 in Election District 3 shall be follows: beginning at the mouth of Still Pond River, then with the river and mill pond and stream or the old road bed behind the residence of William D. Pennington to the public road leading to Wroths Corner, then with the public road leading to Betterton to Stoneton Road, then with the road and continuing east to Lloyds Creek, then with the creek to the Sassafras River. The area north and west of the line, which includes the north end of Election District 2, shall be Precinct 2, with the polling place shall at Betterton. The area south and east of the line shall be Precinct 1, with the polling place shall be at Worton Station.

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## **Election Districts - MO**

## **Acts of 1805, Ch. 83**

An act to change polling places, passed 1-25-1806

- Sec. 2: The polling place for Election District 4 in MO shall be at Edward Berry in Colesville.

### **Acts of 1895, Ch. 110**

An act to change polling places, passed 1-6-1810

- Sec. 2: Three commissioners are named in this act to select a new polling place for Election District 1 in MO.

### **Acts of 1821, Ch. 223**

An act to change boundaries, passed 2-14-1822

- Sec. 1: Five commissioners are named in this act to review and change the boundaries of the five election districts in MO, number them, and select polling places. By the second Monday in July the descriptions, numbers, and selections shall be filed with the county court clerk for recording.

### **Acts of 1833, Ch. 217**

An act to change boundaries, passed 3-13-1834

- Sec. 1: Three commissioners are named in this act to change the division line between Election Districts 1 and 5 in MO. The boundaries shall be as follows: beginning at the mouth of Stoney Branch, then up the south fork of the branch to its source near Centreville and on the farm of William Birdsall, then to the mouth of Beales Branch, then to Ricketts Ford over Rock Creek. By the first Monday in July the description shall be filed with the county court clerk for recording.

### **Acts of 1843, Ch. 27**

An act to change polling places, passed 1-14-1844

- The polling place for Election District 4 in MO shall be changed to the courthouse.

### **Acts of 1876, Ch. 143**

An act to increase districts, approved 3-25-1876 [not ratified by voters]

- Sec. 1: In November voters in MO shall vote on whether to divide the county into twelve election districts.
- Sec. 2: Election judges shall file the election returns with the circuit court clerk who shall certify the results to the county commissioners.
- Sec. 3: If the proposal is approved, the county commissioners before June 1, 1877 shall lay out the districts and designate polling places in Laytonsville, Damascus, Clarksburg, Barnesville, Poolsville, Darnestown, Offutts Crossroads, Rockville, store of William E. Darcey, Mitchells Crossroads, Colesville, and Mechanicsville.

## **Acts of 1878, Ch. 22**

An act to increase districts, approved 2-14-1878

- Sec. 1: Darnestown Election District 6 in MO shall be established from Election Districts 4 and 5. The boundaries shall be as follows: beginning at the intersection of Little Seneca Creek and the county road between Gaithersburg and Barnesville, then with the creek to Great Seneca Creek, then down the creek to the Potomac River, then down the river to the mouth of Watts Branch, then up the branch to the mouth of Piney Branch, then up the branch to the public road near the residence of Mrs. Upton West, then down the road towards Darnestown to Orendorff Mill Road, then up the road as described in Land Records JGH 7, p. 603, to Gaithersburg and Barnesville Road near Gaithersburg, then with the road towards Barnesville to beginning, to include Harris Island and Watkins Island in the Potomac River.
- Sec. 2: The polling place shall be at Darnestown.

## **Acts of 1878, Ch. 87**

An act to increase districts, approved 3-20-1878

- Sec. 1: Bethesda Election District 7 in MO shall be established from Election Districts 4 and 5. The boundaries shall be as follows: beginning on the Potomac River at the DC line, then northeast with the line to near the residence of Montgomery Blair, then southeast with the DC line to the turnpike between Brookville and DC, then north with the turnpike to the Metropolitan Branch of the B & O Railroad, then west with the railroad to the county road east of Rock Creek and near Newport Mills, then with the road to the turnpike between Rockville and Georgetown, then to the intersection of Orendorff mill road and old Georgetown Road near the residence of Isaac O. Rabbitt, then with the mill road to Thomas Run, then down the run to Cabin John Creek, then down the creek to the Potomac River, then down the river to beginning.
- Sec. 2: The polling place shall be at or near the house used as the Bethesda Post Office.

## **Acts of 1878, Ch. 117**

An act to increase districts, approved 3-25-1878

- Sec. 1: Mechanicsville Election District 8 in MO shall be established from Election Districts 1 and 5. The boundaries shall be as follows: beginning at Browns Bridge on the Patuxent River, then with Limekiln Road to Ashton and Colesville Turnpike, then still with Limekiln Road to Hollands Corner, then with the Norwood branch of the Union Turnpike to Hollands Branch, then with Limekiln Road to Brookville and Washington Turnpike, then with the turnpike to Baltimore and Rockville Road, then with the road to the bridge over Rock Creek, then up the eastern branch of Rock Creek to the bridge at the mill of William E. Muncaster, then with the county road leading to Redland to the crossing, formerly called Ricketts Ford, at the western branch of Rock Creek, then up the branch to the road between Rockville and Unity near the farm of Walter M. Talbot, then with the road to the road between Mechanicsville and Laytonville near the residence of Fletcher R. Veitch, then with the road between Laytonville and Brookville to the public road

near the Catholic church and village of Mount Zion, then with the road to Hawlings River near the residence of Thomas D. Gaither, then down the river to Westminster Road near the mill of Allen Bowie Davis, then with the road to the road leading to Tridelphia north of the store of Frederick O. Gaither, then with the road to the bridge over the Patuxent River in Tridelphia, then down the river to beginning.

- Sec. 2: The polling place shall be at Mechanicsville.

### **Acts of 1880, Ch. 228**

An act to increase districts, approved 4-10-1880, effective 1-1-1881

- Sec. 1: Great Falls Election District 10 in MO shall be established from Election District 4. The boundaries shall be as follows: beginning at the mouth Cabin John Creek, then up the creek to the mouth of Thomas Run, then up the run to Orendorff Mill Road, then to the intersection of Piney Branch and the public road near the residence of Mrs. Upton West, then down the branch to Watts Branch, then down the branch to the Potomac River, then down the river to beginning.
- Sec. 2: The polling place shall be at Offutts Crossroads.

### **Acts of 1880, Ch. 301**

An act to increase districts, approved 4-10-1880, effective 1-1-1881

- Sec. 1: Gaithersburg Election District 9 in MO shall be established from Election Districts 1-2, 4, and 6. The boundaries shall be as follows: beginning at the crossroads in Germantown, then with Neelsville Road to Georgetown and Frederick Road, then across the road to the road between Neelsville Presbyterian Church to old Baltimore Road, then with the road to old Baltimore Road, then with the road to Seneca Bridge, then with the road between Seneca Bridge and Rockville via Redland to Mill Branch near the farm of William O. Householder, then to the intersection of Georgetown and Frederick Road and Gaither Road between the residences of George M. Graff and Lemuel Clements, then with Gaither Road to Rockville and Darnestown Road near the residence of Thomas W. Stonestreet, then with the road towards Darnestown to Quince Orchard Road near the Quince Orchard Schoolhouse, then with the road to Gaithersburg and Barnesville Road near St. Rose Catholic Church, then with the road towards to Barnesville to beginning.
- Sec. 2: The polling place shall be at Gaithersburg.

### **Acts of 1882, Ch. 32**

An act to change boundaries, approved 3-15-1882

- Sec. 1: The boundaries between Election Districts 3 and 6 in MO shall be changed as follows to annex part of District 3 to District 6: beginning at the mouth of Great Seneca Creek, then up the creek to the mouth of Dry Seneca Creek, then up the creek to the mouth of Halfway Branch, then up the branch to the division line between the farms of Joseph Dyson and Benoni Allnutt, then southwest through the Allnutt land to the east branch of Beaver Dam Creek, then down the branch to Beaver Dam Creek, then down the creek to the Potomac River, then down the river to

beginning.

### **Acts of 1882, Ch. 93**

An act to change boundaries, approved 3-21-1882

- Sec. 1: The following part of Darnestown Election District 6 in MO shall be annexed to Gaithersburg Election District 9: beginning at the intersection of Gaithersburg and Barnesville Road and Gunners Branch, then down the branch to Great Seneca Creek, then down the creek to Long Draught Branch, then up the branch to the road between Quince Orchard Schoolhouse and Gaithersburg and Barnesville Road, then with the road to Gaithersburg and Barnesville Road near St. Rose Catholic Church, then with the road towards Barnesville to beginning.

### **Acts of 1882, Ch. 168**

An act to increase districts and change names and boundaries, approved 3-30-1882

- Sec. 1: Barnesville Election District 11 in MO shall be established from Election Districts 2 and 3. The boundaries shall be as follows: beginning at the intersection of Gaithersburg and Barnesville Road and Little Seneca Creek, then with the road towards Barnesville and through Boyds to the new cut road .5 miles from Boyds and at the wheelwright shop of Hiram Stottlemeyer, then with the road across Baltimore Road to Barnesville and Clarksburg Road at the residence of Jerome Thompson, then with the road .25 miles towards Barnesville to the road leading to Hyattstown, then with the road to the branch near the residence of John W. Nicholson, then down the branch to the FR line, then west with the county line to the Potomac River, then down the river to the mouth of Little Monocacy Creek, then up the creek to Monocacy and Dawsonsville Road, then with the road through Beallsville to the Richard T. White Road near the residence of the late Dr. Nicholas Brewer, then with the road to the spring branch north of the residence of the late Robert Dade, then down the branch to Buck Lodge Branch, then down the branch to Little Seneca Creek, then up the creek to beginning.
- Sec. 2: The polling place shall be at Barnesville.
- Sec. 4: The name of Medleys Election District 3 shall be changed to Poolesville, and polling place shall be at Poolesville.
- Sec. 5: The triangular lot of ground at Boyds Station in Election District 3 on the Metropolitan Branch of the B & O Railroad, between the old and new bed of Gaithersburg and Barnesville Road through which the railroad passes and where is located the storehouse of Williams and Lewis, shall be annexed to Clarksburg Election District 2.

### **Acts of 1884, Ch. 104**

An act to change district names, passed 3-20-1884

- Sec. 1: The name of the village of Mechanicsville in MO shall be changed to Olney.
- Sec. 2: The name of Election District 8 shall be changed to Olney, and polling place shall be at Olney.



## **Acts of 1884, Ch. 108**

An act to change district names, passed 3-20-1884

- Sec. 1: The name of Great Falls Election District 10 in MO shall be changed to Potomac, and polling place shall be at Potomac.

## **Acts of 1884, Ch. 125**

An act to increase districts and change polling places, approved 3-31-1884

- Sec. 1: Damascus Election District 12 in MO shall be established from Election District 2. The boundaries shall be as follows: beginning at the head of the Patuxent River, then down the river to the public road at the grist and saw mill of John J. Mullinix, then west with the road to the road between Damascus and Laytonsville near the residence of Aden M. Bowman, then to the spring at the head waters of Great Seneca Creek near the residence of Mareen Duvall, then down the creek to Wild Cat Branch, then up the branch to the public road between the grist and saw mill of Washington D. Waters and Cedar Grove Post Office, then with the road to the post office, then with the road between the post office and Damascus to the new cut road at the blacksmith shop of Fillmore N. Poole, then with the road through the lands of William Williams et al to the road between Clarksburg and Damascus, then with the road towards Damascus to the road between the store of Luther N. King and the distillery of Luther G. King, then with the road to the distillery, then with the road between the distillery and Hyattstown and Damascus Road to the latter near the gate of John M. King, then with the road towards Hyattstown to the public road leading to the Price distillery in FR, then with the road to the FR line, then with the county line to beginning.
- Sec. 2: The polling place shall be at Damascus.
- Sec. 6: The polling place in Clarksburg Election District 2 shall be at Clarksburg.

## **Acts of 1886, Ch. 386**

An act to increase districts and change names and polling places, approved 4-7-1886

- Sec. 1: Wheaton Election District 13 in MO shall be established from Election Districts 5 and 7. The boundaries shall be as follows: beginning at the intersection of Limekiln Road and Little Northwest Branch, then with the road to Brookeville and Washington Turnpike, then with the turnpike to Baltimore and Rockville Road, then with the road to the bridge over Rock Creek, then down the creek to the DC line, then northeast with the line to the residence of Mrs. Mary C. Blair, then southeast with the DC line to the PG line, then with the county line to Northwest Branch, then up the branch to Little Northwest Branch, then up the branch to beginning.
- Sec. 2: The polling place shall be at Wheaton which village shall encompass what has heretofore been known as Mitchells Crossroads, Leesboro, and Wheaton Post office.
- Sec. 4: The name of Berrys Election District 5 shall be changed to Colesville, and the polling place shall be at Colesville.
- Sec. 6: The polling place for Bethesda Election District 7 shall continue to be at Bethesda.

### **Acts of 1888, Ch. 40**

An act to change district names, passed 2-21-1888

- Sec. 1: The name of Cracklin Election District 1 in MO shall be changed to Laytonsville, and polling place shall be at Laytonsville.

### **Acts of 1904, Ch. 260**

An act to change boundaries, approved 4-7-1904

- Sec. 1: The following part of Election District 7 in MO shall be annexed to Precinct 2 of Election District 4: beginning at the intersection of the road leading from Garrett Park and the turnpike between Rockville and Bethesda, then to the intersection of Orendorff Mill Road and Old Georgetown Road near Bean Post Office, then with Old Georgetown Road towards Bethesda to the road recorded in Plat Book 1, p. 51, then with the road to the turnpike between Rockville and Bethesda, then with the turnpike towards Rockville to beginning.

### **Acts of 1918, Ch. 291**

An act to establish precincts, approved 4-18-1918

- Sec. 1: MO election board shall divide Election District 13 into four precincts.
- Sec. 2: The polling places shall be at Kensington, Wheaton, Silver Spring, and Takoma Park.

### **Acts of 1927, Ch. 251**

An act to change boundaries, approved 4-1-1927, effective 6-1-1927

- Sec. 1: The following part of Election District 10 in MO shall be annexed to Election District 7: beginning where Cabin John Creek empties into the Potomac River, then up the river where a branch empties in from Bridge 3 on Conduit Road, then north up the branch to Conduit Road, then east with the road to the county road leading to Congressional Country Club, then north with the road to the southwest corner of the land of Bessie L. Edmonston, then with the south line of the land to its southeast corner, then with the east line of the land to its northeast corner, then northeast 2570 feet to Seven Locks Road at the north point of the land of the American Land Co., then southeast 284 feet to Cabin John Creek, then with the creek to beginning.

### **Acts of 1927, Ch. 483**

An act to increase precincts, approved 4-5-1927, effective 6-1-1927

- Sec. 1: MO election board is authorized to establish Precinct 4 in Election District 7 in MO by changing the boundaries of Precincts 1-3 and to establish Precinct 5 in Election District 13 from part of Precinct 2.

## **Acts of 1941, Ch. 658**

An act to change boundaries, approved 5-26-1941, effective 6-1-1941

- Sec. 1: The following part of Election District 4 in MO shall be annexed to Election District 9: beginning at the bridge over Mill Branch on Redland Derwood Road, then with the road to Frederick Pike, then north with the pike 100 yards to the first county road on the left, then with the road to Shady Grove Road, then east with the current division line between the districts to beginning.

## **Acts of 1943, Ch. 935**

An act to change boundaries, approved 4-30-1943, effective 6-1-1943

- Sec. 1: The following part of Election District 4 in MO shall be annexed to Election District 9: beginning at the bridge over Mill Branch on Redland Derwood Road, then with the road to Frederick Pike, then north with the pike 100 yards to the first county road on the left, then with the road to Shady Grove Road, then east with the current division line between the districts to beginning.
- Sec. 2: Acts of 1941, Ch. 658 is repealed.

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### **Election Districts - PG**

## **Acts of 1801, Ch. 59**

An act to change boundaries and polling places, passed 12-31-1801

- Sec. 1: Some election districts in AL, CE, SM, and WA as not as equal as possible in regards to population, and some polling places are not centrally located. Some districts in PG have become unequal in population because of the establishment of the District of Columbia.
- Sec. 2: Commissioners in the affected counties shall review the election districts and, if necessary, alter the lines and select new polling places. The descriptions and selections shall be filed with the county court clerks by June 15 for recording.
- Sec. 4: Commissioners to lay out the districts are named in this act for the affected counties.

## **Acts of 1812, Ch. 177**

An act to increase districts, passed 12-29-1812 [not confirmed]

- Sec. 2: Election District 6 in PG shall be established from Election Districts 2-3 and 5.

## **Acts of 1816, Ch. 26**

An act to increase districts, passed 12-31-1816, confirmed by Acts of 1817, Ch. 9

- Sec. 2: Election District 6 in PG shall be established from parts of Election Districts 2, 3, and 5.

### **Acts of 1817, Ch. 30**

An act to change boundaries and polling places, passed 1-13-1817

- Sec. 1: Seven commissioners are named in this act to lay off PG into six election districts. Commissioners shall number the districts and select polling places. By July 15 the descriptions, numbers, and selections shall be filed with the county court clerk for recording.

### **Acts of 1836, Ch. 114**

An act to change polling places, passed 2-23-1837

- Sec. 1: Five commissioners are named in this act to select a new polling place for Election District 6 in PG. The selection shall be filed with the county court clerk for recording.

### **Acts of 1843, Ch. 255**

An act to increase districts, passed 3-5-1844

- Three commissioners are named in this act to establish Election District 7 in PG from part of Election District 3 and to select a polling place. The descriptions and selection shall be filed with the county court clerk for recording.

### **Acts of 1847, Ch. 117**

An act to change polling places, passed 2-7-1848

- Election judges shall change the polling place for Election District 7 in PG to a house in Queen Anne.

### **Acts of 1847, Ch. 8**

An act to change boundaries, passed 1-4-1848

- Sec. 1: Part of Bladensburg Election District in PG shall be annexed to Spaldings Election District. The boundary line shall be as follows: beginning at Jones Fork which branches off the stage road between DC and Upper Marlboro, then with the road to the mill of Thomas B. Crawford, then with the private mill road to a gate on the Springfield estate, formerly owned by Elisha Berry, near the public road to the Prince Georges forest, then to the stage road between DC and Upper Marlboro.
- Sec. 2: Three commissioners are named in this act to lay out the boundaries.

### **Acts of 1849, Ch. 123**

An act to change boundaries, passed 2-9-1850

- The boundary line between Election Districts 1 and 7 in PG shall be changed as follows: beginning at the mouth of Horsepen Branch on the west bank of the big Patuxent River, then west

with the branch to the farm of Mrs. Walter Bowie, then south to Hickory Hill on the road between the farms of Mrs. Bowie and Richard W. Isaacs, then with the road to the public road on the farm of Dr. Thomas McGill near the Chapel, then west with the road to the public road on the farm of Mrs. Mary McGruder.

### **Acts of 1849, Ch. 226**

An act to increase districts, passed 2-25-1850

- Sec. 1: Election District 8 in PG shall be established from part of Aquasco Election District 4. The boundaries shall be as follows: beginning at the county wharf at Magruder's ferry, then with the public road to St. Paul's Brick Church, then with the public road that leads to DC via TB to the division line between Election Districts 4 and 5, then with the district line to the CH line, then with the county line and Patuxent River to beginning.
- Sec. 2: The polling place shall be at Horsehead.

### **Acts of 1854, Ch. 121**

An act change polling places, passed 3-9-1854

- The polling place for Election District 6 in PG is changed to the house of Jesse Ridgaway on the main road near the current polling place.

### **Acts of 1854, Ch. 301**

An act to increase districts, passed 3-10-1854

- Sec. 1: Election District 9 in PG shall be established. The boundaries shall be as follows: beginning at the intersection of Piscataway Branch and the new cut road, then with the branch to the Marlboro and Piscataway Road, then with the road to the beginning of the road leading to Centreville, then with the road to Alexandria and Marlboro Road, then with the road to Palmer tavern, then with Marlboro and Piscataway Road to Piscataway Branch, then with the branch to beginning.
- Sec. 2: The polling place shall be at Surratt Hotel.

### **Acts of 1868, Ch. 262**

An act to repeal and reenact Secs. 57-61 of Art. 16, Public Local Laws, re districts in PG, approved 3-30-1868

- Sec. 57: PG shall be divided into ten election districts. The boundaries of Election Districts 2-9 shall remain as established. Election District 10 shall be established from Election District 1. The boundaries shall be as follows: beginning at the bridge across the Patuxent River near the old iron works mill, then with the road to the late Dr. Theodore Jenkins, then with the road leading by James Coursey and the Mine Banks now owned by Charles E. Coffin to the Latchford residence, then crossing the turnpike and railroad west of the Latchford house to Furnace Road

near Thomas Mitchell, then with the road to the new county road leading to Contee Station, then with the road to the MO line, then with the county line to beginning.

- Sec. 58L: The polling place shall be at Laurel or such other place as may be designated by the county commissioners.

## **Acts of 1870, Ch. 226**

An act to change boundaries, approved 4-7-1870

- Sec. 1: Part of Marlboro Election District 3 in PG shall be annexed to Spalding Election District 6. The boundaries of that 1.5 square mile area shall be as follows: beginning at the blacksmith shop of William Brady in Forestville, then with the public road between Forestville and Alexandria Ferry to the public road between the ferry and Upper Marlboro at the lower gate of the estate of the late Charles F. Calvert, then with Alexandria Ferry and Upper Marlboro Road to Washington and Upper Marlboro Road at Centreville, then with the road to beginning.

## **Acts of 1872, Ch. 367**

An act to increase districts, approved 4-1-1872

- Sec. 1: Brandywine Election District 11 in PG shall be established from parts of Election Districts 4, 5, and 8. The boundaries shall be as follows: beginning at the intersection of Burch Branch and the public road between DC and TB, then up the branch with the division line between the Piscataway and Nottingham Election Districts to the Marlboro Election District line, then with the district line to the public road between Paul Talbert and Croom at the farm of the late Adderton Sweeney, then with the road towards Paul Talbert to the public road leading from the farm of Edward Magruder near Mattaponi Branch, then with the road to the public road leading towards the residence of Mrs. Almira Turton, then with the road to a small stream between the farms of Turton and the late Mrs. Susanna Mudd, then down the stream to Mattaponi Branch, then up the branch to the crossing of the public road below the Turton farm, then with the public road leading towards Nottingham to the public road between Nottingham and Brandywine, then to the private road of Henry F. Worthington, going through the farms of James A. Hyde, Leonard Early, and R.W. G. Baden, to the public road between Horsehead and Nottingham, then with the private road from Worthington to the branch between the Hyde and Baden farms, then up the branch to the mouth of a small stream running through the west part of the Baden farm, then up the stream to its source at St. Pauls Church spring, then to the public road at St. Pauls Church, then with the public road leading towards Brandywine to the public road leading from Robeysville, then with the road to a small stream near the old Forrest Grove Schoolhouse, then down the stream to the CH line, then with the county line to Mattawoman Branch, then with the branch to the public road between Beantown and Piscataway at G.W. Gardner, then with the road to the public road between Sharpensville and TB, then to the public road between Piscataway and TB to a point sixty yards below the dwelling of John A. Coe, then to Piscataway Branch, then up the branch to beginning.

## **Acts of 1874, Ch. 487**

An act to increase districts, approved 4-11-1874, effective 5-1-1874

- Sec. 1: Election District 12 in PG shall be established from parts of Piscataway and Spaldings Election Districts. The boundaries shall be as follows: beginning at the DC line at the ferry, then with the river to Broad Creek, then with the creek to J.W. Webster, then with the road between Webster and the house of John Palmer, then with Marlboro Road between Palmer and the new road at Temple Mill to Grimes Crossroads, then to the DC line on the farm of Col. Maddox, then with the line to the ferry.
- Sec. 2: The polling place shall be at Oxen Hill.

## **Acts of 1876, Ch. 147**

An act to increase districts, approved 3-25-1876

- Sec. 1: Election District 13 in PG shall be established from part of Election District 2. The boundaries shall be as follows: beginning at the intersection of Vansville Election District line and the branch road of the Baltimore & Potomac Railroad, then south with the railroad to the DC line, then with the old established election district lines to beginning.
- Sec. 2: The polling place shall be at Brightseat.

## **Acts of 1878, Ch. 180**

An act to increase districts, approved 3-29-1878

- Sec. 1: Election District 14 in PG shall be established. The boundaries shall be as follows: beginning at Priest Bridge, then west with the county road by Collington on the Baltimore & Potomac Railroad and through the farms of John T. Clark, Sr., Richard W.W. Bowie, C.C. Magruder, Jr, Cecelia Cross, and George Duale of D. to Buena Vista on the Bladensburg Election District line, then north between the lands of James B. Smith and Henry Soper to the head of Becks Branch, then with the branch to and across Beaver Dam Branch, then north to the public road between Beltsville and the Patuxent River at the iron works bridge, then with the river to beginning.
- Sec. 2: The polling place shall be at Bowie on the Baltimore & Potomac Railroad.

## **Acts of 1882, Ch. 311**

An act to change boundaries, approved 5-3-1882

- Part of Marlboro Election District in PG shall be annexed to Spaldings Election District. The boundaries of the area shall be as follows: beginning on DC and Upper Marlboro Turnpike opposite the residence of Thomas W. Smoot near Centreville, then northeast to and including the dwelling house of Elisha E. Berry, then northeast to the intersection of the public road between Forestville and the farm of William Shuler and the private road to the farm and residence of J.T. Berry, then northwest with the public road to DC and Upper Marlboro Turnpike at the blacksmith

shop of William T. Moore, then with the turnpike to beginning.

### **Acts of 1898, Ch. 130**

An act to increase districts, approved 4-2-1898

- Sec. 1: Melwood Election District 15 in PG shall be established from parts of Marlboro Election District 3 and Spaldings Election District 6.
- Sec. 2: The boundaries shall be as follows: beginning at the intersection of the road between Upper Marlboro and Croom and the Upper Marlboro city line near the rectory of the Protestant Episcopal church, then with the road to the line of Election District 4, then with the division line between Districts 3 and 4, then with the division line between Districts 3 and 11 to the division line between Districts 3 and 9, then with the district line to the line of District 6 near the storehouse of Enos F. Pumphrey, then with the road between DC and Marlboro, formerly a turnpike, to the road leading to Camp Springs west of the residence of George W. Richardson, then north to the store of A.B. Sanbury, then east with the public road in front of the store and between Forestville and the residence of W.H. Shuler, to the line of District 3 at the intersection of the last mentioned road and the road leading to the county almshouse, then with the division line between Districts 3 and 6 to the line of District 13, then with the division line between Districts 3 and 13 to a road between the farms of the heirs of William J. Bowie and Corydore Coville, then with the road through the farm of John F. McGregor past the farms of Elisha E. Berry, John H. Traband, et al, to the bridge on the road between Marlboro and DC near the residence of George C. Merrick, then west and south with the city lines of Upper Marlboro to beginning, leaving Upper Marlboro in Election District 3.
- Sec. 2: The polling place shall be at Melwood on the road between Marlboro and DC where formerly stood a toll gate.

### **Acts of 1898, Ch. 328**

An act to change boundaries, approved 4-7-1898

- Sec. 1: The boundary line between Piscataway Election District 5 and Surratts Election District 9 in PG shall be changed as follows: beginning where the current division line turns east below Tipps store, then north to Tinkers Branch to the current division line where the branch crosses the public road on the farm of John Steed.

### **Acts of 1900, Ch. 308**

An act to increase districts, approved 4-7-1900

- Sec. 1: Hyattsville Election District 16 in PG shall be established from the part of Bladensburg Election District 2 northwest of the main Washington branch of the B & O Railroad.
- Sec. 2: The boundaries of the district shall be as follows: beginning at the intersection of the B & O Railroad and line of Vansville Election District at College Station, then with the railroad to the DC line, then with the county line to the MO line, then with the county line to the line of



Vansville Election District, then with the district line to beginning.

- Sec. 4: County commissioners and election board shall select the polling places in Election Districts 2 and 16.

### **Acts of 1902, Ch. 66**

An act to change boundaries, approved 3-20-1902

- Sec. 1: Part of Election District 7 in PG shall be annexed to Election District 13. The new boundary line shall be as follows: beginning at the beginning of the line of Election District 14, then with the road leading to Halls Station on the Baltimore & Potomac Railroad to Northeast Branch, then with the branch to Western Branch, then with the branch to the north line of Election District 3.

### **Acts of 1906, Ch. 345**

An act to increase districts, approved 4-3-1906

- Sec. 1: Hyattsville Election District 16 in PG shall be established from parts of Bladensburg Election District 2 and the current Election District 16. The remaining part of the current Election District 16 shall become Chillum Election District 17.
- Sec. 2: The boundaries of the new Election District 16 shall be as follows: beginning at the intersection of the B & O Railroad over Northwest Branch, then west with the branch to the Hyattsville city line, then north with the city line to old Bladensburg Road, then north to the intersection of Ellerville Road and New Cut Road, then northeast with the latter road to Colesville Road, then north with the latter road to the public road leading to the Maryland Agricultural College, then east with current division line between the Vansville and Hyattsville Election Districts to the B & O Railroad, then south with the railroad to opposite the electric power house at Riverdale, then southeast to a gate on the land of Charles A. Machems near the gravel hill on Edmonston Road, then south with the road to the Bladensburg city line, then west with the city line to the intersection of Eastern Branch and Northwest Branch, then with the latter branch to beginning.
- Sec. 3: The polling place in Election District 16 shall remain in Hyattsville and the polling place in Election District 17 shall be designated by the election board.

### **Acts of 1910, Ch. 589**

An act to increase districts, approved 4-11-1910

- Sec. 1: Seat Pleasant Election District 18 in PG shall be established from part of Kent Election District 13.
- Sec. 2: The boundaries shall be as follows: beginning at the intersection of the DC line and Washington and Upper Marlboro Turnpike, then with the turnpike to Walkers Mill Road, then with the road to Central Avenue, then east with the avenue to Manor Line, then with the line to where it would intersect Carmody Road if the road were extended from its current terminus, then

with the projected extension to Cabin Branch, then with the branch to Beaver Dam Branch, then with the branch to the Pennsylvania Railroad, then with the railroad to the DC line, then with the county line to beginning.

- Sec. 3: The polling place in Election District 13 shall be at Brightseat and in District 18 near Capitol Heights.

## **Acts of 1912, Ch. 668**

An act to increase districts, approved 4-8-1912

- Sec. 1: Riverdale Election District 19 in PG shall be established from parts of Bladensburg Election District 2 and Hyattsville Election District 16.
- Sec. 2: The boundaries shall be as follows: beginning at a point on the Washington and Baltimore Blvd., now known as State Road 1, at the southwest corner of Riverdale where it joins the town of Hyattsville, then east with the Hyattsville city line to the B & O Railroad, then east to a gate on the land of Charles A. Machem, now owned by Mr. Schofield, near the gravel hill on Edmonston Road, then south with the road to the southwest corner of the Machem land, then with the south and east lines of that land to the south line of the land of Ringgold W. Browning, trustee, now know as Melrose, then with the south and east lines of that land to the northeast corner of the property, then east to the southeast corner of the land of Thomas Pickford, then north with the east line of that land to the southeast corner of the land of Henry M. Pressley, then north with the east line of that land to Good Luck Road, then west with the road to Edmonston Road, then north with the road to College Park Road, then west with the road to State Road 1, then south with the road to beginning.
- Sec. 3: The polling place shall be at Riverdale.

## **Acts of 1914, Ch. 175**

An act to change boundaries, approved 3-30-1914

- Sec. 1: The boundaries of Riverdale Election District 19 in PG shall be changed to the following: beginning at a point on the Washington and Baltimore Boulevard, now known as State Road 1, at the southwest corner of Riverdale where it joins the town of Hyattsville, then east with the Hyattsville city line to the B & O Railroad, then southeast to a gate on the land of Charles A. Machem, now owned by Mr. Schofield, near the gravel hill on Edmonston Road, then south with the road to the southwest corner of the Machem land, then with the south and east lines of that land to the south line of the land of Ringgold W. Browning, trustee, now know as Melrose, then with the south and east lines of that land to the northeast corner of the property, then east to the southeast corner of the land of Thomas Pickford, then north with the east line of that land to the southeast corner of the land of Henry M. Pressley, then north with the east line of that land to Good Luck Road, then west with the road to Edmonston Road, then north with the road to College Park Road, then west with the road to State Road 1, then north with the road to the county road running through the property of the Maryland Agricultural College, then west with the road to Colesville Road, then south with the road to New Cut Road, then southwest with the road to the the north line of Hyattsville, then with the line to Rt. 1, then south with the road to

beginning.

- Sec. 2: The polling place shall be in Riverdale.
- Sec. 3: The part of Hyattsville Election District within the new boundaries shall be annexed to Election District 19.

### **Acts of 1914, Ch. 636**

An act to establish precincts, approved 4-10-1914

- Sec. 1: Election District 17 in PG shall be divided into two precincts. Precinct 1 shall encompass the town of Mount Rainier, and Precinct 2 the rest of the election district.
- Sec. 2: The election board shall select a polling place at Mount Rainier for Precinct 1.
- Sec. 3: The election board shall select a polling place for Precinct 2 at Brentwood.

### **Acts of 1920, Ch. 122**

An act to increase districts, approved 4-9-1920

- Sec. 1: Lanham Election District 20 in PG shall be established from parts of Vansville Election District 1, Bladensburg Election District 2, Kent Election District 13, and Bowie Election District 14.
- Sec. 2: The boundaries shall be as follows: beginning at the Pennsylvania Railroad south of the intersection of the Bladensburg and Annapolis Stage Road and the road leading to Ardwick, then north to the southeast line of Riverdale Election District, then east with the district line to its end, then north with the east district line extended to a creek .5m north of the road between College Park and Hynesboro, then northeast with the creek to the road between Branchville and Hynesboro, then southeast to the Pennsylvania Railroad where it crosses a creek about half way between the Seabrook and Glendale stations, then south to a creek .33 miles south of Ardwick-Woodmore Road, then to beginning. Election board shall have the boundaries surveyed and published in two newspapers.
- Sec. 3: The polling place shall be at or near Lanham Station.

### **Acts of 1922, Ch. 288**

An act to repeal and reenact Acts of 1920, Ch. 122, re Election District 20, approved 4-13, 1922, effective 6-1-1922

[All provisions are the same, except for the effective date.]

### **Acts of 1922, Ch. 415**

An act to increase districts, approved 4-13-1922, effective 6-1-1922

- Sec. 1: Berwyn Election District 21 in PG is established.
- Sec. 2: The boundaries shall be the same as the current Precinct 2 in Election District 1: bounded on the north by the current division line between Precincts 1 and 2, on the east by Election District 20, on the south by District 19, and on the west by District 17.

### **Acts of 1924, Ch. 259**

An act to repeal and reenact Sec. 2 of Acts of 1922, Ch. 415, re boundary changes, approved 4-9-1924, effective 6-1-1924

- Sec. 2: The boundaries of Berwyn Election District 21 in PG shall be as follows: bounded on the north by the division line between Election Districts 1 and 21, on the east by Lanham District 20, on the west by Chillum District 17, and on the south by a new line between Riverdale District 19 and District 21. The south boundaries shall be changed to the following: beginning at the current division line between Election Districts 19 and 21 at the bridge in College Park that carries Calvert Avenue across Northeast Branch, then south with the branch to Ashland Avenue in Elmore Powers Subdivision, then west with the avenue N82°13"W as recorded in Land Records 125, p. 347 to Washington and Baltimore Boulevard, then north with the boulevard to the south line extended eastward of the south line of the Eversfield property to Colesville Road, then north with the road to the south line of District 21.

### **Acts of 1924, Ch. 500**

An act to change boundaries, approved 4-9-1924, effective 6-1-1924

- Sec. 1: The boundaries between Melwood and Marlboro Election Districts in PG shall be changed to the following: beginning near the north line of the farm of John H. Traband where Marlboro Browns Station Road crosses a small stream, then west with the stream to the Chesapeake Beach Railroad, then with railroad to the rear of the property owned by St. Marys Church, then with the line to the rear line of the lots of A.O. Dille Subdivision that fronts on Marlboro Pike, then to the road leading into the farm recently owned by Dille, then to the entrance of the farm, then with Marlboro Pike to the west line of the land of Frederick Sasscer, then with the line to Southern Maryland Boulevard, then with the boulevard to the land of B.W. Cranford, then to the beginning as described in Acts of 1898, Ch. 130.

### **Acts of 1924, Ch. 566**

An act to establish precincts, approved 4-9-1924, effective 6-1-1924

- Sec. 1: Spaulding Election District 6 in PG shall be divided into two precincts. The boundaries shall be as follows: beginning at Suitland Road at the DC line, then southeast with the road to Suitland, then with Mayhew Road to the division line between Election Districts 6 and 9. The area north of Suitland Road between the DC line and Suitland and south of Suitland and Mayhew Roads shall be Precinct 2, and the polling place shall be at Silver Hill. The rest of the district shall be Precinct 1, and the polling place shall be at Forestville.

### **Acts of 1947, Ch. 851**

An act to repeal and reenact Sec. 545 of PG Code, re boundaries, approved 4-25-1947, effective 6-1-1947

The town of College Park, as described in Acts of 1945, Ch. 1051, shall be moved from Riverdale

## Election District 19 and annexed to Berwyn Election District 21.

- Sec. 545: Berwyn Election District 21 in PG shall be bound on the north by the lines of Election District 1, on the east by the lines of Lanham District 20, on the west by the lines of Chillum District 17, and on the south by new boundaries with Riverdale District 19. Those boundaries shall be changed as follows: beginning at the current division line between Election Districts 19 and 21 at the bridge in College Park that carries Calvert Avenue across Northeast Branch, then south with the branch to the south line of Kropps Addition to College Park, then west with line to the east line of the property of the University of Maryland Athletic Board, then south and west with the line to the B & O Railroad, then south with the railroad to the north line of the property of Engineering Research Corp., then west with the south line of Calvert Hills to Baltimore Washington Boulevard, then north with the boulevard to the south line extended eastward of the south line of the Eversfield property to Colesville Road, then north with the road to the south line of District 21.

## Acts of 1951, Ch. 568

An act to repeal and reenact Secs. 532-550 of and to add sections to Art. 17, Public Local Laws, re election districts in PG, approved 4-27-1951, effective 6-1-1951

- Sec. 532: The boundaries of Vansville Election District 1 in PG shall be as follows: beginning at Soper or Greenbrier Road and the MO line, then east with the road to Montgomery or Gunpowder Road, then north with the road to Contee or Van Dusen Road, then east with the road to Furnace or Bigelow Road, then south with the road to Cinder Road, then south with the road and its projection to the B & O Railroad, then northeast with the railroad to Contee Road, then east with the road to Rt. 197, then southeast with the road to Brock Bridge Road, then southwest across Montpelier Farm to the intersection of Muirkirk Road and Fairspring or Old Stage Road, then southwest with the latter road to Vansville, Swampoodle, or Odell Road, then southeast with the road to East West Highway, then west with the road to S.C.S. Swine Road, then south with the road to Beaverdam Road, then west with the road to Beaverdam Creek, then west with the creek to Rt. 205, then north with the road to Sunnyside Road, then west with the road to the B & O Railroad, then south with the railroad to the east projection of the north line of the Hollywood on the Hill subdivision, then west with the line to Edgewood Road, then west with the road to Washington Baltimore Boulevard, then south with the road to Cherry Hill Road, then west with the road to Buck Lodge Road, then west with the road to Paint Branch, then north and west with the branch to the MO line, then northeast with the county line to beginning.
- Sec. 533: The boundaries of Bladensburg Election District 2 shall be as follows: beginning at the intersection of National Defense Highway and Ardwick Road, then east with the latter road to the Pennsylvania Railroad, then southwest with the Magruder Branch of the railroad to the DC line, then northwest with the county line to the main line of B & O Railroad, then northeast with the railroad to Northwest Branch, then southeast with the branch to Northeast Branch, then northeast with the branch to the Alexandria Branch of the B & O Railroad, then south with the railroad to the north line of Linwood Subdivision, then with the line to a small branch near the intersection of the east projection of Webster Street and south projection of 52nd Avenue, then east with the

branch to Edmonston Road, then north with the road to Carters Lane, then east with the lane and its projection to Washington Baltimore Parkway, then north with the road to the south line of East Pines Subdivision, then east and north with the subdivision and part of Kidmore Park Subdivision to the northwest corner of the latter subdivision, then east, south, and west with the subdivision to the angle point in its south line at a corner common to Josias Adams Estate and Harwood Property, then south with the west lines of Harwood Property to the west projection of Gallatin Street in Glenridge Subdivision, then east with the projection and street to 71st Avenue, then south with the avenue to Decatur Street, then southeast with the street to National Defense Highway, then east with the road to beginning.

- Sec. 534: The boundaries of Marlboro Election District 3 shall be as follows: beginning at the intersection of Crain Highway and Leeland Road, then north with the former road .5 miles to a small branch, then east with the branch to the Patuxent River, then south with the river to Western Branch, then southwest to Mt. Calvert Road, then southwest with the road to the road between Croom and Croom Station, then northwest with the road to Croom Station Road, then north with the road to a branch at the back of the land formerly owned by Maynard Roberts, then northwest with the branch and its projection to Crain Highway, then with the road to the west line of the farm of Frederick Sasscer, then with the line to Marlboro Pike, then west with the road to the old road leading into the Dille Farm, then north with the road to the rear line of the lots of the farm, then east with the line and its projection to the abandoned Chesapeake Beach Railroad, then northwest with the railroad .75 miles to a branch, a tributary of Western Branch, then east with the branch to Browns Station Road to a point 1 mile north of Marlboro Pike, then north and west with Browns Station Road to Whitehouse Road, then northeast with the road to Largo Marlboro Road, then east with the road to Leeland Road, then east with the road to beginning.
- Sec. 535: The boundaries of Nottingham Election District 4 shall be as follows: beginning at the intersection of the Patuxent River and Western Branch, then southwest to Mt. Calvert Road, then with the road to Rt. 382, then south with the road to Duley Station Road, then west with the road to Cheltenham Duley Station Road, then southwest with the road to Van Brady Road, then southeast with the road to a point .75 miles southeast of the Popes Creek Branch of the Pennsylvania Railroad, then south to a small branch of the Northwest Branch of Mattaponi Creek, then with the branch to Northwest Branch at a point 1 mile from Mattaponi Creek, then southeast with the branch to Mattaponi Creek, then southwest with the creek to Cross Road, then southeast with the road to Brandywine North Keys Road, then southwest with the road to Martin Road, then east with the road .2 miles to just north of the head of a small branch of a northwest branch of Rock Creek, then south with the branch to its head at the northwest branch, then southeast with the branch to School Spring Branch, then south with the branch to the west projection of Westwood Baden Road .3 mile northwest of road past St. Pauls Episcopal Church and Baden High School, then southeast with the projection and Westwood Baden Road to River Road, then south with the road to Magruders Ferry Road, then east with the road and its projection to the Patuxent River and CV line, then north with the river to beginning.
- Sec. 536: The boundaries of Piscataway Election District 5 shall be as follows: beginning at the CH line and VA line, then south with the county line to Mattawoman Creek, then east with the creek to Gardiner Road, then northwest with the road to TB Accokeek Road, then northeast with the road to Danville Road, then west with the road .2 miles to due south of the head of a ravine

that runs into a branch of Burch Branch and Piscataway Creek, then north to the ravine, then with the ravine and branch to Burch Branch to near the bridge on Floral Park Road, then with the branch to Piscataway Creek, then northeast with the creek 1.25 miles to a small branch south of the intersection of Thrift Road and Tippet Road, then north with the branch to Thrift Road, then with the road to Tippet Road, then north with the road to Clinton Piscataway Road, then northeast with the road to Steed Road, then northwest with the road to Friendly Palmers Corner Road, then north with the road to the intersection of Allentown Road and Palmers Tavern Broad Creek Road, then southwest with the latter road to Hunters Mill Branch, then west with the branch to Henson Branch, then with the branch to Broad Creek, then with the creek and its extension across the Potomac River to the VA line, then south with the state line to beginning.

- Sec. 537: The boundaries of Spaldings Election District 6 shall be as follows: beginning at milestone 5 on the DC line near Oxon Run, then southeast to the intersection of Temple Mills or Temple Hills Road and Oxon Hill or St. Barnabas Road, then south with the former road to Allentown Road, then east with the road and Camp Springs Meadows Road to the new Camp Springs Meadows Road and Suitland Parkway, then with the road to the relocated Marlboro Pike, then north with the road to Armstrong Lane, then east with the lane and its projection to Cabin Branch, then east with the branch to Sansbury Road, then north with the road to Moores Shop or Westphalia Road, then with the road to Almshouse Road, then north and west with the road to a small branch, a tributary of Southwest Branch, then north with the small branch to Forestville Ritchie Road west of Ritchie Station, then east with the road to Ritchie Road, then north with the road to Walker Mill Road, then west with the road to Marlboro Pike, then northwest with the road to the DC line, then southwest with the county line to beginning.
- Sec. 538: The boundaries of Queen Anne Election District 7 shall be as follows: beginning at the intersection of Crain Highway and Leeland Road, then north with the former road .5 miles to a small branch, then east with the branch to the Patuxent River, then north with the river to Crain Highway, then southeast with the road to National Defense Highway, then west with the road to Enterprise Road, then south with the road to Western Branch at Kolbes Corner, then southwest with the branch to Largo Marlboro Road, then east with the road to Leeland Road, then east with the road to beginning.
- Sec. 539: The boundaries of Aquasco Election District 8 shall be as follows: beginning at the intersection of the Patuxent River and the east projection of Magraders Ferry Road, then west with the road to River Road, then north with the road to Westwood Baden Road, then northwest with the road past St. Pauls Episcopal Church and Baden High School, then south and west with the road to Brandywine Horsehead Road, then northwest with the road to Cedarville Road, then west with the road to a branch .3 miles west of Cedar Point Railroad, then south with the branch to the CH line, then southeast with the county line to Swansons Creek, then south and east with the creek to the Patuxent River, then north with the river to beginning.
- Sec. 540: The boundaries of Surratts Election District 9 shall be as follows: beginning at the intersection of old Dowerhouse Road and old Marlboro Pike, then southeast with the former road to Woodyard Road, then southwest with the road to Piscataway Creek, then southwest with the creek to a small branch, then north with the branch to Thrift Road near Tippet, then with the road to Tippet Road, then north with the road to Clinton Piscataway Road, then northeast with the road to Steed Road, then northwest with the road to Friendly Palmers Corner Road to the

intersection of Allentown Road and Palmers Tavern Broad Creek Road, then northeast with the former road to Camp Springs, then northeast with the new Camp Springs Meadows Road along the north side of Andrews Air Force Base to old Marlboro Pike, then south with the road to beginning.

- Sec. 541: The boundaries of Laurel Election District 10 shall be as follows: beginning at Soper or Greenbrier Road at the MO line, then with the road to Montgomery or Gunpowder Road, then north with the road to Contee or Van Dusen Road, then east with the road to Furnace or Bigelow Road, then south with the road to Cinder Road, then south with the road and its projection to B & O Railroad, then northeast with the railroad to Contee Road, then east with the road to Rt. 197, then southeast with the road to Brock Bridge Road, then northeast with the road to the Patuxent River, then north and west with the river to the MO line, then southwest with the line to beginning.
- Sec. 542: The boundaries of Brandywine Election District 11 shall be as follows: beginning at the intersection of Cedarville Road and Bradywine Horsehead Road, then southeast with the latter road to the road past St. Pauls Episcopal Church and Baden High School, then northeast with the road to Baden Westwood Road, then with the northwest projection of the road .3 miles to School Spring Branch, then with the branch to the northwest branch of Rock Creek, then northwest with the branch to a small branch south of Martins Road, then northwest with the branch and its projection to the intersection of Martin Road and Brandywine North Keys Road, then west with the former road to Brandywine North Keys Road, then northeast with the road to Cross Road, then northwest with the road to Mattaponi Creek, then east with the creek .1 mile to a northwest branch of the creek near Cheltenham, then northeast 1 mile to a small branch south of Van Brady Road, then north with the branch and its projection to Van Brady Road .75 miles southeast of Popes Creek Branch of the Pennsylvania Railroad, then northwest with the road to Cheltenham Duley Station Road, then northeast with the road to Rosaryville Duley Station Road, then northwest with the road to Crain Highway, then northeast with the road to Woodyard Rosaryville Road, then northwest with the road to Woodyard Road, then southwest to Piscataway Creek, then southwest with the creek to Burch Branch, then with the branch to a branch running north from Danville or McKendree, then south with the branch and its projection to Danville Piscataway Road .2 miles west of TB Accokeek or McKendree Road, then east with the former road to the latter road, then southwest with the latter road to Gardiner Road, then southeast with the road to the CH line, then east with the county line to a branch running south from Cedarville, then north with the branch to a fork of two main branches, then northwest with the west branch to Cedarville Road .3 miles west of Cedar Point Railroad, then east with the road to beginning.
- Sec. 543: The boundaries of Oxon Hill Election District 12 shall be as follows: beginning at milestone 5 on the DC line, then southeast to the intersection of Oxon Hill or St. Barnabas Road and Temple Hills or Temple Mills Road, then southeast with the latter road to Allentown Road, then southwest with the road to Palmers Tavern Broad Creek Road, then southwest with the road to Hunters Mill Branch, then west with the branch to Henson Branch, then with the branch to Broad Creek, then with the creek and its extension across the Potomac River to the VA line, then north with the state line to the DC line, then with the county line to beginning.
- Sec. 544: The boundaries of Kent Election District 13 shall be as follows: beginning at the intersection of Enterprise Road and National Defense Highway, then west with the latter road to



old Washington, Baltimore & Annapolis Railroad, then southwest with the railroad to George N. Palmer Highway, then southwest with the road to Bald Hill Branch, then south with the branch to a branch running northeast to just north of Ardwick Road, then southwest with the branch to the east projection of the north line of Block 8 of Glenarden Heights Subdivision, then west with the projection and the line of the subdivision to Bright Seat Ardmore Road, then still with the north line of the subdivision to George H. Palmer Highway, then southwest with the road to Piedmont Drive in Section 2 of Ardwick Park Subdivision, then northwest with the drive to a small branch that runs west into Beaver Dam Branch, then west with the branch to Beaver Dam Branch, then north with the branch to the Pennsylvania Railroad, then southwest with the railroad to the west line of Section 12 of Cheverly, then south with the line to Cabin Branch, then south with the branch to Sheriff Road, then east with the road to the north projection of the west line of Section 1 of Highland Park Subdivision, then south with the line to the southwest corner of the section, then east with the south line of the subdivision to Hill Road, then south with the road to the south line of land formerly owned by Edwin E. Hill and now the site of a standpipe owned by WSSC, then east with the line and its projection along the division line between the lands of WSSC, Thomas B. Chaney, Floyd F. Nalley, James G. Nalley, V. Percy Wilson, Joseph P. Wilson, W. Clinton Brown, and Edwin W. Spalding to Bright Seat or C.M. Roberts Road, then south with the road to Central Avenue, then west with the avenue to Ritchie Road, then south with the road to Ritchie Marlboro Road or Whitehouse Road, then east with the road to Largo Marlboro Road, then east with the road to Western Branch, then north with the branch to Enterprise Road, then north with the road to beginning.

- Sec. 545: The boundaries of Bowie Election District 14 shall be as follows: beginning at the intersection of the Patuxent River and Brock Bridge Road, then south with the road to Rt. 197, then southwest across Montpelier Farm to the intersection of Muirkirk Road and Fairspring or Old Stage Road, then southwest with the road to Vansville, Swampoodle, or Odell Road, then southeast with the road to East West Highway, then west with the road to C.G.S. Swine Road, then south with the road to Glendale Road, then west with the road to Bald Hill Branch, then south with the branch to Good Luck Road, then east with the road .3 miles to a small branch, then southeast with the branch to Folly Branch, then south with the branch to the old Washington, Baltimore & Annapolis Railroad, then southwest with the railroad to National Defense Highway, then east with the road to Crain Highway, then north with the road to the Patuxent River, then northwest with the river to beginning.
- Sec. 546: The boundaries of Melwood Election District 15 shall be as follows: beginning at the intersection of Whitehouse Road and Brown Station Road, then west with former road to Ritchie Marlboro Road, then west with the road to the road between Ritchie and Central Avenue, then with the road to Ritchie Forestville Road, then west with the road to a small branch of Southwest Branch, then southwest with the small branch to Almshouse Road, then southeast with the road to Moores Shop or Westphalia Road, then with the road to Sansbury Road, then southeast with the road to Cabin Branch, then with the branch to the east projection of Armstrong Lane, then west with the projection and lane to the relocated Marlboro Pike, then south with the road to new Camp Springs Meadows Road and Suitland Parkway, then west with the new road to old Marlboro Pike, then south with the road to old Dowerhouse Road, then south with the road to Woodyard Road, then southwest with the road to Rosaryville Road, then southeast with the road

to Crain Highway, then south with the road to Duley Station Road, then east with Rosaryville Croom Road to Rt. 382, then north with the road to Croom Station Road, then north with the road to a branch at the back of the land formerly owned by Maynard Roberts, then northwest with the branch and its projection to Crain Highway, then with the road to the west line of the farm of Frederick Sasscer, then with the line to Marlboro Pike, then west with the road to the old road leading to Dille Farm, then north with the road to the rear line of lots of the farm, then east with the line and its projection to the abandoned Chesapeake Beach Railroad, then northwest with the railroad .75 miles to a small branch of Western Branch, then east with the small branch to Browns Station Road 1 mile north of Marlboro Pike, then north and west with the former road to beginning.

- Sec. 547: The boundaries of Hyattsville Election District 16 shall be as follows: beginning at the intersection of Edmonston Road and Hamilton Street, then west to the southwest corner of Lot 8, Block 77 of Riverdale Park Subdivision, then with the subdivision to its southwest corner, then north and west with the subdivision to Washington Baltimore Boulevard, then north with the boulevard to the division line between Riverdale Park Subdivision and Maryland Real Estate & Investment Co. Addition to Hyattsville, then west with the line to 43rd Place, then north with the street to Colesville Road, then west with the road to Queens Chapel Road, then southwest with the road to the north line of the land formerly owned by the Sisters of Providence, described in Land Records 802, p. 306, and of Block 19, Section 5 of Queens Chapel Manor as shown in Plat Book 14, p. 56, then west with the north and west lines of the land to Nicholson Street, formerly Kirkwood Road, then west with the street to Ager Road, then south with the road to Hamilton Street, then east with the street to the west line of Evans Addition to Hyattsville, then south with the line and its projection to Northwest Branch, then southeast with the branch to Northeast Branch, then northeast with the branch to the Alexandria Branch of the B & O Railroad, then south with the railroad to the north line of Linwood Subdivision, then east with the line to a small branch near the intersection of the east projection of Webster Street and south projection of 52nd Avenue, then east with the branch to Edmonston Road, then north with the road to beginning.
- Sec. 548: The boundaries of Chillum Election District 17 shall be as follows: beginning at the MO line at Pisgah Church Road, then southeast with the road to Riggs or Powdermill Road, then east with the road to Colesville Road, then south with the road to Queens Chapel Road, then southwest with the road to the north line of the land formerly owned by the Sisters of Providence, described in Land Records 802, p. 306, and of Block 19, Section 5 of Queens Chapel Manor as shown in Plat Book 14, p. 56, then west with the north and west lines of the land to Nicholson Street, formerly Kirkwood Road, then west with the street to Ager Road, then south with the road to Hamilton Street, then east with the street to the west line of Evans Addition to Hyattsville, then south with the line and its projection to Northwest Branch, then southeast with the branch to the B & O Railroad, then south with the railroad to the DC line, then northwest with the countyline to the MO line, then northwest with the county line to beginning.
- Sec. 549: The boundaries of Seat Pleasant Election District 18 shall be as follows: beginning at the intersection of the Magruder Branch of the Pennsylvania Railroad and the DC line, then northeast with the railroad to the west line of Section 12 of Cheverly, then south with the line to Cabin Branch, then south with the branch to Sheriff Road, then east with the road to the north projection of the west line of Section 1 of Highland Park Subdivision, then south with the line to

the southwest corner of the section, then east with the south line of the subdivision to Hill Road, then south with the road to the south line of land formerly owned by Edwin E. Hill and now the site of a standpipe owned by WSSC, then east with the line and its projection along the division line between the lands of WSSC, Thomas B. Chaney, Floyd F. Nalley, James G. Nalley, V. Percy Wilson, Joseph P. Wilson, W. Clinton Brown, and Edwin W. Spalding to Bright Seat or C.M. Roberts Road, then south with the road to Central Avenue, then west with the avenue to Ritchie Road, then south with the road to Walker Mill Road, then west with the road to Marlboro Pike, then west with the road to the DC line, then northeast with the county line to East Corner, then northwest with the county line to beginning.

- Sec. 550: The boundaries of Riverdale Election District 19 shall be as follows: beginning at the intersection of Colesville Road and Wells Boulevard in College Heights Estates, then east with the boulevard to Claggett Road, then east with the road to Claggett Street, then east with the street to the west line of College Heights Subdivision, then north and east with the lines of Block E of the subdivision to Washington Baltimore Boulevard, then south with the boulevard to Albion Road, then east with the road and its projection to the east line of the land of the University of Maryland east of the B & O Railroad, then north with the line to the south line of Kropps Addition to College Park, then with the south and east lines of the subdivision to Calvert Road, then east with the road to Edmonston Road, then south with the road to Good Luck Road, then east with the road to the east line of Wildercroft Subdivision, then south with the line to Old Riverdale Road or Finns Lane, then southeast with the road to the north line of Kidmore Park Subdivision, then west with the line and part of the south line of Wildercroft Subdivision to the northwest corner of Kidmore Park Subdivision, then south with the lines of the subdivisions to the northeast corner of Eastpines Subdivision, then south and west with the east line of the subdivision to Washington Baltimore Parkway, then south with the road to the east projection of Carters Lane, then west with the projection and lane to Edmonston Road, then south with the road to Hamilton street in Elmar Gardens Subdivision, then west to the southeast corner of Lot 8, Block 77 of Riverdale Park Subdivision, then with the subdivision to its southwest corner, then north and west with the subdivision to Washington Baltimore Boulevard, then north with the boulevard to the division line between West Riverdale Subdivision and Maryland Real Estate & Investment Co. Addition to Hyattsville, then west with the line to 43rd Place, then north with the street to Colesville Road, then west and north with the road to beginning.
- Sec. 550A: The boundaries of Lanham Election District 20 shall be as follows: beginning at the intersection of Bald Hill Branch and Branchville Glendale Road, then south with the branch to Good Luck Road, then east with the road .3 miles to a small branch, then southeast with the branch to Folly Branch, then south with the branch to Lincoln Avenue, then southwest with the avenue to George N. Palmer Highway, then southwest with the road to Bald Hill Branch, then south with the branch to another branch just north of Ardwick Road, then southwest with the branch to the east projection of the north line of Block 8 in Glenarden Heights Subdivision, then west with the projection and the line to Brightseat Ardmore Road, then with the north line of the subdivision to George N. Palmer Highway, then southwest with the road to Piedmont Drive in Section 2 of Ardwick Park Development Co. Subdivision, then northwest with the drive to a small branch, then west with the branch to Beaverdam Branch, then north with the branch to the Pennsylvania Railroad, then northeast with the railroad to Ardwick Ardmore Road, then west

with the road to National Defense Highway, then west with the road to Decatur Street in Glenridge Subdivision, then northeast with the street to 71st Avenue, then north with the avenue to Gallatin Street, then west with the street and its projection to the west line of the Harwood tract, then north with the line to a corner of Josias Adams Estate and Kidmore Park Subdivision, then east, north, and west with the latter subdivision to Old Riverdale Road or Finns Lane, then northwest with the road to the east line of Wildercroft Subdivision, then north with the line to Good Luck Road, then east with the road to Bald Hill Branch, then north with the branch to beginning.

- Sec. 550B: The boundaries of Berwyn Election District 21 shall be as follows: beginning at the MO line and Pisgah Church Road, then southeast with the road to Riggs or Powder Mill Road, then east with the road to Colesville Road, then south with the road to Wells Boulevard in College Heights Estates, then east with the boulevard to Claggett Road, then east with the road to Claggett Street, then east with the street to the west line of College Heights Subdivision, then north and east with Block E of the subdivision to Washington Baltimore Boulevard, then south with the boulevard to Albion Road, then east with the road and its projection to the east line of the land of the University of Maryland east of the B & O Railroad, then north with the line to the south line of Kropps Addition to College Park, then with the south and east lines of the subdivision to Calvert Road, then east with the road to Edmonston Road, then south with the road to Good Luck Road, then east with the road to Bald Hill Branch, then north with the branch to Glendale Road, then east with the road to S.C.S. Swine Road, then north with the road to Beaverdam Road, then west with the road to Beaverdam Creek, then west with the creek to Rt. 205, then north with the road to Sunnyside Road, then west with the road to the B & O Railroad, then south with railroad to the east projection of the north line of Hollywood on the Hill Subdivision, then west with the line to Edgewood Road, then west with the road to Washington Baltimore Boulevard, then south with the boulevard to Cherry Hill Road, then west with the road to Buck Lodge Road, then west with the road to Paint Branch, then north and west with the branch to the MO line, then southwest with the county line to beginning.

### **Acts of 1961, Ch. 546**

An act to repeal and reenact Secs. 590 and 596 of Art. 17, Public Local Laws, re boundaries in PG, approved 4-24-1961, effective 6-1-1961

- Sec. 590: The boundaries of Bowie Election District 14 shall be changed to the follow: beginning at the intersection of the Patuxent River and Brock Bridge Road, then south with the road to Rt. 197, then southwest across Montpelier Farm to the intersection of Muirkirk Road and Fairspring or Old Stage Road, then southwest with the road to Vansville, Swampoodle, or Odell Road, then southeast with the road to East West Highway, then west with the road to C.G.S. Swine Road, then south with the road to Glendale Road, then west with the road to Bald Hill Branch, then south with the branch to Good Luck Road, then east with the road to 96th Avenue, then south with the avenue to Rt. 564, then east with the road 600 feet to a small branch, then southeast with the branch to Folly Branch, then south with the branch to the old Washington, Baltimore & Annapolis Railroad, then southwest with the railroad to National Defense Highway, then east with the road to Crain Highway, then north with the road to the Patuxent River, then northwest

with the river to beginning.

- Sec. 596: The boundaries of Lanham Election District 20 shall be changed to the following: beginning at the intersection of Good Luck Road and 96th Avenue, then south with the avenue to Rt. 564, then east with the road 600 feet to a small branch, then southeast with the branch to Folly Branch, then south with the branch to Lincoln Avenue, then southwest with the avenue to George N. Palmer Highway, then southwest with the road to Bald Hill Branch, then south with the branch to another branch just north of Ardwick Road, then southwest with the branch to the east projection of the north line of Block 8 in Glenarden Heights Subdivision, then west with the projection and the line to Brightseat Ardmore Road, then with the north line of the subdivision to George N. Palmer Highway, then southwest with the road to Piedmont Drive in Section 2 of Ardwick Park Development Co. Subdivision, then northwest with the drive to a small branch, then west with the branch to Beaverdam Branch, then north with the branch to the Pennsylvania Railroad, then northeast with the railroad to Ardwick Ardmore Road, then west with the road to National Defense Highway, then west with the road to Decatur Street in Glenridge Subdivision, then northeast with the street to 71st Avenue, then north with the avenue to Gallatin Street, then west with the street and its projection to the west line of the Harwood tract, then north with the line to a corner of Josias Adams Estate and Kidmore Park Subdivision, then east, north, and west with the latter subdivision to Old Riverdale Road or Finns Lane, then northwest with the road to the east line of Wildercroft Subdivision, then north with the line to Good Luck Road, then east with the road to Bald Hill Branch, then north with the branch to beginning.

### **Acts of 1969, Ch. 739**

An act to repeal and reenact Sec. 27-1, 27-10, and 27-14 of Art. 17, Public Local Laws, re boundaries in PG, approved 5-14-1969, effective 7-1-1969

- Sec. 27-1: The boundaries of [Vansville Election District 1] in PG shall be changed to the following: beginning at Greencastle Road and the MO line, then east with the road to Montgomery or Gunpowder Road, then north with the road to Contee or Van Dusen Road, then east with the road to Virginia Manor Road, then east and south with the road to Shady Lane, then southeast with the lane to Baltimore Avenue, then southwest with the avenue to Beaver Dam Road, then west with the road to Beaverdam Creek, then west with the creek to Rt. 205, then north with the road to Sunnyside Road, then west with the road to the B & O Railroad, then south with the railroad to the east projection of the north line of Hollywood on the Hill subdivision, then west with the line to Edgewood Road, then west with the road to Washington Baltimore Boulevard, then south with the road to Cherry Hill Road, then west with the road to Buck Lodge Road, then west with the road to Paint Branch, then north and west with the branch to the MO line, then northeast with the county line to beginning.
- Sec. 27-10: The boundaries of [Laurel Election District 10] shall be changed to following: beginning at Green Castle Road at the MO line, then with the road to Montgomery or Gunpowder Road, then north with the road to Contee or Van Dusen Road, then east with the road to Virginia Manor Road, then east and south with the road to Shady Lane, then southeast with the lane to Baltimore Avenue, then southwest with the avenue to Muirkirk Road, then east with the road to Odell Road, then southwest with the road to the Patuxent River, then north and west with the

river to the MO line, then southwest with the county line to beginning.

- Sec. 27-14: The boundaries of [Bowie Election District 14] shall be changed to the follow: beginning at the intersection of the Patuxent River and Powder Mill Road, then south and west with the road to Soil Conservation Road, then south with the road to Glendale Road, then west with the road to Bald Hill Branch, then south with the branch to Good Luck Road, then east with the road to 96th Avenue, then south with the avenue to Rt. 564, then east with the road 600 feet to a small branch, then southeast with the branch to Folly Branch, then south with the branch to the old Washington, Baltimore & Annapolis Railroad, then southwest with the railroad to National Defense Highway, then east with the road to Crain Highway, then north with the road to the Patuxent River, then northwest with the river to beginning.

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## Election Districts - QA

### Acts of 1820, Ch. 69

An act to increase districts, passed 1-22-1821, confirmed by Acts of 1821, Ch. 27

- Sec. 2: Election District 4 in QA shall be established from parts of Election Districts 1 and 2.

### Acts of 1821, Ch. 92

An act to increase districts, passed 1-26-1822

- Sec. 1: Five commissioners are named in this act to divide QA into four election districts.
- Sec. 2: Election Districts 1 and 2 shall be divided into three districts. The commissioners shall also number the districts and select polling places. By June 20 the descriptions, numbers, and selections shall be filed with the county court clerk for recording.

### Acts of 1826, Ch. 180

An act to increase districts, passed 2-27-1827, confirmed by Acts of 1827, Ch. 1

- Sec. 2: Election District 5 in QA shall be established from part of Election District 3.

### Acts of 1827, Ch. 25

An act to increase districts, passed 1-29-1828

- Sec. 2: Per Acts of 1826, [Ch. 180] five commissioners are named in this act to establish Election District 5 in QA from part of Election District 3 and select polling places. By June 20 the descriptions and selections shall be filed with the county court clerk for recording.

### Acts of 1849, Ch. 79

An act to change polling places, passed 2-12-1850

- The polling place for Election District 4 in QA shall be changed to at or near Dennys Store.

## **Acts of 1876, Ch. 75**

An act to increase districts, approved 3-22-1876

- Sec. 1: Ruthsburg Election District 6 in QA shall be established from parts of Election Districts 1-3.
- Sec. 2: The boundaries shall be as follows: beginning at Hillsborough, then with the CA and QA line to the public road between Bennett Down and the public road leading from Roesville, then with the public road between William D. Smith and the brick schoolhouse, then with the public road to Carrville station, then with the public road between Ruthsburg and Centreville, then to Halls Crossroads, then with the public road to Willoughbys shops, then with the public road along the TA and QA line to beginning.
- Sec. 3: The polling place shall be at Ruthsburg.

## **Acts of 1882, Ch. 244**

An act to increase districts, approved 5-3-1882

- Sec. 1: Crumpton Election District 7 in QA shall be established from parts of Election Districts 1 and 2.
- Sec. 2: The boundaries shall be as follows: beginning at a bridge over the Chester River at Turners mill above Sandtown, then south with the public road to the public road between Andover Branch and Sandtown, then southwest with the road to its forks, then southwest with the left fork between the lands of Edwin W. Spear, John Benson, et al to Caseys Crossroads, then with the public road through the lands of James B. Stevens, Edwin W. Spear, Benjamin T. Briggs, heirs of Thomas Taylor, Joseph E. Briscoe, Samuel Casey, and John C. Hackett to Hacketts Corner at the intersection with the road between Sudlersville and Coppage Landing, then to Red Lyon Branch at the mill pond of William L. Godwin, then with the branch to the public road between Crumpton and Dudleys Chapel at the grist mill of John McFadden, then south with the road to the public road between Sudlersville and Church Hill at schoolhouse eight, then with the road to the road leading to JB, then with the road to JB, then with the public road through the lands of William Hopkins, Joel R. Clements, and John F. Godwin to the public road leading between the lands of the heirs of B.S. Ford, John F. Godwin, John T. Baxter, et al and the main road between Bartons Corner and Church Hill, then north with the road to Bartons Corner, then with the public road between the lands of John Evans, William Hurlock, and heirs of John Brown to African Union Church, then with the public road between the lands of Dr. Joseph Catlin, James Francis Hall, William Hurlock, and heirs of Joseph Catlin to the public road between Sandtown and Chestertown at Round Top corner, then west with Chestertown Road to a branch of Rosin Creek, then with the branch and creek to the Chester River, then with the river to beginning.
- Sec. 3: The polling place shall be at Crumpton.

**Acts of 1888, Ch. 268**

An act to establish precincts, approved 4-4-1888

- Sec. 1: Election District 5 in QA shall be divided into two precincts. The boundaries shall be as follows: beginning at head of Blunts Creek, an estuary of the Chester River, then to the head of Dividing Cove of the Wye River between the lands of Mrs. Mary C. Bryan and William W. Nelson, then with the river to the end of Bennetts point. The area north and east of the line shall be Precinct 1, and the area south and west of the line Precinct 2.
- Sec. 2: The polling place for Precinct 1 shall be at Queenstown, and for Precinct 2 at Winchester.

**Acts of 1957, Ch. 664**

An act to repeal and reenact Secs. 222-224 of and to add sections to Art. 18, Public Local Laws, re districts and precincts in QA, approved 4-10-1957, effective 6-1-1957

- Sec. 222: QA shall be divided into seven election districts.
- Sec. 222A: The boundaries of Election District 1 shall be as follows: beginning at the bridge over Sewells Branch or Andover Branch at Turners Mills at the end of KE Road 10, then then with Unicorn Branch Road to Stephens Corner, then with Peters Corners Road and Hackett Corners Road to Hackett Corners, then southwest to the intersection of Rt. 71 and Rt. 290, then with Rt. 290 to Rt. 300 at Dudley Corners, then west with Rt. 300 to Crane Swamp Road, then south with the road to Roberts and Rt. 19, then with Rt. 19 to Ingleside, then with Rt. 305 to Charles Walls Road, then southeast with the road to Rt. 313, then southeast with the road to the CA line, then northeast with the county line to the KE and DE line, then with the line to the KE line at Sewells Branch, then west with the county line to beginning.
- Sec. 222B: The boundaries of Election District 2 shall be as follows: beginning at the mouth of Southeast Creek at the KE line and the Chester River, then with the creek to Island Creek, then with the creek to Granny Finley Branch, then with the branch to Granny Branch Road, then south with the road to Hayden, then east with Hayden Clark Corners Road to Clark Corners, then east with Clark Corners Road to Rt. 305, then with the road to Rt. 19 in Ingleside, then with the road to Crane Swamp Road at Roberts, then with the road to Rt. 300, then southwest with the road to IB Road, then with the road to IB, then with Bowers Corner Burchard Corner Road and Sheriff Meredith Road to Ewingville Road at Baxter Corner, then with the road and Baxter Road through Union School Corner to Rt. 544 at Catlin Corner, then southwest with the road to Rosin Creek, then with the creek to the KE line and Chester River, then with the county line and river to beginning.
- Sec. 222C: The boundaries of Election District 3 shall be as follows: beginning at the mouth of Southeast Creek at the KE line and the Chester River, then with the creek to Island Creek, then with the creek to Granny Finley Branch, then with the branch to Granny Branch Road, then south with the road to Hayden, then with Hayden White Marsh Road to Robinson Road, then with the road to Rt. 305, then east with the road to Carville Lane Road at Carville, then with the road to Rt. 304, then to the intersection of Rt. 303 and Grange Hall Road at Starr, then southeast with Rt. 303 to Willoughby Starr Road, then with the road to Rt. 404 and the TA line at Willoughby, then with the county line to Rt. 662 at Wye Mills, then with the road and Rt. 213 to Madam Alices



Branch, then northwest to the head waters of Browns or Reeds Tanyard Branch, then with the branch to the KE line and Chester River, then with the county line and river to beginning.

- Sec. 222D: Election District 3 shall be divided into two precincts. The boundary line shall be as follows: beginning at the intersection of Rt. 213 and Granny Finley Branch at the division line between Election Districts 2 and 3, then with the road to Centreville, then with Commerce Street to Broadway Street, then northwest with the street to Liberty Street, then southwest with the street, Rt. 213, and Rt. 662 to the TA line at Wye Mills. The area west of the line shall be Precinct 1, and east of the line Precinct 2.
- Sec. 222E: The boundaries of Election District 4, consisting of Kent Island and small outlying islands, shall be as follows: beginning in the Chesapeake Bay at the intersection of the AA, KE, and QA lines, then with the KE line to the Chester River, then with the river to Kent Narrows, then with the narrows and Prospect Bay to the TA line, then with the county line to the intersection with the AA and QA line, then with the AA line to beginning.
- Sec. 222F: The boundaries of Election District 5 shall be as follows: beginning in the Chester River, then with the river to Kent Narrows, then with the narrows and Prospect Bay to the TA line, then with the county line to Wye Mills, then with Rt. 662 and Rt. 213 to Madam Alices Branch, then northwest to the head waters of Browns or Reeds Tanyard Branch, then with the branch to the KE line and Chester River, then with the county line and river to beginning.
- Sec. 223: Election District 5 shall be divided into two precincts. The boundary line shall be as follows: beginning at the TA line and Wye River, west of Bordley Point, then with the West Branch of the river to the mouth of Dividing Cove, then with the North Branch of the cove to its head, then to the head of Walsey or Blounts Creek, then with the creek to its mouth, then northwest to the KE line and Chester River. The area east of the line shall be Precinct 1, and west of the line Precinct 2.
- Sec. 224: The boundaries of Election District 6 shall be as follows: beginning at the CA and TA lines, then with the CA line to Rt. 313, then with the road to Charles Walls Road, then with the road to Rt. 305, then southwest with the road to Clarks Corners Road, then with the road to Clark Corners, then with Hayden Clark Corners Road to Hayden, then with Hayden White Marsh Road to Robinson Road, then with the road to Rt. 305, then east with the road to Carville Lane Road in Carville, then with the road to Rt. 304, then with the road to the intersection of Rt. 303 and Grange Hall Road at Starr, then southeast with Rt. 303 to Willoughby Starr Road, then with the road to Rt. 404 and the TA line at Willoughby, then southeast with the county line to beginning.
- Sec. 225: The boundaries of Election District 7 shall be as follows: beginning at the bridge over Sewells Branch or Andover Branch at Turners Mills at the end of KE Road 10, then then with Unicorn Branch Road to Stephens Corner, then with Peters Corners Road and Hackett Corners Road to Hackett Corners, then southwest to the intersection of Rt. 71 and Rt. 290, then with Rt. 290 to Rt. 300 at Dudley Corners, then southwest with Rt. 300 to IB Road, then with the road to IB, then with Bowers Corner Burchard Corner Road and Sheriff Meredith Road to Ewingville Road at Baxter Corner, then with the road and Baxter Road through Union School Corner to Rt. 544 at Catlin Corner, then southwest with Rt. 544 to Rosin Creek, then with the creek to the KE line and Chester River, then with the county line and river to beginning.
- Sec. 225A: The polling places shall be as follows: Election District 1 at Sudlersville, Election District 2 at Church Hill, both precincts of Election District 3 at Centreville, Election District 4 at

Stevensville, Precinct 1 of Election District 5 at Queenstown, Precinct 2 of Election District 5 at Grasonville, Election District 6 at Ruthsburg, and Election District 7 at Crumpton.

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## **Election Districts - SM**

### **Acts of 1801, Ch. 59**

An act to alter districts and polling places, passed 12-31-1801

- Sec. 1: Some election districts in AL, CE, SM, and WA as not as equal as possible in regards to population, and some polling places are not centrally located. Some districts in PG have become unequal in population because of the establishment of the District of Columbia.
- Sec. 2: Commissioners in the affected counties shall review the election districts and, if necessary, alter the lines and select new polling places. The descriptions and selections shall be filed with the county court clerks by June 15 for recording.
- Sec. 4: Commissioners to lay out the districts are named in this act for the affected counties.

### **Acts of 1806, Ch. 29**

An act to increase districts, passed 12-31-1806, confirmed by Acts of 1807, Ch. 8

- Sec. 1: SM now contains three election districts.
- Sec. 3: Election District 4 shall be established from parts of Election Districts 1 and 3.

### **Acts of 1807, Ch. 28**

An act to change boundaries, passed 1-15-1808

- Sec. 1: Seven commissioners are named in this act to resurvey the four election districts in SM. The boundaries of Election District 2 shall remain unchanged. Commissioners shall number the districts and select polling places. By July 15 the descriptions, numbers, and selections shall be filed with the county court clerk for recording.

### **Acts of 1816, Ch. 5**

An act to change polling places, passed 12-7-1816

- Sec. 1: Election judges shall select a new polling place in Clifton Factory for Election District 2 in SM.
- Sec. 2: A certificate of selection shall be filed with the county court clerk for recording.

### **Acts of 1822, Ch. 112**

An act to increase districts, passed 2-6-1823, confirmed by Acts of 1823, Ch. 128

- Sec. 2: Election District 5 in SM shall be established from part of Election District 4. By July 15 the descriptions, numbers, and selections shall be filed with the county court clerk for recording.

### **Acts of 1823, Ch. 154**

An act to increase districts, passed 2-19-1824

- Sec. 1: Seven commissioners are named in this act to establish Election District 5 in SM from part of Election District 4. The polling places shall be at Chaptico and Charlotte Hall. By April 1 the descriptions shall be filed with the county court clerk for recording.

### **Acts of 1824, Ch. 16**

An act to increase districts, passed 1-7-1825

- The commissioners named in Acts of 1823, Ch. 154 to establish Election District 5 in SM from part of Election District 4 completed their proceedings after the April 1 deadline. This act will confirm their actions.

### **Acts of 1831, Ch. 190**

An act to describe boundaries, passed 3-5-1832

The record of the boundaries of the election districts was destroyed in the recent courthouse fire.

- Sec. 1: Five commissioners are named in this act to ascertain the boundaries of the five election districts in SM. By the first Monday in August the descriptions shall be filed with the county court clerk for recording.

### **Acts of 1856, Ch. 277**

An act to increase districts, passed 3-10-1856

- Sec. 1: Three commissioners are named in this act to establish a new election district in SM and select a polling place.
- Sec. 2: The boundaries shall be as follows: beginning at Horse Landing on the Patuxent River, then with the most direct main road to St. Josephs Church, then with the road by Bond store to Rich Neck Road, then across Rich Neck Swamp with the main road to Mackintosh Road near the Joy farm, then to the division line between Election Districts 2 and 3, then with the division line and Patuxent River to beginning. By the first Monday in September the description and selection shall be filed with the county court clerk for recording.

### **Acts of 1868, Ch. 274**

An act to change boundaries, approved 3-30-1868

- Sec. 1: Blackiston Island shall be included in Election District 3 in SM.

### **Acts of 1876, Ch. 283**

An act to increase districts, approved 4-8-1876

- Sec. 1: Election District 7 in SM shall be established from Election District 4. The boundaries shall be as follows: beginning at the crossing of St. Clements Bay Run over Stage Road, then with the road towards Chaptico to the northeast corner of the Neale lot, then to the head waters of Brambly Creek, then with the Wicomico and Potomac Rivers and St. Clements Bay to beginning, including the islands in the rivers and bay.
- Sec. 2: The polling place for Election District 4 shall be at Chaptico and for Election District 7 at or near Milestown.

### **Acts of 1878, Ch. 423**

An act to change boundaries, approved 4-5-1878

- Sec. 1: Part of Election District 4 in SM shall be annexed to Election District 5. The portion to be annexed shall lie north of the following line: beginning at the intersection of Forest Hall Road and Three Notch Road, then N88°W 3.5 miles to the junction of Sothorons Run and the northwest branch of Chaptico Bay.

### **Acts of 1878, Ch. 466**

An act to increase districts, approved 4-5-1878

- Sec. 1: Bay Election District 8 in SM shall be established from part of Election District 2. The new district shall lie northeast of the following line: beginning at the intersection of the line of Election District 3 and Western Branch, then with the branch to St. Marys River, then with the river to the line of District 1. The polling place shall be at Centreville.
- Sec. 2: The polling place in Election District 2 shall be at or near Oak Store.

### **Acts of 1882, Ch. 140**

An act to repeal and reenact Sec. 1 of Acts of 1876, Ch. 283, re districts, approved 3-30-18

- Sec. 1: Election District 7 in SM shall be established from Election District 4. The boundaries shall be as follows: beginning at the crossing of St. Clements Bay Run over Stage Road, then with the road towards Chaptico to the northeast corner of the Neale lot, then to the head waters of Notley Hall Creek, then with the Wicomico and Potomac Rivers and St. Clements Bay to beginning, including the islands in the rivers and bay.

### **Acts of 1884, Ch. 259**

An act to increase districts, approved 4-8-1884

- Sec. 1: Island Election District 9 in SM shall be established from Factory Election District 2. It shall consist of St. Georges Island.
- Sec. 2: The polling place shall be at Adams store.

## **Acts of 1888, Ch. 522**

An act to change boundaries, approved 4-5-1888

- Sec. 1: The boundary line between Election Districts 5 and 6 in SM shall be changed as follows: beginning at Turner store on Three Notch Road, then with the road to the road leading from Three Notch Road and through the lands of G.W.L. Buckler and W.C. Ruder to Horse Landing on the Patuxent River.

## **Acts of 1965, Ch. 569**

An act to repeal and reenact Sec. 66 of Art. 19, Public Local Laws, re districts in SM, approved 4-8-1965, effective 6-1-1965

- Sec. 66: SM is divided into nine election districts according to the names and boundaries shown on the map of CA revised in 1952 by the Dept. of Geology, Mines and Water Resources. Polling places shall remain the same unless and until changed by the election board.

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## **Election Districts - SO**

## **Acts of 1821, Ch. 159**

An act to change polling places, passed 2-14-1822

- Sec. 1: Nine commissioners named in this act shall select a new polling place for Election District 3 in SO. The selection shall be filed with the county court clerk for recording.

## **Acts of 1824, Ch. 146**

An act to increase districts, passed 2-23-1825, confirmed by Acts of 1825, Ch. 27

- Sec. 2: SO shall be divided into six election districts. Upper Election District 1 shall be divided into three districts, and Middle Election District 2 into two districts with the new one to be convenient for the voters of Dames Quarter and adjacent islands. Lower Election District 3 shall remain the same.
- Sec. 3: Levy court shall appoint commissioners to lay off the districts and select polling places.
- Sec. 4: By July 1, 1826 the descriptions and selections shall be filed with the county court clerk for recording.

## **Acts of 1825, Ch. 69**

An act to increase districts, passed 2-13-1826, confirmed by Acts of 1826, Ch. 68

- Sec. 1: Middle Election District 2 in SO shall be further divided into two more districts, one convenient to the voters on the north side of Wicomico Creek and the other at or near Dublin and Cokesbury near the east line of the district.

- Sec. 2: Levy court shall appoint commissioners to lay off the districts and select polling places.
- Sec. 3: By July 1, 1827 the descriptions and selections shall be filed with the county court clerk for recording.

### **Acts of 1828, Ch. 123**

An act to change boundaries, passed 3-7-1829

- Sec. 1: Three commissioners are named in this act to change the boundaries between Dublin and Brinkleys Election Districts in SO to the following: beginning on the Pocomoke River at the division line between the lands of Littleton Dennis and George W. Powell, then north with the line to Stevens Branch, the up the branch to the county road between Curtis Chapel and Stevens Ferry. The area east of this line shall be included in Dublin Election District. By July 1 the return shall be filed with the county court clerk.

### **Acts of 1829, Ch. 115**

An act to change polling places, passed 2-22-1830

- Sec. 1: The polling place for Dames Quarter Election District in SO shall be changed to the store of Samuel Ford on the public road in the district.

### **Acts of 1831, Ch. 33**

An act to increase districts, passed 1-15-1832, confirmed by Acts of 1832, Ch. 5

- Sec. 1: A new election district convenient to voters of Hungary Neck in SO shall be established from Princess Anne Election District.
- Sec. 2: Levy court shall appoint commissioners to lay off the district and select a polling place.
- Sec. 3: By July 1, 1832 the description and selection shall be filed with the county court clerk for recording.

### **Acts of 1831, Ch. 127**

An act to change boundaries, passed 2-20-1832

- The following part of Lower Election District in SO shall be annexed to Dublin Election District: beginning at Stevens Ferry, then with the county road to Curtis Chapel, then with the county road by James Smith to the county road leading to Rehobeth, then crossing the road and to the Pocomoke River east of the mansion of Littleton Upshur Dennis, then with the river to beginning.

### **Acts of 1831, Ch. 147**

An act to increase districts, passed 2-29-1832, confirmed by Acts of 1832, Ch. 31

- Sec. 1: Seven commissioners are named in this act to divide the part of SO north of the Wicomico River, including the part north of Fonetank Creek, into four election districts and to

number them.

- Sec. 4: The polling places shall be at Barren Creek, Tyaskia, Quantico, and Salisbury,
- Sec. 7: By the first Monday in July 1833 the descriptions and numbers shall be filed with the county court clerk for recording.

### **Acts of 1833, Ch. 11**

An act to increase districts, passed 1-26-1834, confirmed by Acts of 1834, Ch. 21

- Sec. 1: Smith Island in SO shall be established as a new election district from Annamessex Election District.
- Sec. 2: Levy court shall appoint three commissioners to select a polling place.
- Sec. 3: By August 1, 1835 the selection shall be filed with the county court clerk for recording.

### **Acts of 1837, Ch. 356**

An act to change polling places, passed 3-30-1838

- Three commissioners are named in this act to change the polling place for Salisbury Election District in SO in Salisbury. By July 1 the selection shall be filed with the county court clerk for recording.

### **Acts of 1838, Ch. 12**

An act to decrease districts, passed 1-16-1839

- Election Districts 6 and 11 in SO shall be combined into Election District 6.

### **Acts of Dec. 1841, Ch. 36**

An act to change polling places, passed 1-26-1842

- Sec. 1: SO Board of County Commissioners shall condemn a lot, nor over .25 acres, in Tyaskin Election District for a polling place.
- Sec. 3: County commissioners shall contract to have built a building 12' sq.

### **Acts of 1847, Ch. 246**

An act to change polling places, passed 3-9-1848

- Three commissioners are named in this act to change the polling place for Salisbury Election District in SO at Salisbury. By July 1 the selection shall be filed with the county court clerk for recording.

### **Acts of 1852, Ch. 24**

An act to increase districts, passed 2-13-1852

- Sec. 1: The Potato Neck area of SO shall be a new election district known as Potato Neck Election District 11. The boundaries shall be as follows: bound on one side by the Annamessex River from its mouth to Kingston Bridge, then with the county road to Back Creek Bridge, then with the creek to the Manokin River, then with the river to its mouth.
- Sec. 2: The polling place shall be at Fairmount.

### **Acts of 1853, Ch. 300**

An act to increase districts, passed 5-27-1853

- Sec. 1: Smith Island in SO shall be a separate election district known as Smiths Island Election District 12.
- Sec. 3: The polling place shall be at the house of Severn Bradshaw.

### **Acts of 1854, Ch. 312**

An act to increase districts, passed 3-10-1854

- Sec. 1: Sharptown Election District 13 in SO shall be established from Election District 1.
- Sec. 2: The boundaries shall be as follows: beginning at Bacon Quarter on the Nanticoke River, then with the county road between Bacon Quarter and the dwelling house of Levin Wright, then east to the DE line.
- Sec. 3: The polling place shall at Sharptown.

### **Acts of 1856, Ch. 41**

An act to increase districts, passed 2-27-1856

- Sec. 1: Lawsons Election District 14 in SO shall be established from Brinkleys Election District 6.
- Sec. 2: The boundaries shall be as follows: beginning at the head of Coulbourns Creek, then with a private road between the lands of John C. Horsey and Southey Miles to the county road between Kingston and Jeffersons Corner, then southeast and south with the road to Whites Road, then with the road to the head of Gumbys Creek. The area south and west of this line shall constitute Election District 14.
- Sec. 3: The polling place shall at the store of Samuel Sterling. The polling place for District 6 shall be at Scotts store, formerly occupied by the late Henry Millbourn.

### **Acts of 1856, Ch. 117**

An act to change boundaries, passed 3-8-1856

- Sec. 2: The boundaries of Lawsons Election District 14 in SO shall be changed to the following: beginning at the head of Coulbourns Creek, then with a private road between the lands of John C. Horsey and Southey Miles to the county road between Kingston and Jeffersons Corner, then with the road to Whites Road, then with the road to the district bridge at the Branch near John Miles, then with East Creek to the Pocomoke River dividing the lands of Littleton Whittington and



Nathaniel Tull. The area south and west of this line shall constitute Election District 14.

- Sec. 3: The polling place shall at the store of Samuel Sterling. The polling place for Brinkleys Election District 6 shall be at the store, formerly occupied by the late Henry Millbourn and now owned by the heirs of Stephen Ward.

## **Acts of 1858, Ch. 20**

An act to increase districts, passed 2-11-1858

- Sec. 1: Tangier Election District 15 in SO shall be established from Dames Quarter Election District 4.
- Sec. 2: The boundaries shall be as follows: beginning at the mouth of Rock Creek, then south to Fishing Creek. The area west of this line shall constitute Election District 15.
- Sec. 3: The polling place shall at Riders Hotel at the upper end of Deals Island. The polling place for District 4 shall remain at Fords store.

## **Acts of 1860, Ch. 84**

An act to change boundaries, passed 2-24-1860

- Sec. 2: The boundaries between Dames Quarter Election District 4 and Tangier Election District 15 in SO shall be changed to the following: beginning at the mouth of Bock Creek, then south to Fishing Creek. The area west of this line shall constitute Election District 15, and east of the line District 4.

## **Acts of 1868, Ch. 82**

An act to repeal and reenact Secs. 46-47 of Art. 19, Public Local Laws, re districts in SO, approved 3-3-1868

- Sec. 46: SO shall be divided into nine election districts according to their present boundaries, except Princess Anne District which shall include an additional area from the part of Trappe Election District remaining in the county since the formation of WI. The districts shall be Princess Anne Election District 1, Dames Quarter Election District 2, Brinkleys Election District 3, Dublin Election District 4, Hungary Neck Election District 5, Potato Neck Election District 6, Smiths Island Election District 7, Lawsons Election District 8, and Tangier Election District 9. Polling places shall remain the same.
- Sec. 47: The boundaries between Election Districts 2 and 9 shall be as follows: beginning at the mouth of Rock Creek, then south to Fishing Creek. The area west of this line shall constitute Election District 9. The area east of the line shall constitute Election District 2.

## **Acts of 1870, Ch. 326**

An act to change polling places, approved 4-4-1870

- Sec. 1: SO Board of County Commissioners is authorized to change the polling place for Dames

## Quarter Election District 2.

### **Acts of 1872, Ch. 428**

An act to change names, approved 4-1-1872

- Sec. 1: The name of Potato Neck Election in SO shall be changed to Fairmount Election District.

### **Acts of 1874, Ch. 43**

An act to change names, boundaries, and polling places, approved 2-26-1874

- Sec. 1: Crisfield Election District 7 in SO shall include all of the current Smiths Island Election District 7 and part of Lawsons Election District 8.
- Sec. 2: It shall include the part of District 8 south of the following line: beginning at the mouth of Apes Hole Creek on Pocomoke Sound, then with the creek to Apes Hole Bridge, then with the county road to Mariners Church, then to the mouth of a lane between the lands of L. Dow Lawson and William Davey near Jacksonville, then with the lane to the Little Annemessex River, then to the mouth of Flat Cap Creek.
- Sec. 3: The polling place for Election District 7 shall be at Crisfield, and for Election District 8 at Hopewell Station on the Eastern Shore Railroad.

### **Acts of 1878, Ch. 45**

An act to increase districts, approved 2-21-1878

- Sec. 1: Smiths Island Election District 10 in SO shall be established from part of Crisfield Election District 7.
- Sec. 2: The district shall comprise all of Smiths Island.
- Sec. 3: The polling place shall be at the place where it was usually held prior to the passage of Acts of 1874, Ch. 43.

### **Acts of 1878, Ch. 186**

An act to change boundaries and polling places, approved 3-29-1878

- Sec. 1: The boundaries of Dames Quarter Election District 2 in SO shall be as follows: beginning at Dames Quarter Creek on Tangier Sound or Monie Bay, then south across the marsh to Manokin River, then with the river to the mouth of Goose Creek near the residence of Dr. William E. Waters, then with the creek to the mouth of a ditch near the head of the creek, then with the ditch to the county road near the residence of Thomas Heath, then north to Black or Monie Road, then with the road to Waterloo Bridge over Great Monie Creek, then with the creek to Tangier Sound. The part of Election District 2 west of the line between Tangier Sound and the Manokin River shall be annexed to Tangier Election District 9.
- Sec. 3: The polling place for Election District 2 shall be selected by the county commissioners in the vicinity of Smiths or Walker Store at St. Peters.

## **Acts of 1878, Ch. 214**

An act to change names, approved 4-1-1878

- Sec. 1: The name of Hungary Neck Election District 5 in SO shall be changed to Mount Vernon.

## **Acts of 1880, Ch. 146**

An act to change boundaries, approved 4-10-1880

- Sec. 1: The boundaries of Dames Quarter Election District 2 in SO shall be as follows: beginning at Dames Quarter Creek on Monie Bay, then south across the marsh to Manokin River, then with the river to the mouth of Goose Creek, then with the creek to the mouth of a ditch near the head of the creek, then with the ditch to the county road near the residence of Thomas Heath, then west with the road leading from Princess Anne to the store of John B. Waller, then with the county road leading to William H. Price and Little Monie Creek, then northwest with the creek to Monie Bay. The part of Election District 2 not included in the above shall be annexed to Princess Anne Election District 1.

## **Acts of 1882, Ch. 306**

An act to increase districts and change names, approved 5-2-1882

- Sec. 1: Dames Quarter Election District 11 in SO shall be established from Dames Quarter District 2 and Tangier Election District 9. District 2 shall be called St. Peters.
- Sec. 2: The boundaries of the new district shall be as follows: bound on the north by the head of Tangier Sound and Monie Bay, bound on the east by Pigeon House Creek to its head, then with a ditch to the county road east of the residence of Henry Jones, then south to the Manokin River, then with the river to the mouth of Fishing Creek, then north to the mouth of Rock Creek in Tangier Sound.
- Sec. 3: The polling place for Election District 11 shall be at the storehouse of William F. Dashiell near the county road between Princess Anne and Deals Island. The polling place for Election District 9 shall be at the storehouse where Jones keeps a store and house on Deals Island.

## **Acts of 1888, Ch. 318**

An act to change boundaries, approved 3-31-1888

- Sec. 1: The boundary lines between Crisfield and Lawsons Election Districts in SO shall be changed to the following: beginning at a ditch at Apes Hole Creek between the lands of John W. Coulbourn and George R. Sterling, then west with the ditch to the county road near the Mariners Methodist Protestant Church, then with the road to the Crisfield Branch of the New York, Philadelphia & Norfolk Railroad, then north with the railroad to the present division line between the two districts, then with the district line to the Annamessex River. The area between the old and new lines shall be annexed to Lawsons District.

### **Acts of 1892, Ch. 346**

An act to repeal Sec. 41-43 and 48 of and to add a section to Art. 20, Public Local Laws, re precincts in SO, approved 4-7-1892

- Sec. 48B: SO Board of County Commissioners may divide an election district into precincts whenever there are over 600 registered voters.

### **Acts of 1896, Ch. 386**

An act to increase districts, approved 4-4-1896

- Sec. 1: Asbury Election District 12 in SO shall be established from part of Crisfield Election District 7.
- Sec. 2: The new district shall encompass the area east of the following line: beginning at the Crisfield line at Hammocks Point, then with the city line to near the residence of Henry F. Jewett, then with the city line to Rayfield Road, then with the road to its east end, then east to Apes Hole Creek.
- Sec. 3: The polling place shall be at or near Oystermans Hall on the county road near Asbury Church.

### **Acts of 1898, Ch. 160**

An act to increase districts, approved 4-2-1898

- Sec. 1: Westover Election District 13 in SO shall be established from parts of Princess Anne Election District 1, Brinkleys Election District 3, and Fairmount Election District 6. The boundaries shall be as follows: beginning at Back Creek opposite the house of Capt. Alexander W. Bozman, then, excluding the house, with Bozmans private road to the county road between Fairmount and Westover, then east to the new road, then with the new road to the county bridge over the Annamessex River near the Scarborough property, then across the bridge and with the road to the old county road between Kingston and Marion, then east with the road to Kingstons or Carrolls Corner near the M.E. church, then east with the county road leading to Pocomoke City to Boggs Corner, then northeast with the road by the steam saw mill of Robert W. Adams to Green Hill, then with the road to Dublin Station on the New York, Philadelphia & Norfolk Railroad, then with the railroad to Kings Creek Station, then with the railroad to the bridge over Kings Creek, then with the creek to then Manokin River, then with the river to Back Creek, then with the creek to beginning at the bridge over the creek near the property of Thomas J. Furniss.

### **Acts of 1898, Ch. 469**

An act to change boundaries, approved 4-7-1898

- Sec. 1: The boundary lines between Brinkleys Election District 3 and Lawsons Election District 8 in SO shall be changed to the following: beginning at the mouth of Coulbourns Creek, then up the creek to Steamboat Wharf, then with the county road to Marion, then still with the road to

Tulls Corner, then still with the road to Branch Bridge, then with East Creek to its mouth in Pocomoke Sound.

### **Acts of 1902, Ch. 23**

An act to change boundaries, approved 3-5-1902

- Sec. 1: The boundary lines between Brinkleys Election District 3 and Westover Election District 13 in SO shall be changed to the following: beginning at the county bridge over the Annemessex River near the Scarborough property, then east with the river to the old bridge near the residence of the late George R. Dennis, then south with the county road to Carrolls Corner near the site of the old Kingston M.E. Church, then east with the present district line to Boggs Corner, then northeast with the county road leading to the old steam mill site of R.W. Adams to the division line between the Westover and Dublin Districts at or near the steam mill site.

### **Acts of 1902, Ch. 30**

An act to change boundaries, approved 3-5-1902

- Sec. 1: The boundary lines between Brinkleys Election District 3 and Lawsons Election District 8 in SO shall be changed to the following: beginning at the mouth of Coulbourns Creek, then up the creek to its head near the residence of Aden Davis, then to Chapel lane, then east with the lane to the Crisfield Branch of the New York, Philadelphia & Norfolk Railroad, then north with the railroad to the intersection of the county road leading from Steamboat Wharf and Marion Station, then east with the county road to Tulls Corner and Branch Bridge, then with East Creek to its mouth in Pocomoke Sound.

### **Acts of 1904, Ch. 74**

An act to increase districts, approved 3-15-1904

- Sec. 1: Deals Island Election District 14 in SO shall be established from part of Tangier Election District 9. The district shall encompass Deals Island and Little Deals Island.

### **Acts of 1904, Ch. 161**

An act to increase districts and change names, approved 3-25-1904

- Sec. 1: Princess Anne Election District 1 in SO shall be divided into two districts. West Princess Anne Election District 1 shall encompass the present Precinct 1, that is the area west of a line beginning at the intersection of the Crisfield Branch of the New York, Philadelphia & Norfolk Railroad and the south line of Election District 1, then north with the railroad to the county road at or near the south end of Main Street, then with the street through the town and the county road extension to the railroad crossing near the residence of George T. McClemmy, then with the railroad and the north line of District 1. East Princess Anne Election District 15 shall encompass the present Precinct 2, lying east of the above line.

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## Election Districts - TA

### Acts of 1852, Ch. 258

An act to increase districts, passed 5-26-1852

- Sec. 1: A new election district in TA shall be established from part of Election District 2.
- Sec. 2: The boundaries of the new Election District 5 shall be as follows: beginning at the mouth of Harris Creek, then with the creek to its head, then with the division line between the lands of James Dawson and William W. Lowe, then with the line to the division line between the lands of Lowe and William Hambleton, then with the line to the head of Emersons Creek, then with the creek to Miles River, then with the river and bay to include Tilghmans, Poplar, and Sharps Islands to beginning.
- Sec. 3: County commissioners shall select the polling place.

### Acts of 1876, Ch. 154

An act re precincts in HA and TA, passed 3-25-1876

- Sec. 1: HA Board of County Commissioners and TA Board of County Commissioners are authorized to divide election districts into precincts and to select polling places.

### Acts of 1892, Ch. 572

An act to change boundaries, approved 4-7-1892

- Sec. 1: The boundaries between Easton Election District 1 and Trappe Election District 3 in TA shall be changed to the following: beginning at the mouth of Trappe Creek, then up the creek to its north branch, then with the branch to a point at or near Waterloo, the residence of Mrs. James P. Hambleton, then east with the road from the residence to the public road between there and Dover Bridge at or near Iveytown Colored Church, then with the road to the current division line between Districts 1 and 2, then with the district line to the Choptank River.
- Sec. 2: This boundary change annexes Baileys Neck from Precinct 1 of Election District 3 to Election District 1.

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## Election Districts - WA

### Acts of 1800, Ch. 59

An act supplemental to Acts of 1799, Ch. 50, passed 12-19-1800

- Sec. 1: Commissioners to lay out the election districts in WA did not sufficiently describe the division line between Election Districts 4 and 5.
- Sec. 2: The division line between Election Districts 4 and 5 shall be closed by a line drawn north

from the head of the Green Spring furnace run to the PA line.

### **Acts of 1801, Ch. 59**

An act to alter districts and polling places, passed 12-31-1801

- Sec. 1: Some election districts in AL, CE, SM, and WA as not as equal as possible in regards to population, and some polling places are not centrally located. Some districts in PG have become unequal in population because of the establishment of the District of Columbia.
- Sec. 2: Commissioners in the affected counties shall review the election districts and, if necessary, alter the lines and select new polling places. The descriptions and selections shall be filed with the county court clerks by June 15 for recording.
- Sec. 4: Commissioners to lay out the districts are named in this act for the affected counties.

### **Acts of 1816, Ch. 37**

An act to change polling places, passed 1-3-1817

- Sec. 1: Election judges shall select a polling place for Election District 5 in WA in any house in Hancock.

### **Acts of 1816, Ch. 150**

An act to increase districts, passed 1-22-1817 [not confirmed]

- Sec. 2: Election District 6 in WA shall be established from part of Election District 3. The boundaries shall be as follows: beginning at Harrys Mill on Antietam Creek, then with the creek to the PA line, then with the state line to the FR line, then with the county line to Orrs Gap on the old road between Hagerstown and Frederick, then with the road to beginning. The polling place shall be at Cavetown.

### **Acts of 1819, Ch. 188**

An act to increase districts, passed 2-14-1820, [not confirmed]

- Sec. 1: WA now contains five election districts.
- Sec. 2: WA shall be divided into six election districts. The polling place for the new district shall be at Boonsborough.
- Sec. 3: The polling place for Election District 2 shall be at Williamsport.

### **Acts of 1820, Ch. 85**

An act to increase districts, passed 1-30-1821, confirmed by Acts of 1821, Ch. 29

- Sec. 1: WA now contains five election districts.
- Sec. 2: WA shall be divided into seven election districts. The polling place for the new districts shall be at Boonsborough and Cavetown.

- Sec. 3: The polling place for Election District 2 shall be at Williamsport.

### **Acts of 1821, Ch. 70**

An act to survey districts, passed 1-19-1822

- Sec. 1: WA Levy Court shall appoint seven commissioners to lay off the county into seven election districts. The polling places shall be at Sharpsburg for Election District 1, Williamsport for Election District 2, Hagerstown for Election District 3, Clear Spring for Election District 4, Hancock for Election District 5, Boonsborough for Election District 6, and Cavetown for Election District 7. By July 1 the descriptions shall be filed with the county court clerk for recording.

### **Acts of 1823, Ch. 100**

An act to change polling places, passed 2-5-1824

- Election judges shall select a new polling place for Election District 3 in WA at Hagerstown at any place except the courthouse.

### **Acts of 1832, Ch. 92**

An act to change boundaries and increase districts, passed 2-24-1833, confirmed by Acts of 1833, Ch. 30

<>Sec. 3: Three commissioners are named in this act to establish a new election district in WA from Election Districts 1 and 6. Their proceedings shall be filed with the county court clerk for recording.

Sec. 4: The commissioners shall review Election Districts 1, 2, and 6 and, if necessary, change the boundary lines.

### **Acts of 1834, Ch. 114**

An act to increase districts, passed 2-21-1835, confirmed by Acts of 1835, Ch. 17

- Sec. 1: An additional election district in WA shall be established from parts of Election Districts 3 and 7.
- Sec. 3: Three commissioners are named in this act to survey the new district. Their return shall be filed with the county court clerk for recording.

### **Acts of 1834, Ch. 166**

An act to change boundaries, passed 3-7-1835

- The following part of Election Districts 2 and 3 shall be placed in Election District 4 in WA: beginning where the division line between the lands of Andrew Summer and John Witmer crosses Conococheague Creek, then to the division line between the lands of Samuel and David Gruber and John S. Miller, then with that line to Hagerstown and Conococheague Turnpike, then



with the division line between the lands of Henry Harsh and George Harsh, then with the division line between the lands of George Harsh and George Houer, then to Conococheague Creek, then with the creek to beginning.

### **Acts of 1834, Ch. 176**

An act re Election District 8, passed 3-7-1835

A new election district was established per Acts of 1832, Ch. 92. Doubts have arisen about the legality of the proceedings of the commissioners.

- Secs. 1-2: The proceedings to establish Election District 8 in WA are ratified and confirmed.

### **Acts of 1834, Ch. 235**

An act to change boundaries, passed 3-19-1835

- The following part of Election District 2 in WA shall be annexed to Election District 3: beginning at the intersection of Hagerstown and Conococheague Turnpike and the road to the mill of George Sprecher, then to the mouth of the land of Jacob Bovey, then with the division line between the lands of Bovey and John Bear, then with the division line between the lands of Bovey, Isaac Bear, and Philip Sprecher, then with the division line between the lands of Sprecher and Martin Bear to Williamsport Road, then to Hagerstown and Conococheague Turnpike, then with the turnpike to beginning.

### **Acts of 1835, Ch. 225**

An act to change boundaries, passed 3-25-1836

- The boundary lines between Election Districts 1 and 6 in WA shall be reinstated to the lines that existed prior to the passage of Acts of 1832, Ch. 92.

### **Acts of 1835, Ch. 235**

An act to change boundaries, passed 3-19-1836

- The following part of Election District 2 shall be annexed to Election District 3 in WA: beginning on Hagerstown and Conococheague Turnpike at the intersection with the road to the mill of George Sprecher, then to the mouth of the lane of Jacob Bovey, then with the division line between the lands of Bovey and John Bear, then with the division line between the lands of Bovey, Isaac Bear, and Philip Sprecher, then with the division line between the lands of Sprecher and Martin Bear to Williamsport Road, then to Hagerstown and Conococheague Turnpike, then with the road to beginning.

### **Acts of 1836, Ch. 148**

An act to increase districts, passed 3-6-1837, confirmed by 1837, Ch. 210

- Sec. 1: Election District 9 shall be established in WA from parts of Election Districts 3 and 7.
- Sec. 5: Three commissioners are named in this act to survey the new district. Their return shall be filed with the county court clerk for recording.

### **Acts of 1837, Ch. 185**

An act to change boundaries, passed 3-20-1838

- Part of Election District 6 shall be placed in Election District 1 in WA. The new part of the boundary line shall be as follows: beginning at the schoolhouse of Peter Showman, then with the road to the blacksmith shop of William Lewis, then to division line between the two districts.

### **Acts of 1837, Ch. 186**

An act to select polling places, passed 3-20-1838

- WA Board of County Commissioners shall select a polling place for Election District 9, established per Acts of 1836, Ch. 148.

### **Acts of 1840, Ch. 160**

An act to change boundaries, passed 3-1-1841

- Part of Election District 6 shall be annexed to Election District 1 in WA. The new part of the boundary line shall be as follows: beginning at the handboard near Jacob Snaveley where Cavetown and Boonsboro Road crosses Ohr Gap Road, then north with Cavetown Road to Blue Rock Run, then with the run to its source, then east to the FR line.

### **Acts of 1840, Ch. 264**

An act to change boundaries, passed 3-10-1841

- Part of Election District 9 shall be annexed to Election District 3 in WA. The new part of the boundary line shall be as follows: beginning at the intersection of the PA line and Waynesborough Road, then with the road to Paradise Schoolhouse, then with the public road to the mill of Frederick Zeigler, then to the intersection of the end of the lane of Peter Spessard and the road from Forge Mill to Hagerstown, then with the road to the fording at Forge Mill.

### **Acts of 1847, Ch. 164**

An act to increase districts, passed 3-2-1848

- Sec. 1: Five commissioners are named in this act to establish Election District 10 in WA from parts of Election Districts 3 and 4.
- Sec. 2: Their return shall be filed with the county court clerk for recording.
- Sec. 3: The polling place for Election District 10 shall be at Cunninghams Crossroads.
- Sec. 4: The return shall be filed by the first Monday in May.

## **Acts of 1849, Ch. 401**

An act re Election District 3, passed 3-4-1850

- Sec. 1: WA Board of County Commissioners are authorized to divide Election District 3 into two wards or establish a new election district.
- Sec. 2: If wards are established, they shall be numbered 1 and 2. If an election district is established, it shall be numbered 10 [sic] and the polling place shall be at Funkstown.
- Sec. 3: The proceedings shall be completed by August 10 and filed with the county court clerk for recording in the land records.

## **Acts of 1852, Ch. 61**

An act to increase districts, passed 3-24-1852

- Sec. 1: WA Board of County Commissioners is authorized to establish Election District 11 from the lower parts of Election Districts 1 and 8.
- Sec. 2: The polling place in Election District 11 shall be at Sandy Hook.
- Sec. 3: The proceedings shall be completed by the first Monday in July and filed with the circuit court clerk for recording in the land records.

## **Acts of 1852, Ch. 223**

An act to increase districts, passed 5-18-1852

- Sec. 1: WA Board of County Commissioners is authorized to establish a new election district from parts of Sharpsburg, Williamsport, and Boonsboro Election Districts. Then boundaries shall be as follows: beginning at St. James College, then to the mouth of a lane on Hagerstown and Sharpsburg Road 1 mile north of Jones Crossroads, then east with the division line between Election Districts 6 and 10 to Antietam Creek, then with the creek to a bridge crossed by the road between Keedysville and Bakersville, then with the road to the schoolhouse in Smoketown, then with the road by John Poffenberger to the warehouse of Dovenberger, then with the Potomac River 2 miles, then to a house on Williamsport and Sharpsburg Road .25 miles west of Mount Moriah Schoolhouse, then to beginning.
- Sec. 2: County commissioners shall select a polling place. By the third Monday in September the descriptions and selection shall be filed with the circuit court clerk for recording.

## **Acts of 1854, Ch. 206**

An act to increase districts, passed 3-10-1854

- Sec. 1: A new election district shall be established from parts of Election Districts 4 and 5 in WA. The boundary shall be as follows: beginning at the intersection of the Potomac River and Dr. Jacques saw mill run in Election District 5, then to the PA line near a new bridge across Licking Creek in PA, then east with the PA line to the top of Blair Valley Mountain, then with the top of

the mountain to the turnpike at Fairview, then with the turnpike to William Kline, then with the top of the stone quarry ridge to the Potomac on the land of Tobias Johnson, then to the Potomac River, then with the river to beginning. Five persons are named in the act to direct the survey of the line. The plat shall be filed with the circuit court clerk for recording.

- Sec. 2: The new district shall be Election District 13. The county commissioners shall select the polling place, and may change it later if necessary.

### **Acts of 1856, Ch. 325**

An act to change polling places, passed 3-10-1856

- The polling place for Election District 7 in WA shall be changed to Smithsburg.

### **Acts of 1858, Ch. 47**

An act to increase districts, passed 2-4-1858

- Sec. 1: WA Board of County Commissioners is authorized to establish a new election district from part of Election Districts 3 and 4.
- Sec. 2: The new district shall be Election District 13 [sic]. The polling place shall be at Cunninghams Crossroads.
- Sec. 3: The proceedings shall be completed by the first Monday in July and filed with the circuit court clerk for recording in the land records.

### **Acts of 1860, Ch. 87**

An act to add a section to Art. 21, Public Local Laws, re election districts in WA, passed 2-17-1860

- WA Board of County Commissioners shall have the authority to establish new election districts, change the boundaries of districts, and designate polling places.

### **Acts of 1860, Ch. 88**

An act to repeal and reenact Sec. 91 of Art. 21, Public Local Laws, re election districts in WA, passed 2-24-1860

Voters in Election District 1 must travel long distances to vote.

- Sec. 1: WA shall be divided into thirteen election districts. County commissioners may subdivide the districts, create new ones, and change boundaries.

### **Acts 1892, Ch. 176**

An act to repeal and reenact Sec. 123 of Art. 22, Public Local Laws, re election districts in WA, approved 3-22-1892

- Sec. 123: WA Board of County Commissioners shall have the authority to establish new election districts, change the boundaries of districts, and designate polling places. The polling place for

Ringgold Election District 14 shall remain at Ringgold.

### **Acts 1896, Ch. 23**

An act to repeal and reenact Sec. 123 of Art. 22, Public Local Laws, re election districts in WA, approved 3-6-1896

- Sec. 123: WA Board of County Commissioners shall have the authority to establish new election districts, change the boundaries of districts, and designate polling places.

### **Acts of 1920, Ch. 160**

An act to increase districts, approved 4-23-1920

- Sec. 1: Election District 26 in WA shall be established from Hagerstown Election Districts 3 and 24, Williamsport Election District 2, and Funkstown Election District 10. The polling place shall be at the village of Halfway.
- Sec. 2: The boundary line of Election District 26 shall be as follows: beginning where the public road from Funkstown to what was until recently the Hagerstown and Williamsport Turnpike crosses what was until recently the Hagerstown and Downsville Turnpike, then with the latter south west to the farm of Emily Beckley and the public road between the two turnpikes, then with the public road to Hagerstown and Williamsport Turnpike at the farm of Edward C. Doub, then with the turnpike to the public road along the farm of Samuel B. Loose, then with the public road north by the old Sprecher mill property to the Western Maryland Railroad, then with the railroad northeast to the division line between the farms recently owned by Charles Eckstine and David E. Eckstine that is shown on a plat in Land Records 136, p. 525, then with the division line and its continuation to the Cumberland Valley Railroad, then with the railroad northeast to Linwood Road as shown on a plat of Prospect Place in Plat Book 1, p. 114, then with the road to Hagerstown and Williamsport Turnpike, then to beginning.

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## **Election Districts - WI**

### **Acts of 1868, Ch. 24**

An act to define boundaries, approved 2-18-1868

- Sec. 1: The boundaries of Barren Creek Election District 1 in WI shall be as now defined by law. The boundaries of Quantico Election District 2 shall be as now defined by law. The boundaries of Tyaskin Election District 3 shall be as now defined by law. The boundaries of Pittsburg Election 4 shall encompass the part of the district formerly called Crossroads as follows: beginning at the intersection of the Pocomoke River and the DE line, then with the river to Givens bridge, then with the road to St. James Chapel, then west to the line of Parsons or Nutters District at the head of Nassawango Creek, then with the district line to the DE line, then with the state line to beginning. The polling place shall be at Pittsburg, formerly Crossroads. The boundaries of Parsons Election District 5 shall be as now defined by law. Dennis Election District 6 shall

encompass the area south of the Pittsburg District to the WO line and east of the main branch of the Nassawango Creek. The polling place shall be Powellsville. The boundaries of Trappe Election District 7 shall be as now defined by law, except for the part taken off by the line between WI and SO. The polling place shall remain at Trappe. The boundaries of Nutters Election District 8 shall be as now defined by law, except for the part taken off the new county line and the part on the west side of Nassawango Creek. The boundaries of Salisbury Election District 9 shall be as now defined by law. The boundaries of Sharptown Election District 10 shall be as now defined by law.

### **Acts of 1874, Ch. 261**

An act to change polling places, approved 4-11-1874

Trappe, the current polling place for Election District 7, is located on the south line of the district and remote from most voters.

- Sec. 1: The polling place for Election District 7 in WI shall be changed to house of James Simms at the walnut tree lot.

### **Acts of 1896, Ch. 451**

An act to change boundaries, approved 4-4-1896

- Sec. 1: The boundaries between Pittsburg Election District 4 and Parsons Election District 5 in WI in and near Parsonsburg shall changed to the following: beginning on the northeast side of the road between Forest Grove and Parsonsburg at a point in a curve opposite Public School 8, 100ft from the school, then N°30"E434ft to the county road between Salisbury and Parsonsburg, then with Pine Street N4°W1700ft to the intersection of Parker Road and the new county road at the residence of George W. Farlow.

### **Acts of 1898, Ch. 74**

An act to increase districts, approved 3-22-1898

- Sec. 1: Delmar Election District 11 in WI shall be established from the northern part of Salisbury Election District. The polling place shall be at Delmar.
- Sec. 2: The boundaries shall be as follows: beginning at the intersection of the county road between Salisbury and Mardella Springs and the county road leading east over Ruark or Naylor mill dam, then the with Ruark or Naylor Road to the dam, then up the mill ponds and branch to the mill dam of George W. Leonard of B. and the county road between Salisbury and Laurel, DE, then with the road to the DE line, then with the state line to Spring Hill Lane, then with the lane and the county road between Salisbury and Mardella Springs to beginning.

### **Acts of 1900, Ch. 426**

An act to increase districts, approved 4-7-1900

- Sec. 1: Nanticoke Election District 12 in WI shall be established and encompass Precinct 1 of Tyaskin Election District 3.
- Sec. 2: The boundaries shall be as follows: beginning at Shiles Creek at a stone between the lands of J.W.T. Robertson and Jefferson Hughes, then to Trinity M.E. Church, then with the road leading to Tyaskin Post Office to a private road to the Nanticoke River 100 yards east of the colored schoolhouse, then with the road by the houses of Henry Jones, colored, James P. Insley, and E.H. Williams to the Nanticoke River, then with the river to the Wicomico River, then with the river to beginning.

### **Acts of 1904, Ch. 133**

An act to increase districts, approved 3-25-1904

- Sec. 1: Camden Election District 13 in WI shall be established from the southern part of Salisbury Election District and western part of Nutters Election District. The polling place shall be at Salisbury.
- Sec. 2: The boundaries shall be as follows: beginning at the southeast end of the cap sill of the flood gates of Humphreys Mill Pond in Salisbury, then east with the pond to its south side and the east line of the farm devised by Humphrey Humphreys to Dr. Eugene W. Humphreys, then with the line to Shumaker Road, then to Snow Hill Road, then to the road leading from Tony Tank to Snow Hill Road 300 yards from its intersection with the road between Salisbury and Fooks Mills, then west with the Tony Tank and Snow Hill Road to the road between Salisbury and Fooks Mills, then with the road to the flumeway of Fooks Grist Mill, then west with Clear Run Branch and Tony Tank Mill Pond and creek to the Wicomico River, then with the river to its south branch, then with the branch to beginning.

### **Acts of 1906, Ch. 190**

An act to increase districts, approved 3-30-1906

- Sec. 1: Willards Election District 14 in WI shall be established from the eastern part of Pittsburg Election District 4. The polling place shall be at Willards.
- Sec. 2: The boundaries shall be as follows: beginning at the DE line on the county road between Bethel Church and Whitesville, DE, 200 yards west of the residence of Enoch Truitt, then with the road to the county road leading from Cobbs Hill to James H. West Road at or near Quakison Schoolhouse, then with the road to Radcliff Farlow Road, then with the road to old Burnt Mill, also known as New Mill, then across the lands of William H. Truitt, Washington R. Dennis, William H. Carey, et al to the old Rider Adkins mill dam, then with the branch to the line of Dennis Election District, then east with the district line to the WO line, then north with the county line to the DE line, then west with the state line to beginning.

### **Acts of 1912, Ch. 511**

An act to repeal and reenact Sec. 125 of Art. 33, Public General Laws, re election districts and precincts in WI, approved 4-8-1912

- Sec. 125: Election boards may subdivide election districts and precincts and change the boundaries of precincts. No election district or precinct shall be subdivided unless there are over 600 registered voters. WI election board shall not have these powers and cannot change the locations of polling places.
- [Restriction removed by Acts of 1920, Ch. 58]

### **Acts of 1912, Ch. 536**

An act to increase districts, approved 7-11-1912

- Sec. 1: Hebron Election 15 in WI shall be established from parts of Barren Creek Election District 1, Quantico Election District 2, Salisbury Election District 9, and Delmar Election District 11. The polling place shall be at Hebron.
- Sec. 2: The boundaries shall be as follows: beginning at the southeast corner of the farm of Whitefield S. Lone at the county road dividing the lands of Lone and Rounds, then with the road to the county road between the farm of G. Harvey Bradley and Delmar, DE, then across the land of R.J. Mills to the DE line at Blackwater Branch, then west with the state line and mill pond to Horntown Mills, then crossing the dam and east with the old county road between the lands of David Knowles and Ernest Bailey to the state road, then west with the road to the county road leading to the gate of A.W. Goslee, then with the road to Old Horsey Mill Pond or the store of S. B. Langrell, then southeast still with the road to the county road between Hebron and Quantico at the southwest corner of the Trader farm, then east across the land of George A. Bounds & Co., known as the Wallace farm, to the bridge crossing Davis Pond, then south or southeast with the county road to the county road between the farm of Benjamin S. Pusey and the Gordy farm, then with the road to the county road between Rockawalkin Station and Rockawalkin Methodist Episcopal Church, then northeast with the road leading from Pisey and Gordy Corner crossing the railroad at Rockawalkin Station to the state road, then east with the road to beginning.

### **Acts of 1922, Ch. 221**

An act to increase districts, approved 4-13-1922

- Sec. 1: Fruitland Election District 16 in WI shall be established from part of Trappe Election District 7.
- Sec. 2: The boundaries shall be as follows: beginning at Meadowbrook Bridge, then with the SO line to the New York, Philadelphia & Norfolk Railroad, then with the railroad to Eden Road, then with the road to the state road between Salisbury and Allen, then with the road to the road leading to Walnut Trees, then north to the Wicomico River so as to include the farm of T.W.H. White by following the property line, then with the river to Tony Tank Creek, then with the creek to Morris Mill Pond, then with the pond to Meadow Bridge Road, then with the road to beginning.
- Sec. 3: Election board shall select polling places for Election Districts 7 and 16.

### **Acts of 1927, Ch. 228**

An act to add a section to Art. 33, Public General Laws, re polling places in WI, approved 4-1-1927



- Sec. 138A: When there are 600 registered voters in any one election district or precinct that cannot be divided into precincts in WI, the election board shall have the authority to establish one, two, or three additional polling places.

### **Acts of 1949, Ch. 298**

An act to change boundaries, approved 4-22-1949, effective 6-1-1949

- Sec. 1: The boundaries of Fruitland Election District 16 in WI shall be changed to the following: beginning at Tony Tank Creek, then with the creek to the north branch of Tony Tank Pond, then to the run leading from Fooks Pond by way of the pond and Morris Pond to the road between Salisbury and Fruitland, then with the road to Morris Pond, then by the pond to Slab Bridge Creek, then with the creek to Bussells School Road, then with the road to St. Luke Road, then with the road to the WO line. This change annexes part of Nutters Election District 8 to Election District 16.

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## **Election Districts - WO**

### **Acts of 1813, Ch. 36**

An act to change boundaries, passed 1-6-1814

- Sec. 1: The area north and east of the following line in Election District 1 in WO shall be annexed to Election District 2: beginning at Dormans Mill on Caulkers Creek, then up the creek to Harpers Mill, then still up the creek to Girdle Tree Hill near the house of Thomas Marshall which will remain in District 1, then with Sea Side Road to Parramores Landing. The polling place for Election District 2 shall remain at Snow Hill.

### **Acts of 1815, Ch. 10**

An act to change boundaries, passed 12-18-1815

- Sec. 1: Election judges shall select a new polling place in Berlin for Election District 3 in WO.
- Sec. 2: The selection shall be filed with the county court clerk for recording.

### **Acts of 1818, Ch. 18**

An act to change boundaries, passed 2-1-1819

- Sec. 1: Election judges shall select a new polling place for Election District 3 in WO at Berlin . No tavern or house adjacent to a tavern shall be chosen. The selection shall be filed with the county court clerk for recording.

### **Acts of 1823, Ch. 39**

An act to change polling places, passed 1-3-1824

- Sec. 1: Election judges shall select a new polling place for Election District 4 in WO at Dericksons Crossroads.
- Sec. 2: The selection shall be filed with the county court clerk for recording.

### **Acts of 1826, Ch. 76**

An act to change boundaries, passed 1-16-1827

- Sec. 1: Seven commissioners are named in this act to change the boundaries between Election Districts 2 and 3 in WO so that part of District 2 is annexed to District 3.
- Sec. 4: The commissioners may employ the county surveyor to survey the lines.
- Sec. 5: By the first day of the May court term their proceedings shall be filed with the county court which shall allow time for voters to file objections.

### **Acts of 1826, Ch. 118**

An act to increase districts, passed 2-27-1827 [not confirmed]

- Sec. 2: Election District 6 in WO shall be established from parts of Johnson Election District 4 and Dennis Election District 5.
- Sec. 3: Levy court shall appoint five commissioners to establish the district and select a polling place.
- Sec. 4: By July 1, 1828 the descriptions and selection shall be filed with the county court clerk for recording.

### **Acts of 1827, Ch. 50**

An act to increase districts, passed 2-5-1828, confirmed by Acts of 1828, Ch. 17

- Sec. 2: WO shall be divided into seven election districts. Johnsons Election District 4 and Dennis Election District 5 shall be divided into four districts. Costens Election District 1, Snow Hill Election District 2, and Berlin Election District 3 shall remain unchanged.

### **Acts of 1828, Ch. 17**

An act to increase districts, passed 2-4-1829

- Sec. 2: WO shall be divided into seven election districts. Johnsons Election District 4 and Dennis Election District 5 shall be divided into four districts. Costens Election District 1, Snow Hill Election District 2, and Berlin Election District 3 shall remain unchanged.
- Sec. 3: Levy court shall appoint five commissioners lay out the new districts and select polling places.
- Sec. 4: By July 1 the descriptions and selections shall be filed with the county court clerk for recording.

### **Acts of 1829, Ch. 190**

An act to increase districts, passed 2-27-1830, [not confirmed]

- Sec. 2: Berlin Election District 3 in WO shall be divided into two election districts.

### **Acts of 1834, Ch. 122**

An act to change boundaries, passed 2-20-1835

- The following part of Election District 5 in WO shall be annexed to Election District 4: running with the northwest line of the plantation of Benjamin S. Melson of Samuel, then to the northwest side of the plantation of James White of Francis, then to the DE line.

### **Acts of 1835, Ch. 264**

An act to increase districts, passed 3-29-1836, confirmed by 1836, Ch. 130

- Sec. 1: Election District 6 in WO shall be divided into two districts.
- Sec. 3: Three commissioners are named in this act to establish the new district. Their proceedings shall be filed with the levy court for recording.

### **Acts of 1836, Ch. 248**

An act to select polling places, passed 3-21-1837

- The WO Levy Court shall select the polling places for the new election district established per Acts of 1835, Ch. 264 and Election District 6.

### **Acts of 1837, Ch. 286**

An act to change polling places, passed 3-29-1838

- WO Levy Court shall change the polling places for Costons Election District 1 and Nutters Election District 8.

### **Acts of 1837, Ch. 301**

An act to change polling places, passed 3-29-1838

- The polling place for Berlin Election District 4 in WO shall be changed to the house adjoining the tavern of James Derickson in Berlin.

### **Acts of 1838, Ch. 378**

An act to change polling places, passed 4-5-1839

- The polling place for Parsons Election District 5 in WO shall be changed to the house now used

as an office by Levin G. Irving and Zedekiah H. Williams, adjoining the tavern of Bennett J. Fish, in Salisbury.

### **Acts of 1840, Ch. 151**

An act to change polling places, passed 2-26-1841

- The polling place for Parsons Election District 5 in WO shall be changed to the dwelling house of B.L. Fish in Salisbury.

### **Acts of Dec. 1841, Ch. 71**

An act to change polling places, passed 2-12-1842

- The polling place for Atkinsons Election District 7 in WO shall be changed to the store house of Stephen Bounds.

### **Acts of 1843, Ch. 260**

An act to change polling places, passed 3-4-1844

- Sec. 1: The polling place for Election District 1 in WO shall be changed to the house of William Mason, where elections were formerly held.

### **Acts of 1843, Ch. 268**

An act to increase districts, passed 3-7-1844 [seems not to have taken effect]

- Sec. 1: Three commissioners are named in this act to establish New Ark Election District 9 in WO from parts of Election Districts 2 and 3.
- Sec. 2: The boundaries shall be as follows: beginning at the mouth of Mill Creek, then with the creek to its headwaters, then to the headwaters of Nine Pin Branch, then down the branch to its mouth. The south line of the district shall be as follows: beginning at the mouth of the creek leading up to the mill of John Turpin, then to the bridge at Porters tan yard, then north of the poorhouse farm to the Pocomoke River.
- Sec. 3: The polling place shall at New Ark. The commissioners shall file their return with the county commissioners for recording.
- [Provides for confirmation at the next General Assembly, although that part of the Constitution had been amended in 1837.]

### **Acts of 1843, Ch. 344**

An act to change polling places, passed 3-5-1844

- Sec. 1: The polling place for Berlin Election District 3 in WO shall be changed to the Zingle Lot, a house occupied by Brittingham and Brown.

## **Acts of 1845, Ch. 35**

An act to increase districts, passed 1-22-1845

- Sec. 1: Three commissioners are named in this act to establish New Ark Election District 9 in WO from parts of Election Districts 2 and 3.
- Sec. 2: The boundaries shall be as follows: beginning at the mouth of Mill Creek, then with the creek to its headwaters, then to the headwaters of Nine Pin Branch, then down the branch to its mouth. The south line of the district shall be as follows: beginning at the mouth of the creek leading up to the mill of John Turpin, then to the forks of the road at Westleyville, then with the road to the land of Samuel Johnson, then north of the lands of Samuel Johnson of Samuel and John Porter to the Pocomoke River.
- Sec. 3: The polling place shall at New Ark. The commissioners shall file their return with the county commissioners for recording.
- [Provides for confirmation at the next General Assembly, although that part of the Constitution had been amended in 1837.]

## **Acts of 1845, Ch. 144**

An act to amend Acts of 1845, Ch. 35, re districts, passed 2-24-1846

- Sec. 1: The part of Acts of 1845, Ch. 144, re Election District 9 in WO, requiring confirmation is repealed.

## **Acts of 1852, Ch. 79**

An act to increase districts, passed 4-22-1852

- Sec. 1: St. Martins Election District 10 in WO shall be established from part of Berlin Election District 3. The boundaries shall be as follows: beginning at the intersection of Surf Bank and the DE line, then south with the bank to where the mouth of St. Martins River bears northwest, then to the river, then up the river to Shingle Landing, then to the foot of Crooxy Hill Road, then with the road to the Pocomoke River, then with the river to the DE line, then with the state line to beginning.
- Sec. 3: The polling place shall be at Harpers store.

## **Acts of 1860, Ch. 240**

An act to change polling places, passed 3-9-1860

- Sec. 1: The polling place for Election District 7 in WO shall be changed to the house of Harry Butler at Atkinsons Mills.

## **Acts of 1868, Ch. 80**

An act to repeal and reenact Secs. 40-41 of Art. 23, Public Local Laws, re districts in WO, approved 2-26-1868

- Sec. 40: WO shall be divided into eight election districts: Costons Election District 1, Snow Hill Election District 2, Berlin Election District 3, New Ark Election District 4, St. Martins Election District 5, Colbourns Election District 6, Atkinson Election District 7, and Sandy Hill Election District 8.
- Sec. 41: Election District 1 shall consist of the area west of the following line: beginning at the Pocomoke River at the mouth of Careys Creek, then with the creek to Masons Mills, then with the county road to Sheep House, then to the VA line. Election District 8 shall consist of the areas east of that line. The boundaries of Election Districts 2-5 shall remain unchanged. The boundaries of Election Districts 6-7 shall remain unchanged so far as they do not conflict with districts in WI and except as altered below.
- Sec. 2: The part of old Nutters Election District 8 remaining in WO shall be annexed to Election District 7, except for the area east of Furnace Road between Salisbury and Snow Hill which shall be annexed to Election District 6.

### **Acts of 1872, Ch. 111**

An act to change boundaries, approved 3-25-1872

- Sec. 1: The boundaries between Election Districts 1 and 8 in WO shall be changed to the following: beginning on the Pocomoke River at Cottingham Ferry, then with the county road from the ferry by way of Davis Crossroads to the county road between Snow Hill and Newtown, then with the road to Sheep House, then to the VA line. The area south and west of the line shall comprise Election District 1, and the area north and east Election District 8.

### **Acts of 1872, Ch. 362**

An act to repeal and reenact Secs. 40-41 of Art. 23, Public Local Laws, re boundary and name changes in WO, approved 4-1-1872

- Sec. 40: WO shall be divided into eight election districts: Newtown Election District 1, Snow Hill Election District 2, Berlin Election District 3, Newark Election District 4, St. Martins Election District 5, Colbourns Election District 6, Atkinson Election District 7, and Stockton Election District 8.
- Sec. 41: Election District 1 shall consist of the area west of the following line: beginning at the Pocomoke River at Cottinghams Ferry, then with the county road from the ferry by way of Davis Crossroads to the county road between Snow Hill and Newtown, then with the county road to Sheep House, then to the VA line. Election District 8 shall consist of the area east of that line. The boundaries of Election Districts 2-5 shall remain unchanged. The boundaries of Election Districts 6-7 shall remain unchanged so far as they do not conflict with districts in WI and except as altered [by Acts of 1868, Ch. 80].

### **Acts of 1872, Ch. 447**

An act to amend Sec. 40 of Art. 23, Public Local Laws, re name changes in WO, approved 4-1-1872

- Sec. 1: Sec. 40 of Art. 23, Public Local Laws, is amended to change the name of Election District 8 in WO from Sandy Hill to Stockton.

### **Acts of 1876, Ch. 153**

An act to increase and rename districts, approved 3-25-1876

- Sec. 1: Election District 3 in WO shall be divided into two election districts. The boundary line shall be as follows: with Old Stage Road from the north line of the district through Berlin to the south line. The area east of this line shall be East Berlin Election District 3, and the polling place shall be at Berlin. The area west of this line shall be West Berlin Election District 9, and the polling place shall be at Berlin.

### **Acts of 1882, Ch. 377**

An act to change boundaries, approved 5-3-1882

- Sec. 1: The boundaries between Election Districts 6 and 7 in WO shall be changed to the following: beginning at the northwest corner of Election District 2, then with with west district line to Nassawanga Creek, then with Salisbury Road to the WI line.

### **Acts of 1884, Ch. 344**

An act to change boundaries, approved 4-8-1884

- Sec. 1: The boundaries between Election Districts 6 and 7 in WO shall be changed to the following: beginning at Nassawanga Bridge, then with the creek to the Furnace Mill Pond, then with the pond to Sandy Branch, then with the branch to the county road between Furnace Mill Pond and Salisbury, then with the road to the WI line.

### **Acts of 1912, Ch. 213**

An act to establish precincts, approved 4-8-1912

- Sec. 1: Election District 3 in WO shall be divided into two precincts. The area west of Synepuxent Bay shall be Precinct 1, and the polling place shall be at Berlin, the current place for the whole district. The area east of the bay shall be Precinct 2, and the polling place shall be at Ocean City.

### **Acts of 1933, Ch. 269**

An act to increase districts, approved 4-21-1933, effective 6-1-1933

- Sec. 1: Ocean City Election District 10 in WO shall be established. The boundaries shall be as follows: beginning at the east end of the division line between Election Districts 3 and 5, then west with the district line to a point in Isle of Wight Bay where the line veers northwest, then southwest to Keyser Point at the mouth of Turville Creek, then west to the middle of the creek,

then southwest with the creek to the east side of the cleared land of the Riddle Farm, then south with the land to the intersection of the state highway and Hollygrove Road, then south with the latter road to the Baltimore & Eastern Railroad, then south to Sinepuxent Bridge over Ayer Creek, the south with the creek to the division line between Election Districts 3 and 4 in Chincoteague Bay, then south to where the new line intersects the division line between Districts 2 and 3, then east with the district line to beginning.

### **Acts of 1941, Ch. 619**

An act to change boundaries, approved 5-6-1941, effective 6-1-1941

- Sec. 1: The boundaries of Election Districts 2, 5, 8, and 10 in WO shall be changed. The part of Election District 5 between Sinepuxent Bay, DE line, Atlantic Ocean, and the north line of Election District 10, including all the islands in the bay, shall be annexed to Election District 10. The parts of Election Districts 2 and 8 between Sinepuxent Bay, Atlantic Ocean, VA line, and the south line of Election District 10, including all the islands in the bay, shall be annexed to Election District 10.

### **Acts of 1949, Ch. 292**

An act repeal and reenact Sec. 77 of Art. 24, Public Local Laws, re districts in WO, approved 4-22-1949, effective 6-1-1949

- Sec. 77: WO shall be divided into nine election districts: Newton Election District 1, Snow Hill Election District 2, East Berlin Election District 3, Newark Election District 4, St. Martins Election District 5, Atkinsons Election District 7, Stockton Election District 8, West Berlin Election District 9, and Ocean City Election District 10. Districts 1, 3-5, and 8-10 shall retain the current boundaries. Coulbourns Election District 6 shall be abolished. The part of District 6 west of Nassawango Creek shall be annexed to Election District 7. The part east of the creek shall be annexed to Election District 2.

### **Acts of 1955, Ch. 583**

An act to repeal and reenact Sec. 77 of Art. 24, Public Local Laws, re districts in WO, approved 4-25-1955, effective 6-1-1955

- Sec. 77: WO shall be divided into eight election districts: Newton Election District 1, Snow Hill Election District 2, Berlin Election District 3, Newark Election District 4, St. Martins Election District 5, Atkinsons Election District 7, Stockton Election District 8, and Ocean City Election District 10. Districts 1, 4-5, 8, and 10 shall retain the current boundaries. Coulbourns Election District 6 is abolished. The part of District 6 west of Nassawango Creek is annexed to Election District 7. The part east of the creek is annexed to Election District 2. West Berlin Election District 9 is annexed to Berlin Election District 3.

### **Acts of 1961, Ch. 50**



An act to repeal and reenact Sec. 77 of Art. 24, Public Local Laws, re districts in WO, approved 2-27-1961, effective 6-1-1961

- Sec. 77: WO shall be divided into eight election districts: Pocomoke Election District 1, Snow Hill Election District 2, Berlin Election District 3, Newark Election District 4, St. Martins Election District 5, Atkinsons Election District 7, Stockton Election District 8, and Ocean City Election District 10. Districts 1, 4-5, 8, and 10 shall retain the current boundaries. Coulbourns Election District 6 is abolished. The part of District 6 west of Nassawango Creek is annexed to Election District 7. The part east of the creek is annexed to Election District 2. West Berlin Election District 9 is annexed to Berlin Election District 3.

### **Acts of 1965, Ch. 144**

An act to add a section to Art. 24, Public Local Laws, re boundaries in WO, approved 3-11-1965, effective 6-1-1965

- Sec. 146A: The boundaries between Pocomoke Election District 1 and Stockton Election District 8 in WO south of the Pocomoke River is changed to the following: beginning at the Pocomoke River at Bachelors Branch, then southeast with the branch to Rayfield Ditch, then southeast with the ditch and crossing Pilchard Road to Marion Jones Ditch, then southeast with the ditch and crossing Stockton Road to Goodwill Tax Ditch, then southwest with the ditch to Holly Swamp Road, then south with the road to Steel Pond Road, then south with the road to the bridge over Little Mill Run, then south with the run to Big Mill Pond, then with the pond to Melbourne, then south with Swanscut Creek to the VA line.

## ELECTIONS

### Constitution of 1776

- Sec. 3: Sheriffs or deputy sheriffs shall be election judges.
- Sec. 42: For the election of the sheriff, the county justices shall be the judges.

### Acts of 1790, Ch. 16

An act re election returns, passed 12-14-1790

- Sec. 9: After the polls are closed and votes counted, the election judges shall prepare returns showing the names of the candidates and number of votes received by each. One copy shall be sent to the county court clerk and one to the governor and council. Election judges shall also file the poll books and other papers with the county court clerk.

### Acts of 1798, Ch. 115

An act to amend the constitution, re elections, passed 1-20-1799, confirmed by Acts of 1799, Ch. 48

- Sec. 5: Secs. 2-3, 5, 14, and 42 of the Constitution, re elections, are repealed. Elections shall hereafter be regulated by law.

### Acts of 1799, Ch. 50

An act to regulate elections, passed 1-3-1800

- Sec. 3: County courts between July 15 and August 15, 1800 shall appoint three persons for each election district as election judges. Thereafter, the appointments shall occur at the spring court term. County court clerks shall record the appointments. One or two judges shall be a quorum.
- Sec. 7: Sheriffs shall provide each election district with two blank poll books for entering votes and a ballot box.
- Sec. 8: Election judges shall appoint two clerks to enter the names of voters and their votes. Judges shall hold elections of House of Delegate members annually in October, sheriffs every three years in October, Senate electors every five years in September, U.S. House of Representative members every two years in April, and electors of the President and Vice President every four years in November. Elections shall take place in one day.
- Sec. 9: Election judges and clerks shall take an oath, a certificate of which shall be annexed to the poll books.
- Sec. 10: BC is divided into eight wards or districts, according to the division already done by the mayor and city council. Election judges for members of the first branch of the city council shall also be the judges for the elections outlined in Sec. 8.
- Sec. 14: On the day after an election for the House of Delegates and on the second day for all others, the judge first named in the appointment and present at the election shall go to the courthouse with the poll books and ballot box to count votes. Poll books shall be deposited with

the county court clerk.

## **Acts of 1801, Ch. 74**

An act re election judges, passed 12-31-1801

- Sec. 22: Annually in May the levy courts shall appoint election judges.
- Sec. 23: Sec. 3 of Acts of 1799, Ch. 50, re appointment by the county courts, is repealed.

## **Acts of 1805, Ch. 97**

- Sec. 4: Sheriffs shall give three weeks public notice of an election.
- Sec. 5: Sheriffs shall provide the election judges in each election district with a ballot box and two poll books.
- Sec. 6: Annually between April and August the levy courts shall appoint three election judges for each election district. Any one or two of them may be a quorum. County court clerks shall record the appointments.
- Sec. 8: If on election day all judges are absent, one or more justices of the peace being present shall act as judges. If no justices are present, voters there shall select three persons as judges.
- Sec. 9: Times of elections shall be as follows: House of Delegate members annually in October, sheriffs every three years in October, Senate electors every five years in September, U.S. House of Representatives members every two years in October, and electors of the President and Vice President every four years in November.
- Sec. 10: Election judges shall appoint two clerks to enter names of voters in the poll books.
- Sec. 13: When the polls are closed, judges shall publicly count the ballots and clerks shall keep count in the poll books.
- Sec. 14: Judges shall record in the poll books statements and certificates of the number of votes and office for each candidate.
- Sec. 15: On the second day after the election the presiding judge of each election district shall meet at the courthouse, bringing along the poll books and certificates. The judges shall total the votes and prepare official statements and certificates of the number of votes for each candidate.
- Sec. 18: Judges shall deposit the poll books and two copies of the certificate of votes with the county court clerks.
- Sec. 19: Court clerks shall sent one copy of election returns to the governor and council.
- Sec. 22: BC is divided into eight wards or districts, according to the division already done by the mayor and city council. Election judges for members of the first branch of the city council shall also be the judges for the elections outlined in Sec. 9.

## **Acts of 1821, Ch. 252**

An act re voter registration in BC, passed 2-23-1822

- Sec. 6: BC Mayor and City Council shall have the authority to provide for the registration of qualified voters as often as necessary. After such registration, only those persons on the

registration lists shall be entitled to vote at elections for the mayor and city council. The registration records shall be conclusive proof to the election judges that the persons named therein are actually entitled to vote.

### **Acts of 1837, Ch. 333**

An act re voter registration in BC, passed 3-27-1838

- Sec. 1: Hereafter the registration of voters in BC shall be the only evidence of the qualification to vote.
- Sec. 2: Annually by May 1 the governor with consent of the Senate shall appoint three persons in each ward as registers of voters who may appoint a clerk for each ward.
- Sec. 3: Registers, clerks, election judges, and election clerks shall take an oath before a justice of the peace.
- Sec. 4: Registers shall sit two days a week from the first part of August through the middle of September every year for the purpose of registering voters. They shall give two weeks notice of the times and places.
- Sec. 6: Registers shall register applicants who are residents of the ward and are or will be qualified to vote. Registers shall record the name of each voter, residence, whether a householder or lodger, and if a lodger the name and residence of the landlord or landlady.
- Sec. 7: A citizen of good standing may apply to register someone else who is temporarily absent or ill, but must state the information under oath if required by the registers. The name and address of that citizen shall be noted in the registry.
- Sec. 8: Upon completion of the registration, the registers shall prepare two alphabetical lists of voters and send one to the BA Court clerk and one to the election judges. If the election judges, on their own knowledge or that of others, are convinced that a registered voter is not legally entitled to vote, they may refuse to receive his vote.
- Sec. 9: Registers shall publish the alphabetical lists before the annual election on the first Wednesday in October.
- Sec. 12: After that the registers shall meet on the Monday and Tuesday before the election for making corrections and adding names of new applicants.
- Sec. 14: Naturalized citizens must produce a certificate of naturalization.
- Sec. 16: Before any election occurring at any other time of the year, the registers shall sit for one to two days for adding names and making corrections.
- Sec. 22: Governor shall fill vacancies among the registers.
- Sec. 24: If a legal voter arriving in BC on election day proves before two justices of the peace that he has been absent and thus unable to register and is otherwise entitled to vote, the election judges shall enter the name on their copy of the registry and receive the vote upon production of the certification from the justices.
- Sec. 27: Election judges shall deposit their copy of the registry with the BA Court clerk who shall deliver it to the registers when needed for registration.
- Sec. 28: Election judges shall use the registries as poll books and enter the letter V opposite the name of each person who votes.
- Sec. 30: Acts of 1837, Ch. 149 [a similar law] is repealed.

- Sec. 31: During the first registration held under this act, approved applicants shall cast ballots for or against this act. When the registration is completed, the registers shall count the ballots and sent the results to the governor who shall present the results to the General Assembly. Governor shall issue a proclamation declaring this act null and void or in full force. [Results unknown.]

### **Acts of 1844, Ch. 284**

An act re contested elections, passed 3-10-1845

- Sec. 6: Election judges shall deposit ballots with the county court clerks to be retained for twelve months at which time each clerk in the presence of one or more judges of the orphans court shall destroy them and record a certificate of that event among the land records.

### **Acts of 1852, Ch. 183**

An act re election judges, passed 5-25-1852

- Sec. 1: Acts of 1805, Ch. 97 and its supplements shall be in effect except as altered by this act.
- Sec. 2: Election judges shall be appointed annually by the county commissioners and BC Mayor and City Council.
- Sec. 4: Election judges shall file their returns with the clerks of the county circuit courts and BC Superior Court.

### **Acts of 1853, Ch. 134**

An act re election returns, passed 5-2-1853

- Sec. 1: Returns of elections for judges and other officers, except the governor, provided for in the Constitution shall be certified and returned to the clerks of the county circuit courts and BC Superior Court.
- Sec. 3: Election returns for the governor shall be filed with the Secretary of State.

### **Acts of 1853, Ch. 244**

An act re contested elections, passed 5-21-1853

- Sec. 2: Contested elections of local officials shall be decided by the circuit courts.
- Sec. 3: Circuit courts shall devise the mode of proceeding and prescribe rules for taking testimony and adjudging costs.

### **Acts of 1860, Ch. 10**

An act to amend several sections of Art. 35, Public General Laws, re elections, passed 2-14-1860

- BC shall be excluded from those sections of Art. 35, Public General Laws, except as provided otherwise.
- Sec. 1: County commissioners shall annually appoint three election judges for each election

district.

- Sec. 3: Clerks of the county commissioners shall record the appointments.
- Sec. 6: If none of the judges appear for an election, justices of the peace present, or if none the voters present, shall select three persons as judges.
- Sec. 12: County sheriffs shall give three weeks notice of each election.
- Sec. 13: Prior to an election the sheriffs shall deliver a ballot box and two poll books to each set of election judges.
- Sec. 30: In each election district or precinct election judges shall make two statements and certificates of the number of votes cast for each candidate. One shall be delivered to the circuit court clerk and the other to the governor, except for the office of governor which shall be sent to the Secretary of State, and offices of states attorney and supervisors of roads.
- Sec. 38: Election judges shall file poll books with the clerks of the county circuit courts and BC Superior Court.

## **Constitution of 1864, Art. I**

- Sec. 1: Eligible voters shall be white males, age twenty-one and older, and U.S. citizens. In addition, voters must have lived in the state for one year prior to an election and six months in a county or BC.
- Sec. 2: General Assembly shall provide for a uniform registration of voters.
- Sec. 3: Disqualified from voting shall be persons convicted of larceny or infamous crimes, unless pardoned, and lunatics or persons non compos mentis.
- Sec. 4: Also disqualified shall be those who actively supported the Confederacy. At the first election under this constitution election judges shall administer an oath to this effect.

## **Constitution of 1864, Art. II**

- Sec. 2: Election returns for the office of governor shall be addressed to the Speaker of the House of Delegates and sent to the Secretary of State.

## **Constitution of 1864, Art. III**

- Sec. 32: General Assembly shall not pass local or special laws for regulating the election of state or county officials, designating polling places, or defining the boundaries of districts for elections.
- Sec. 41: General Assembly shall pass laws for the registration of voters.

## **Constitution of 1864, Art. V**

- Sec. 8: Election returns for states attorneys shall be sent by the clerks of the county circuit courts and BC Superior Court to the judge having criminal jurisdiction.

## **Acts of 1865, Ch. 143**

An act to repeal and reenact Secs. 29-30, 32, and 52 of Art. 35, Public General Laws, re election returns, passed 3-24-1865

- Sec. 29: After an election the judges shall meet at the courthouse with the poll books and certificates from the polling places.
- Sec. 30: Election judges shall tally the votes from all districts and precincts and prepare two statements and certificates of the votes cast for each candidate. One certificate shall be delivered to the clerk of the county circuit courts or BC Superior Court, and the other to the governor, except for the office of governor which shall be sent to the Secretary of State and states attorney which shall be sent to the judge having criminal jurisdiction. From the returns the governor shall issue commissions.
- Sec. 52: House of Delegates shall decide contested elections for Comptroller of the Treasury, Commissioner of the Land Office, judges, court clerks, and registers of wills.

## **Acts of 1865, Ch. 174**

An act re voter registration, passed 3-24-1865

- Sec. 1: Governor shall appoint three officers of registration for each ward in BC and each election district in the counties, and shall fill vacancies. Each officer shall take an oath, subscribed in the book of registration. Officers shall register all white males who claim and are entitled to vote.
- Sec. 2: Governor shall appoint three officers of registration to register military personnel stationed at convenient places, who are absent from voting places. Officers shall file their books and lists by September 1.
- Sec. 3: These special officers shall file lists of qualified voters with the county commissioners or BC Mayor and City Council by October 5, to be sent to the election judges appointed to take the votes of soldiers.
- Sec. 4: Governor shall provide registration books.
- Sec. 5: Officers of registration shall ascertain and register the name of every white male, resident in or temporarily absent from a ward or election district. Each entry shall include the full name alphabetically arranged, fact of taking an oath, age, birthplace, length of residence in the county or BC, date and place of naturalization if applicable, qualification to vote if applicable, and disqualification if applicable. The disqualification entry shall include the reason - nonresidence, not of age, alien, infamy, lunatic, non compos mentis, or disloyalty or bribery as defined in the Constitution - and names of witnesses.
- Sec. 9: Officers shall meet to register voters on Tuesday and Wednesday each week in August and until the third Wednesday in September, after giving ten days public notice.
- Sec. 11: Before the second Saturday in October the officers shall prepare an alphabetical list of qualified voters and have it printed in handbills and newspapers. They shall also give notice of meetings on the Tuesday and Wednesday one week before the election in November, at which the list of qualified voters shall be corrected and finally closed. Two copies of the corrected list shall be made and one filed with the clerk of the county circuit court or BC Superior Court and one with the election judges. In BC the lists shall be separated into precincts.

- Sec. 12: Registration books shall be filed with the clerk of the county circuit court or BC Superior Court.
- Sec. 13: While discharging their duties, the officers shall have the powers of a justice of the peace for the preservation of order.
- Sec. 14: For correcting the lists of qualified voters after the first general election held under this act the governor shall annually designate one officer of registration to add new names and strike off disqualified persons.
- Sec. 15: The officers shall obtain the lists and registration books from the court clerks.
- Sec. 16: Upon changing residence a voter shall obtain from the officer of registration or court clerk a certificate of the facts of registration. Officers shall notify each other of such removals, certificates, and re-registration. Certificates shall be filed with the court clerks after re-registrations.

### **Acts of 1867, Ch. 336**

An act to repeal Acts of 1865, Ch. 174 and enact new provisions, re voter registration, passed 3-13-1867

- Sec. 1: Officers of registration appointed in 1866 under Sec. 14 of Acts of 1865, Ch. 174 are continued in office for two years from the date of appointment. Biennially thereafter the governor shall appoint one officer of registration for each ward in BC and each election district in the counties and shall fill vacancies. The officers shall take an oath before the clerk of the BC Superior Court or a circuit court.
- Sec. 2: From these court clerks the officers shall obtain the registration books and use them for registration updates and additions. Clerks shall also deliver certified copies of the voter lists.
- Sec. 3: Officers shall correct the books and lists by striking out the names of those who have moved, died, or become disqualified and by adding names of white males who apply and qualify.
- Sec. 4: In adding new names the officers shall record the same information as provided for in Sec. 5 of Acts of 1865, Ch. 174, and in column eight, if disqualified because of conviction, shall note the proof of record and name of the court.
- Sec. 5: Officers shall sit for ten days preceding the third day prior to any state, federal, local, general, or special election. Ten days public notice shall be given.
- Sec. 6: After the close of the registration period, the officers shall make two copies of an alphabetical list of qualified voters and send one copy to the clerks of the county circuit courts and BC Superior Court and one to the election judges. The BC lists shall be arranged by precinct.
- Sec. 7: Court clerks shall record the lists. Officers shall file the registration books with the same clerks.
- Sec. 8: Officers shall have the powers of justices of the peace to preserve order.
- Sec. 9: As subsequent elections occur, the officers shall obtain the lists and books and hold sessions as directed in Secs. 5-6.
- Sec. 10: Upon changing residence a voter shall obtain from the officer of registration or court clerk a certificate of the facts of registration. Officers shall notify each other of such removals, certificates, and re-registration. Certificates shall be filed with the court clerks after re-registrations.
- Sec. 18: Decisions of the officers regarding voters who have been refused registration or whose



names have been stricken off may be appealed to the county circuit court, BC Court of Common Pleas, or BC Circuit Court.

### **Acts of 1867, Ch. 374**

An act to repeal and reenact Secs. 6, 9, and 12 of Art. 35, re elections, passed 3-13-1867

- Sec. 6: If all election judges are absent at a polling place, the justices of the peace present may act. If there are no justices, voters present shall choose by ballot three persons as judges.
- Sec. 9: Election judges shall take an oath.
- Sec. 12: In the counties the sheriffs shall give three weeks public notice of an election.

### **Constitution of 1867, Art. I**

- Sec. 1: All elections shall be by ballot. Eligible voters shall be white males, age twenty-one and older, and U.S. citizens. In addition, voters must have lived in the state for one year prior to an election and six months in a county or BC legislative district.
- Sec. 5: General Assembly shall provide for a uniform registration of voters.

### **Constitution of 1867, Art. II**

- Sec. 2: Election returns for the office of governor shall be addressed to the Speaker of the House of Delegates and sent to the Secretary of State.

### **Constitution of 1867, Art. IV**

- Sec. 11: Elections returns for judges, court clerks, registers of wills, and other officers, except states attorneys, shall be certified by the clerks of the county circuit courts and BC Superior Court to the governor who shall issue commissions.
- Sec. 12: Contested elections shall be decided by the House of Delegates.

### **Constitution of 1867, Art. V**

- Sec. 8: Election returns for states attorneys shall be sent to the judges having criminal jurisdiction.

### **Acts of 1868, Ch. 297**

An act to repeal Acts of 1865, Ch. 174 and Acts of 1867, Ch. 336 and enact new provisions, re voter registration, approved 3-30-1868

- Sec. 1: Governor with consent of the Senate shall appoint at this General Assembly session and biennially thereafter one officer of registration for each ward in BC and each election district in the counties. If appointments are not made at this session, the governor shall send the names to the Senate at the next legislative session. Officers shall take an oath before any county or BC

court clerk.

- Sec. 2: Court clerks shall deliver the registration books and certified copies of lists of qualified voters to the officers of registration annually on the third Monday in September.
- Sec. 3: Beginning on that day officers shall sit for six days in BC and AL and three days in all other counties. Ten days public notice shall be given.
- Sec. 6: Officers shall correct the books and lists by striking out the names of those who have moved, died, or become disqualified and by adding names of white males who apply and qualify. Officers shall give voters certificates of registration.
- Sec. 8: Each registration entry shall include for each person: full name, fact of taking an oath, age, birthplace, length of residence in the county or BC, date and place of naturalization if applicable, and disqualification if applicable. The disqualification entry shall include the names of witnesses and name of the court and statement of record proof in the case of criminal conviction.
- Sec. 9: After completion of the registration process, the officers shall prepare two alphabetical lists. One shall contain the names of voters whose names were stricken from the lists and registration books. The other shall contain the names of qualified voters whose names were left on the lists and registration books, new registrants, and successful appellants. Lists for BC shall include the residence of each voter. The lists shall be published in newspapers and handbills.
- Sec. 10: For correcting registration books and voter lists the officers shall sit for three days in AL, BC, and BA and two days in the other counties, beginning annually on the second Monday in October. Five days public notice shall be given.
- Sec. 11: Corrections shall consist of striking off the names of persons who have died or become disqualified, registering applicants who qualify, and registering successful appellants.
- Sec. 12: After that the officers shall prepare alphabetical lists of qualified voters, to be published in newspapers and handbills. Lists for BC and where applicable in BA shall be arranged by precinct and include the residences of voters.
- Sec. 13: Officers shall record in books three copies of the lists of qualified voters and deliver one to the sheriffs, one to clerks of the county circuit courts and BC Superior Court, and one to registers of wills. Court clerks shall also receive the registration books.
- Sec. 14: Decisions of the officers regarding voters who have been refused registration or whose names have been stricken off may be appealed to the county circuit court or BC Supreme Bench.
- Sec. 15: Officers shall have the powers of justices of the peace to preserve order.
- Sec. 16: BC Board of Police Commissioners shall have police officers report the name, late residence, and occupation of every male adult who has died or moved. Police commissioners shall prepare alphabetical lists of these names by precinct and deliver them to the officers of registration.
- Sec. 17: Court clerks and registers of wills shall issue certificates of registration to voters who move. This certificate upon presentation to the election judges shall entitle the holder to vote provided he has acquired residency and no later registration has occurred. Court clerks and registers of wills shall prepare records of these certificates and deliver them to the officers of registration. Residences shall not be considered changed until six months after the actual removal.
- Sec. 19: On election days the sheriffs shall deliver the voter lists to the election judges.
- Sec. 20: Election judges shall return the lists to the sheriffs after the election.

- Sec. 21: Expenses, supported by vouchers, of the officers of registration shall be paid by the BC Mayor and City Council and county commissioners.

## **Acts of 1870, Ch. 459**

An act re voter registration, approved 4-8-1870

- Sec. 1: Acts of 1868, Ch. 297, re voter registration, is repealed.
- Sec. 2: At each legislative session the Governor with consent of the Senate shall appoint one officer of registration for each ward in BC and each election district in the counties. Officers shall take an oath before any county or BC court clerk. Present officers shall complete their terms.
- Sec. 3: Court clerks shall deliver the registration books and certified copies of lists of qualified voters to the officers of registration annually on the second Monday in September.
- Sec. 5: Beginning on that day officers shall sit for six days in BC and three days in the counties. Twenty days public notice shall be given.
- Sec. 6: Officers shall correct the books and lists by striking out the names of those who have moved, died, or become disqualified and by adding names of white males who apply and qualify. Officers shall give voters certificates of registration.
- Sec. 8: Each registration entry shall include for each person: full name, fact of taking an oath, age, birthplace, length of residence in the county or BC, date and place of naturalization if applicable, and disqualification if applicable. The disqualification entry shall include the names of witnesses and name of the court and statement of record proof in the case of criminal conviction.
- Sec. 9: After completion of the registration process, the officers shall prepare two alphabetical lists. One shall contain the names of voters whose names were stricken from the lists and registration books. The other shall contain the names of qualified voters whose names were left on the lists and registration books, new registrants, and successful appellants. Lists for BC shall include the residence of each voter. The lists shall be published in newspapers and handbills.
- Sec. 10: For correcting registration books and voter lists the officers shall sit for three days in BC and two days in the counties, beginning annually on the fourth Monday in October. Ten days public notice shall be given.
- Sec. 11: Corrections shall consist of striking off names of persons who have died or become disqualified, registering applicants who qualify, and registering successful appellants.
- Sec. 12: After that the officers shall prepare alphabetical lists of qualified voters, to be published in newspapers and handbills. Lists for BC and counties with precincts shall be arranged by precinct and include the residences of voters. Also published shall be the lists of stricken voters.
- Sec. 13: Officers shall record in books two copies of the lists of qualified voters and deliver one to the sheriffs and one to clerks of the county circuit courts and BC Superior Court. Court clerks shall also receive the registration books.
- Sec. 14: Decisions of the officers regarding voters who have been refused registration or whose names have been stricken off may be appealed to the county circuit court or BC Supreme Bench.
- Sec. 15: Officers shall have the powers of justices of the peace to preserve order.
- Sec. 17: Court clerks shall issue certificates of registration to voters who move. This certificate upon presentation to the election judges shall entitle the holder to vote provided he has acquired

residency and no later registration has occurred. Court clerks shall prepare records of these certificates and deliver them to the officers of registration. Residences shall not be considered changed until six months after the actual removal.

- Sec. 18: Clerk of the BC Superior Court shall record the lists of qualified voters.
- Sec. 19: On election days the sheriffs shall deliver the voter lists to the election judges.
- Sec. 20: Election judges shall return the lists to the sheriffs after the election.
- Sec. 21: Expenses, supported by vouchers, of the officers of registration shall be paid by the BC Mayor and City Council and county commissioners.

### **Acts of 1872, Ch. 349**

An act re voter registration in FR, approved 4-1-1872

- Sec. 1: There shall be a re-registration of voters in Election District 2 in FR.
- Sec. 2: On June 1, 1872, the circuit court clerk shall deliver the registry and certified copies of lists of qualified voters to the officer of registration.
- Sec. 3: In a new registry the officer shall record the names of voters who are known to be qualified and whose precincts of residence are known.
- Sec. 4: After publishing the list of names of all persons who were not re-registered per Sec. 3, the officer shall sit for registration in July and August.
- Sec. 5: Officer shall register qualified voters whose names were not registered per Sec. 3.
- Sec. 6: Officer shall be governed by the provisions of Acts of 1870, Ch. 459.
- Sec. 7: After the registration the officer shall prepare and publish lists of qualified voters for each precinct.
- Sec. 8: Officer shall deliver one copy of the list to the sheriff and another, along with the registry, to the circuit court clerk.

### **Acts of 1874, Ch. 229**

An act to repeal and reenact Sec. 1 of Art. 35, Public General Laws, re election judges, approved 4-6-1874

- Sec. 1: Annually the county commissioners shall appoint three election judges for each election district or precinct. One shall be from a different political party from the county commissioners or a majority of them.

### **Acts of 1874, Ch. 490**

An act re voter registration, approved 4-10-1874

- Sec. 1: Acts of 1870, Ch. 459, re voter registration, is repealed.
- Sec. 2: At each legislative session the Governor with consent of the Senate shall appoint one officer of registration for each ward in BC and each election district in the counties. Officers shall take an oath before any county or BC court clerk. Present officers shall complete their terms.
- Sec. 3: Court clerks shall deliver the registration books and certified copies of lists of qualified

voters to the officers of registration annually on the first Monday in September.

- Sec. 5: Beginning on that day officers shall sit for six days in BC and three days in the counties. Ten days public notice shall be given.
- Sec. 6: Officers shall correct the books and lists by striking out the names of those who have moved, died, or become disqualified and by adding names of white males who apply and qualify. Officers shall give voters certificates of registration.
- Sec. 7: When an applicant has been previously registered, the officers shall demand and receive the certificate of previous registration.
- Sec. 8: Each registration entry shall include the full name, fact of taking an oath, age, birthplace, length of residence in the county or BC, date and place of naturalization if applicable, and disqualification if applicable. The disqualification entry shall include the names of witnesses and name of the court and statement of record proof in the case of criminal conviction.
- Sec. 9: After completion of the registration process, the officers shall prepare two alphabetical lists. One shall contain the names of voters whose names were stricken from the lists and registration books. The other shall contain the names of newly qualified voters. Lists for BC shall include the residence of each voter. The lists shall be published in newspapers and handbills.
- Sec. 10: For correcting registration books and published voter lists the officers shall sit for three days in BC and two days in the counties, beginning annually on the first Monday in October. Ten days public notice shall be given.
- Sec. 11: Corrections shall consist of striking off names of persons who have died or become disqualified, registering applicants who qualify, and registering successful appellants.
- Sec. 12: After that the officers shall prepare new alphabetical lists of qualified voters, to be published in newspapers and handbills. Lists for BC and counties with precincts shall be arranged by precinct and include the residences of voters. Also published shall be the lists of stricken voters.
- Sec. 13: Officers shall record in books two copies of the lists of qualified voters and deliver one to the sheriffs and one to clerks of the county circuit courts and BC Superior Court. Court clerks shall also receive the registration books.
- Sec. 14: Decisions of the officers regarding voters who have been refused registration or whose names have been stricken off may be appealed to the county circuit court or BC Supreme Bench.
- Sec. 15: Residency requirements shall be one year in the state and six months in BC or a county prior to the next election.
- Sec. 16: Officers shall have the powers of justices of the peace to preserve order.
- Sec. 17: When new or special elections are ordered, except for members of the General Assembly, the court clerks shall deliver register books and voter lists to the officers who shall sit for three days in BC and two days in the counties, beginning not more than ten days after the ordering of the election. The officers shall register new voters and strike off the names of those who have died, moved, or are disqualified. Officers shall give five days notice.
- Sec. 18: After completion of the registration process, the officers shall prepare two alphabetical lists. One shall contain the names of voters whose names were stricken from the lists and registration books. The other shall contain the names of newly qualified voters. Lists for BC shall include the residence of each voter. The lists shall be published in newspapers and handbills.
- Sec. 20: Court clerks shall issue certificates of registration to voters who move. This certificate

upon presentation to the election judges shall entitle the holder to vote provided he has acquired residency and no later registration has occurred. Court clerks shall prepare records of these certificates and deliver them to the officers of registration. Residences shall not be considered changed until six months after the actual removal.

- Sec. 22: On election days the sheriffs shall deliver the voter lists to the election judges.
- Sec. 23: Election judges shall return the lists to the sheriffs after the election.
- Sec. 24: Expenses, supported by vouchers, of the officers of registration shall be paid by the BC Mayor and City Council and county commissioners.
- Sec. 25: Annually the officers of registration of the BC wards shall elect a practicing member of the BC bar as their counsel who shall appear for them at appeal hearings and give legal advice.

## **Acts of 1876, Ch. 249**

An act re voter registration, approved 4-7-1876

- Sec. 1: Court clerks shall deliver the registration books and certified copies of lists of qualified voters to the officers of registration annually between the last Monday in August and the first Monday in September.
- Sec. 3: Beginning on the first Monday in September officers of registration shall sit for fifteen days in BC and five days in the counties. Ten days public notice shall be given.
- Sec. 4: Officers shall correct the books and lists by striking out the names of those who have moved, died, or become disqualified and by adding names of white males who apply and qualify. The reasons for striking off names shall also be recorded. Officers shall give voters certificates of registration.
- Sec. 5: When an applicant has been previously registered, the officers shall demand and receive the certificate of previous registration. After registering the name anew, the officers shall cancel the certificate.
- Sec. 6: Within one month prior to the above revision time period the BC Board of Police Commissioners shall have police officers take a census of legal voters in each precinct. Commissioners shall provide the officers of registration with copies of the census. Census shall occur before each election for members of the General Assembly.
- Sec. 7: Decisions of the officers regarding voters who have been refused registration or whose names have been stricken off may be appealed to the county circuit court or BC Supreme Bench.
- Sec. 8: After completion of the registration process, the officers shall prepare two alphabetical lists. One shall contain the names of voters whose names were stricken from the lists and registration books. The other shall contain the names of newly qualified voters. Lists for BC shall include the residence of each voter. The lists shall be published in newspapers and handbills.
- Sec. 9: For revising books of registration and published voter lists the officers shall sit for three days in BC and two days in the counties, beginning on the first Monday in October, after giving three days notice.
- Sec. 10: Corrections shall consist of striking off names of persons who have died or become disqualified, registering applicants who qualify, and registering successful appellants.
- Sec. 11: After that the officers shall prepare new alphabetical lists of qualified voters, to be published in newspapers and handbills. Lists for BC and counties with precincts shall be arranged

by precinct and include the residences of voters. Also published shall be the lists of stricken voters.

- Sec. 12: Officers shall record in books two copies of the lists of qualified voters and deliver one to the sheriffs and one to clerks of the county circuit courts and BC Superior Court. Court clerks shall also receive the registration books.
- Sec. 13: Residency requirements shall be one year in the state and six months in BC or a county prior to the next election.
- Sec. 14: Officers shall have the powers of justices of the peace to preserve order.
- Sec. 15: When new or special elections are ordered, except for members of the General Assembly, the court clerks shall deliver register books and voter lists to the officers who shall sit for three days in BC and two days in the counties, beginning not more than ten days after the ordering of the election. The officers shall register new voters and strike off the names of those who have died, moved, or are disqualified. Officers shall give five days notice.
- Sec. 16: After that process, the officers shall publish in handbills lists of voters stricken off and newly registers and then sit for two days for revisions. Officers shall record in books two copies of the lists of qualified voters and deliver one to the sheriffs and one to clerks of the county circuit courts and BC Superior Court. Court clerks shall also receive the registration books.
- Sec. 19: On election days the sheriffs shall deliver the voter lists to the election judges.
- Sec. 20: Election judges shall return the lists to the sheriffs after the election.
- Sec. 21: Expenses, supported by vouchers, of the officers of registration shall be paid by the BC Mayor and City Council and county commissioners. Annually the officers of registration of the BC wards shall elect a practicing member of the BC bar as their counsel who shall appear for them at appeal hearings and give legal advice.

## **Acts of 1882, Ch. 22**

An act re voter registration, approved 2-17-1882

- Sec. 1: At this General Assembly session the governor with consent of the Senate shall appoint an officer of registration for each election district in the counties.
- Sec. 2: At this General Assembly session the governor with consent of the Senate shall appoint twenty officers of registration for each of the three legislative districts into which BC was divided on January 1, 1882. When the wards are newly divided per an 1882 act, the governor shall one officer to three of the nine precincts of each ward. Thereafter at each legislative session the governor shall appoint one officer for each ward.
- Sec. 3: Officers shall have the powers of justices of the peace to preserve order.
- Sec. 4: Officers shall take an oath before the clerks of the county circuit court or BC Superior Court, which shall be entered in test books.
- Sec. 5: The term of office for officers shall begin on the first Monday in May and continue for two years. If an officer cannot perform the duties within the time limits, the governor shall appoint an assistant.
- Sec. 7: Governor shall have record books prepared - one registry of voters and two poll books or lists of qualified voters for each officer of registration. Each registry shall have eleven columns and each poll book two columns.

- Sec. 8: Before the first Monday in May the governor shall deliver the record books to the county sheriffs and BC Board of Police Commissioners who will distribute them to the officers.
- Sec. 9: In BC officers shall sit in 1882 from the first Monday in June to the first Monday in July and for corrections from the first Monday in September for fifteen days and from the first Monday in October for three days. Annually thereafter sittings for revisions shall occur at the same times in September and October.
- Sec. 10: In the counties officers shall sit in 1882 for five days each in July and August and for revisions ten days in September and the first Monday and Tuesday in October. Thereafter the annual sitting for revisions shall be at the same times in September and October. If an election district is divided into precincts, the officer may sit in two or three places.
- Secs. 12-13: Officers shall give notices of sittings.
- Sec. 15: The following data shall be entered in voter registries:
  - name in its proper alphabetical place
  - race
  - fact of taking an oath or affirmation
  - age
  - birthplace
  - residence, giving street and house number if applicable
  - time of residence in ward and precinct in BC and election district or precinct in the counties
  - date and place of naturalization, if applicable
  - if qualified, name in the qualified voter column as it appears in column 1
  - if disqualified, reason in disqualified column and line drawn through the name in column 1 in such a way that the name remains legible
- Sec. 16: Officers shall record the names of qualified voters in each of the poll books or lists of qualified voters.
- Sec. 17: After each sitting in October, each officer in BC shall deliver to the clerk of the BC Superior Court the registry and poll books with a signed certificate appended to the poll books that the lists are complete and accurate. Court clerk shall deliver one poll book of each precinct to the police commissioners by the third Wednesday in October.
- Sec. 18: After each sitting in October, each officer in the counties shall deliver to the circuit court clerk the registry and poll books with a signed certificate appended to the poll books that the lists are complete and accurate. Court clerk shall deliver one poll book of each election district or precinct to the sheriff by the third Wednesday in October.
- Sec. 19: Before each revision in 1883 and thereafter the court clerks shall deliver to the officers the registries and poll books.
- Sec. 20: At revision sittings officers shall consider new applicants and strike off those who have died, moved out of a precinct or election district, or are otherwise disqualified. Names shall be stricken from the registries so as to remain legible. In the remarks column the officers shall note the cause of striking off a name and whether based on personal knowledge or that of someone else. The names and addresses of these witnesses shall be also be recorded. Upon request from voters officers shall prepare certified copies of entries in the registries. If the purpose is to register where a new residence has been established, the officer shall strike off the name from the



registry and poll books and note this fact on the certificate given the voter. This certificate shall be presented to the officer of the precinct or election district where the new residence is located and then canceled when the registration is completed.

- Sec. 21: After each sitting in 1882, the officers shall prepare and publish in handbills the lists of persons registered. After each sitting in 1883 and annually thereafter, the officers shall prepare and publish two alphabetical lists - names stricken off and names and residences of new registrants including successful appellants.
- Sec. 22: Persons becoming qualified to vote after an election and wanting to vote in a new or special election held before the next registration and persons aggrieved by a decision of an officer of registration in regard to himself or another voter may appeal to the county circuit court or BC Supreme Bench before delivery of the poll books to the election judges. When as a result a qualified voter is registered or a name is stricken off, the court order shall be noted in remarks column of the registry.
- Sec. 28: Within one month before the first sitting for registration in BC in 1882 the police commissioners shall have the police officers take a census of qualified voters in each precinct and furnish copies to the officers of registration. The census shall occur before every election of members of the General Assembly.
- Sec. 30: On each election day the BC police commissioners and county sheriffs shall deliver the lists of qualified voters to the election judges.
- Sec. 31: Election judges shall return the lists to the same bodies who shall deliver them to the clerks of the BC Superior Court and county circuit courts.
- Sec. 32: Officers expenses, supported by vouchers, shall be paid by the county commissioners and BC Mayor and City Council.
- Sec. 33: Annually BC police commissioners shall appoint a practicing member of the BC bar as counsel for the officers of registration, who shall represent them at appeal hearings and give legal advice. In the counties the states attorneys shall perform these duties.

### **Acts of 1882, Ch. 135**

An act to amend Acts of 1882, Ch. 22, re officers of registration, approved 3-30-1882

- Sec. 1A: The appointment of county officers of registration shall occur every two years.

### **Acts of 1884, Ch. 101**

An act re voter registration and election records in BC, approved 3-31-1884

- Sec. 1: BC Superior Court clerk may destroy voter registration lists and poll books, except those created under Acts of 1882, Ch. 22.

### **Acts of 1884, Ch. 112**

An act to repeal and reenact Sec. 6 of Art. 35, Public General Laws, re elections, approved 3-20-1884

- Sec. 6: If one or more election judges are absent at a polling place, the county commissioners

shall appoint replacement(s), provided one judge is from a different political party than themselves. If the county commissioners do not act, the remaining judge(s) shall make the appointment. If all election judges are absent, the justices of the peace present may act. If there are no justices, voters present shall choose by ballot three persons as judges. None of these provisions shall apply in BC.

### **Acts of 1884, Ch. 271**

An act to repeal and reenact Sec. 1A of Acts of 1882, Ch. 135, re officers of registration, approved 4-8-1884

- Sec. 1A: The appointment of county officers of registration shall occur every two years. When a new election district is created, the governor with consent of the Senate shall appoint an officer. Officers of new and old election districts shall transfer the names of voters resident in the new district to a new registry. The names of such voters shall be stricken from the old registry and noted as transferred to the new district.

### **Acts of 1886, Ch. 269**

An act re records in MO, approved 4-7-1886

- Sec. 1: Clerk of MO Circuit Court may destroy voter registration records and poll books, except those made and used in 1885.

### **Acts of 1888, Ch. 112**

An act to repeal and reenact Secs. 13, 15-20, 25, 40-41, and 65 of Art. 35, Public General Laws, re elections, approved 3-23-1888

- Sec. 13: At each election county sheriffs and BC police commissioners shall deliver to the election judges ballot boxes and two poll books.
- Sec. 40: Votes shall be entered and endorsed in the poll books and copies put in the ballot boxes which shall be locked. Within three days after the election the ballot boxes and keys shall be delivered to the police commissioners in BC and circuit court clerks in the counties. After six months the boxes shall be opened in the presence of one or more orphans court judges and ballots destroyed by the police commissioners and court clerks. Judges shall sign a certificate of destruction and record it in their minutes. Court clerks shall record the certificate in the land records.
- Sec. 41: During the six months before destruction the ballot boxes can be opened only for judicial investigations or contested elections and only by court order.

### **Acts of 1888, Ch. 155**

An act to amend Acts of 1882, Ch. 22 and its supplements, re voter registration, approved 3-23-1888

- Sec. 1: BC supervisors of elections, appointed under Acts of 1876, Ch. 223, shall appoint three

officers of registration for each precinct, including one from each of the two leading political parties.

- Sec. 2: When an election is held in BC, the officers shall sit for revisions and new registrations for two days each in May, June, July, September, and October.
- Sec. 3: When an election is held in the counties, the officers shall sit for revisions and new registrations for two days in May, three days in September, and five days in October.
- Sec. 5: Officers shall give five days public notice before each sitting.
- Sec. 6: Before the May sittings the court clerks shall give the officers the voter registries and poll books.
- Sec. 7: Officers shall send notices to voters, except those deceased, whose names are stricken, calling on them to appear at the next sitting to show cause why the removal is not justifiable. Three days after the sittings in October, the officers shall prepare and publish two alphabetical lists - names stricken off and names and residences of new registrants including successful appellants. Officers shall sit for one day for only the consideration of applications for reinstatement, based on the notices. At the end of each day of the sittings each officer shall sign or initial under the last name registered under each letter so that no new name can be added without discovery.
- Sec. 8: Persons having charge of vital statistics in BC or any county shall give officers reports of names and previous residences of males over age twenty-one who have died.
- Sec. 10: In 1888 and biennially thereafter there shall be an entirely new registration of voters in BC. Officers may use the preceding registries for the purposes of comparison and assistance in identification. Naturalized citizens will not be required to provide naturalization papers if it can be proved by oaths of the voter and two witnesses that the individual has been a registered voter for three years and has actually voted.
- Sec. 12: Within one month before the May sitting for registration in BC the police commissioners shall have the police officers take a census of qualified voters in each precinct and furnish copies to the officers of registration. The census shall occur before every election of members of the General Assembly.

### **Acts of 1890, Ch. 414**

An act re poll books in BA, approved 4-8-1890

- Sec. 1: BA Circuit Court clerk shall destroy all poll books two years after being deposited, unless a contested election is still pending.

### **Acts of 1890, Ch. 538**

An act to repeal and reenact Sec. 54 of and add sections to Art. 33, Public General Laws, re elections, approved 4-8-1890

- Sec. 130: All nominations made by convention or primary election shall be certified as to the name of each person nominated, residence, and office. If done by convention, the presiding officer and secretary shall sign the certificate. If done by primary election, the election judges shall sign the certificate. These certificates of nomination must be acknowledged.

- Sec. 131: A candidate can also be nominated through a petition that contains the name and residence of the candidate, office, and signatures of registered voters. The petitions must be accompanied by an affidavit from a justice of the peace.
- Sec. 132: Certificates and petition for electors of U.S. president and vice president, U.S. representative, and other officers voted for by voters of more than one county shall be filed with the Secretary of State. Those for officers limited to a county, BC, Annapolis, Frederick, Cumberland, Hagerstown, or any of their subdivisions shall be filed with the boards of supervisors of elections. Withdrawals shall be filed in the same manner. Six months after the election the certificates, petitions, and withdrawals shall be destroyed unless the election is contested. When this is resolved, the records can then be destroyed.
- Sec. 135: Secretary of State shall send to the election boards lists of such nominated candidates and state ballot questions.
- Sec. 140: A record of the number of ballots furnished each polling place shall be preserved by the election boards for six months after the election and then destroyed unless the election is contested. When this is resolved, the record may be destroyed.
- Sec. 151: For each polling place the election boards shall provide two books for the election clerks to keep the account of the votes. Books shall be in the form now used except that there shall be a left margin for placing consecutive numbers beside each voters name.
- Sec. 152: Election boards shall appoint two ballot clerks for each precinct and election district. Their term of office shall be same as that for election judges. One clerk shall be selected from each of the two major political parties. Each clerk shall take an oath. Clerks shall hand ballots to voters.
- Sec. 159: Before the next registration of voters the BC police commissioners shall establish precincts conforming to legislative and congressional districts so that each precinct contains no more than 600 voters, as near as possible.
- Sec. 164: Biennially the governor with consent of the Senate shall appoint in each county three persons, two being from the two major political parties, to make up the board of supervisors of elections. Vacancies shall be filled by the governor. Annually by the second Monday in October the election boards shall appoint three election judges for each precinct and election district. At least one must be from the leading political party opposite from themselves. Election boards shall record the appointments. Election boards shall appoint election clerks and other election officers.
- This act shall apply not apply in BA, CA, CR, DO, GA, HA, KE, MO, and TA.

### **Acts of 1890, Ch. 573**

An act to repeal and reenact several sections of and to add sections to Art. 33, Public General Laws, re voter registration

- Sec. 2: Annually by the first Monday in August the BC elections supervisors shall appoint three officers of registration for each precinct, including one from each of the two major political parties. Their appointment shall be as prescribed in the elections section of Art. 4, Public Local Laws.
- Sec. 3: Officers shall have the powers of justices of the peace to preserve order during registration.

- Sec. 5: The term of office for county officers of registration shall commence on the first Monday in May and continue for two years. If a county officer cannot complete the duties within the prescribed time limits, the governor shall appoint an assistant until the work is finished.
- Sec. 7: Governor shall furnish two registries of voters for each precinct and election district.
- Sec. 8: Governor shall send the registries to the sheriffs in the counties and election board in BC, who shall deliver them to the officers.
- Sec. 9: Annually the BC officers shall sit for registering voters five days in September and two days in October and for revisions and hearing reinstatement applications one day in October. Annually the county officers shall sit for registering voters for three days in September and four days in October and for revisions and hearing reinstatement applications one day in October. In 1891 and biennially thereafter the Annapolis officer of registration shall sit for new registrations and corrections for two days in June. Clerk of the AA Circuit Court shall prepare the lists of qualified voters for the July elections.
- Sec. 14: The following data shall be entered in voter registries:
  - name in its proper alphabetical place
  - color
  - fact of taking an oath or affirmation
  - age
  - birthplace
  - residence, giving street and house number if applicable
  - time of residence in ward and precinct in BC and election district or precinct in the counties
  - date and place of naturalization, if applicable
  - if qualified, name in the qualified voter column as it appears in column 1
  - if disqualified, reason in disqualified column and line drawn through the name in column 1 in such a way that the name remains legible.
- Sec. 14 [continued]: All persons who have moved out of Maryland, prior to the passage of this act, shall be presumed to have surrendered their right to registration as legal voters unless within thirty days after passage of this act they go before the appropriate clerk of the county circuit court or BC Superior Court and make an affidavit stating they did not intend to change legal residence and plan to return to the state within six months. Hereafter a person temporarily moving out of state can keep the registration by going before the appropriate clerk of the county circuit court or BC Superior Court and make an affidavit stating they did not intend to change legal residence and plan to return to the state within six months. Clerks shall record and index these affidavits.
- Sec. 16: After completing registration the BC officers shall append to both registries a certificate verifying that the entries were made correctly and deliver both to the clerk of the BC Superior Court. Clerk shall deliver one set of registries to the election board before an election.
- Sec. 17: After completing registration the county officers shall append to both registries a certificate verifying that the entries were made correctly and deliver both to the circuit court clerk. Each clerk shall deliver one set of registries to the sheriff before an election.
- Sec. 18: For the correction of the registries the county officers shall annually receive the original duplicate registry from the court clerk. For the same purpose the BC election board shall receive the original duplicate registry from the clerk of the BC Superior Court, first in 1891 and

biennially thereafter.

- Sec. 19: At revision sittings officers shall consider new applicants and strike off those who have died, moved out of a precinct or election district, or are otherwise disqualified. Names shall be stricken from the registries so as to remain legible. In the remarks column the officers shall note the cause of striking off a name and whether based on personal knowledge or that of someone else. The names and addresses of these witnesses shall be also be recorded. Upon request from voters officers shall prepare certified copies of entries in the registries. If the purpose is to register where a new residence has been established, the officer shall strike off the name from the registry and poll books and note this fact on the certificate given the voter. This certificate shall be presented to the officer of the precinct or election district where the new residence is located and then canceled when the registration is completed. Officers shall send notices to voters, except those deceased, whose names are stricken, calling on them to appear at the next sitting to show cause why the removal is not justifiable. Three days after the sittings in October, the officers shall prepare and publish two alphabetical lists - names stricken off and names and residences of new registrants including successful appellants. Officers shall sit for one day for only the consideration of applications for reinstatement, based on the notices. At the end of each day of the sittings each officer shall sign or initial under the last name registered under each letter so that no new name can be added without discovery.
- Sec. 20: After each sitting, the officers shall prepare and publish two alphabetical lists - names stricken off and names and residences of new registrants including successful appellants.
- Sec. 21: Persons becoming qualified to vote after an election and wanting to vote in a new or special election held before the next registration and persons aggrieved by a decision of an officer of registration in regard to himself or another voter may appeal to the county circuit court or BC Supreme Bench within one week after the October sitting. Appeals may be taken to the Court of Appeals within five days after the local court decision. When as a result a qualified voter is registered or a name is stricken off, the court order shall be noted in remarks column of the registry.
- Sec. 22: For any new or special election the latest registries shall be valid.
- Sec. 27: Biennially before the first sitting of the officers of registration in BC the police commissioners shall have the police officers make a census of qualified voters in each precinct. The commissioner shall send a copy to the election board who shall supply copies to the officers of registration.
- Sec. 29: On election day the county sheriffs and BC election board shall deliver the duplicate registries to the election judges.
- Sec. 30: In the vote column in the registry the election judges shall check those who have voted. After the election the judges shall return the registries to the sheriffs and BC election board who shall deliver them to the clerks of the county circuit courts and BC Superior Court.
- Sec. 32: BC election board shall biennially appoint a practicing member of the BC bar as general counsel for the board, who shall provide legal advice for the board, officers, and election judges and appear to defend officers of registration at appeal hearings. In the counties the states attorneys shall perform the same functions.
- Sec. 33: Annually by the first Monday in October persons having charge of vital statistics in BC and the counties shall provide the BC election board and county officers of registrations with a

report of the names and previous residences of all males over age twenty-one who have died the preceding year.

- Sec. 35: Biennially there shall be an entirely new registration of voters in BC. Officers may use the preceding registries for the purposes of comparison and assistance in identification. Naturalized citizens will not be required to provide naturalization papers if it can be proved by oaths of the voter and two witnesses that the individual has been a registered voter for three years and has actually voted.

### **Acts of 1890, Ch. 624**

An act to repeal and reenact Sec. 68-69, Art. 33, Public General Laws, re election records, approved 4-8-1890

- Sec. 68: County election judges within seven days after an election shall meet in the county seat and bring along the poll books and certificates. The BC election judges within four days after an election shall deliver such records to the election board.
- Sec. 69: The election judges in the counties and election board in BC shall prepare two statements and certificates of the number of votes for each candidate for each office, one certificate to be delivered to the clerk of the county circuit court or BC Superior Court and the other, except for governor and states attorney, to the governor. Return for the governor shall be sent to the Secretary of State and one for states attorney to the judge having criminal jurisdiction. From the returns the governor shall issue commissions.

### **Acts of 1892, Ch. 205**

An act to repeal and reenact Sec. 131, Art. 33, Public General Laws, re nominations in BC, approved 3-24-1892

- Sec. 131: A candidate can also be nominated through a petition that contains the name and residence of the candidate, office, and signatures of registered voters. The petitions must be accompanied by an affidavit from a justice of the peace. In BC the election board shall prepare a printed form of nomination papers and upon the request of five registered voters between September 1 and October 20 fill in the form with the name and address of the candidate and office sought. The papers shall remain in the office of the election board and be accessible there for signatures until October 20.

### **Acts of 1892, Ch. 300**

An act to amend Acts of 1890, Ch. 538, re elections, approved 4-1-1890

- Acts of 1890, Ch. 538, re elections, is made applicable statewide.

### **Acts of 1892, Ch. 615**

An act to repeal and reenact Sec. 20, Art. 33, Public General Laws, re voter registration in BC, approved 4-7-1892

- Sec. 20: After each sitting, the officers of registration shall prepare and publish two alphabetical lists - names stricken off and names and residences of new registrants including successful appellants. In BC the officers shall deliver the lists to the election board which shall arrange for printing and publication.

## **Acts of 1896, Ch. 202**

An act to repeal and reenact Art. 33, Public General Laws, re elections and voter registration, approved 4-2-1896

- Sec. 1: Biennially the governor with consent of the Senate shall appoint three persons in each county and BC as a board of supervisors of elections. One shall be from each of the two major political parties. Beforehand the central committees of these parties shall submit a list of four eligible candidates for each jurisdiction. If not enough are acceptable, the governor shall request a list of six more names.
- Sec. 3: Supervisors shall take an oath before the clerk of the county circuit court or BC Superior Court who shall record them. Within twenty days after the appointments the supervisors shall organize as a board and select one of themselves as president.
- Sec. 4: Governor shall fill vacancies. If the slot was allocated for a political party, the central committee of that party shall submit a list of candidates.
- Sec. 5: Election boards shall provide ballot boxes, ballots, registry books, poll books, tally sheets, certificates, blanks, and stationery for the registration of voters and conduct of elections. Expenses shall be paid by the counties and BC.
- Sec. 6: County election boards may have clerks with consent of the county commissioners. BC board shall have and appoint a clerk and messenger, both of whom may have assistants.
- Sec. 7: Annually the BC election board shall select for each precinct four election judges by July 1 and two clerks by September 15, to be divided equally between the two major parties. In each year with an election to be held in November each county election board shall select for each election district or precinct two election judges by July 1 and two more judges and two clerks by September 15, to be divided equally between the two major parties. The same officials will serve for elections held other than in November.
- Sec. 9: Each official selected shall appear before the election board for examination and, if qualified, shall be appointed. Boards shall record all names selected, date and manner of notice to appear, whether or not they appear, whether they were appointed, rejected or excused, and reasons if rejected or excused.
- Sec. 10: Election boards shall advertise the names and residences of the judges and clerks. Boards shall investigate any written complaints and remove any official found unfit or incapable and then appoint someone else. Appointments to fill vacancies shall be recorded. Election judges and clerks shall take an oath before and receive commissions from the boards. Oaths shall be recorded.
- Sec. 11: Election boards shall select the place of registration and polling place in each precinct and election district.
- Sec. 12: Persons having charge of vital statistics in the counties and BC shall furnish the election



boards with monthly reports of the names and former residences of all males over age 21 who have died. Annually before a voter registration or revision the boards shall compile an alphabetical list of these names for each ward, precinct, or election district and provide copies to the registry boards.

- Sec. 13: Election boards shall give ten days notice of the times and places of registrations, revisions, and elections. Election boards shall make rules and regulations for the registration of voters and conduct of elections and provide for all elections at all levels. Questions shall be decided by a majority of a board.
- Sec. 14: All election judges in BC and the first two appointed in each county shall also be officers of registration in the precinct or election district for which appointed. They shall constitute a board of registry and have the powers of justices of the peace to preserve order when sitting for registration.
- Sec. 15: Election boards shall furnish the registry boards with two registry books, formatted with columns for the information outlined in Sec. 16, and others for noting vote challenges, votes, and remarks..
- Sec. 16: Seven weeks before the November 1896 election the registry boards shall meet at the places designated by the election boards for the registration of voters. The name and age of every applicant shall be entered in the registries and all other facts of the application, whether or not entitled to vote. If a person is not qualified to vote, a red line shall be drawn through the entry, but done so it remains legible. The following entries shall be made for each person:
  - residence and post office address; general description will suffice in the counties
  - full name
  - age
  - place of birth - state, country, etc.
  - color
  - length of residence in precinct or district
  - length of residence in county or legislative district
  - length of residence in state
  - naturalized to be noted as yes, no, or native
  - ability to read
  - date of naturalization, if applicable
  - court where naturalized
  - qualified voter to be noted as yes or no
  - date of application
  - signature; those unable to write to be noted as cannot write
  - why disqualified
- Sec. 16 (continued): Registry boards may use older registries for comparison and identification. At the end of the day the officers of registration shall compare registries, correct errors, and sign or initial under the last entry of each letter so that no new names can be added without discovery. Registry boards shall maintain alphabetical lists of names, addresses, and color of all registered persons, those refused registration, and those erased. In BC at the end of each session the officers of registration shall deliver these lists to the police officer on duty who shall take them to the police board for delivery to the election board which shall have them printed in handbills and

posted.

- Sec. 17: Annually between September 1 and the start of voter registration the BC police commissioners shall have police officers take a census of legal voters in each precinct, that shall include addresses. Police commissioners shall provide a copy to each registry board.
- Sec. 19: After 1896 and preceding each regular election the registry boards shall sit two days a week six, five, and four weeks before the election to register new voters and note names of those who seem unqualified. Procedures shall follow those in Sec. 16.
- Sec. 20: On the last day of a revision meeting the registry boards shall prepare a list of persons whom they or voters who have come forward suspect to be unqualified. Each person shall be notified to appear before the board to show cause why the name should not be removed.
- Sec. 21: On the Tuesday three weeks before each regular election the registry boards shall meet for the sole purpose of revising the registries. Persons notified per Sec. 20 may appear and make an affidavit regarding why they are still qualified to vote. The affidavits shall be filed with and maintained by the election boards. Registry boards shall conduct hearings. If the decision is one of disqualification, the board shall draw a red line through the entry, but so it remains legible, and under remarks note the fact of erasure, date of action, and grounds and evidence for the action.
- Sec. 22: Registry boards shall return the registries to the election boards. In the counties the alphabetical lists of registered voters, those refused registration, and those erased shall be filed with the election boards. In BC the last list of erased names shall be filed with the election board. Election boards shall have these lists printed in handbills and posted.
- Sec. 23: Decisions of the registry boards may be appealed to the county circuit courts not later than one week before the election or a BC court not later than the Saturday before the election. If a decision requires correction of the registries, note of the court order shall be made under remarks. Court decisions may be appealed to the Court of Appeals within five days.
- Sec. 24: In the counties a new general registration shall take place every eight years.
- Sec. 25: In BC there shall be an annual registration.
- Sec. 26: In the counties between general registrations and before November elections the registry boards shall meet for revision for one day a week five and four weeks before the election. New names shall be added. An applicant that had been registered elsewhere must have a certificate of removal stating that the name has been removed the registry in the former residence. Certificate of removal can be issued by the registry board or elections board.
- Sec. 27: At the end of each session the officers of registration shall sign or initial under the last entry of each letter so that no new names can be added without discovery.
- Sec. 28: Registry boards shall prepare lists of persons suspected of being unqualified under the headings of disqualified voters, deceased voters, and removed voters and send notices per the provisions of Sec. 20.
- Sec. 29: Registry boards shall meet on the Tuesday three weeks before the election.
- Sec. 30: Procedures shall be per the provisions of Sec. 21. The records shall be handled per the provisions of Sec. 22.
- Sec. 31: Election boards shall have the alphabetical lists of registered and removed names printed and posted and given to the election judges.
- Sec. 32: Appeal procedures shall be per provisions of Sec. 23.
- Sec. 33: Vacancies on the registry boards shall be filled by the remaining members. The boards

shall maintain records of these appointments.

- Sec. 34: For special elections the latest registry books shall be used. In 1897 and every two years thereafter the registry books for Annapolis shall be open for two days for adding new names and corrections prior to the July elections.
- Sec. 37: Nominations made by conventions or primary elections shall be certified. The certificate of nomination shall contain the name of the candidate, residence, business, business address, and office for which nominated. When resulting from a convention, the certificate shall be signed by the presiding officer and secretary and acknowledged. When resulting from a primary election, the certificate shall be signed by the person(s) who has the duty by party usage to declare the results.
- Sec. 38: A nomination may also be made a certificate of nomination that contains the same information as specified in Sec. 37 and is signed by registered voters who shall include residence, occupation, and place of business. These nominations shall be accompanied by affidavits before a justice of the peace.
- Sec. 39: Certificates of nomination for offices encompassing an entity larger than a county shall be filed with the Secretary of State. All others shall be filed with the local election boards.
- Sec. 41: The certificates shall be preserved for two years.
- Sec. 53: Election boards shall keep a record of the number of ballots printed for each polling place and preserve it for at least six months.
- Sec. 54: Materials for each polling place shall include two registries of voters, cards of instruction, ballot box, ballots, specimen ballots, and two poll books. BC election board shall deliver the materials to the police commissioners and county boards to the sheriffs. Election boards shall maintain records of these deliveries.
- Sec. 55: Election judges shall have the power of justices of the peace to keep order at the polling places.
- Sec. 56: If any judge or clerk fails to appear at a polling place, the remaining ones may appoint substitutes. Election judges shall note the appointments in the poll books.
- Sec. 58: Each election clerk shall keep a poll book containing columns for consecutive numbers and names of voters. If the vote of any person is later rejected by the election judges, the clerks shall draw a line through the name and number.
- Sec. 61: After a person has voted, the election judges shall enter the letter V in the voted column in the registries.
- Sec. 63: If a qualification to vote is challenged and agreed to by the judges after a vote has been cast, the judges shall mark the ballot as rejected and the clerks shall draw a line through the name and number in the poll books and enter the word rejected. If such a voter leaves without voting, the clerks shall take the same action and enter the words did not vote.
- Sec. 64: After the polls close, the election judges shall canvass the votes cast.
- Sec. 65: Each clerk shall sign each poll book after the name of the last voter. Judges shall enter in voted column of the registries the word no for all persons who did not vote.
- Sec. 67: After proclaiming the votes, the BC election judges shall prepare a statement of the number of votes in the ballot box and number of votes for each candidate. A policeman shall deliver the statement to the police commissioners who shall file and preserve it.
- Sec. 68: Election judges at each polling place shall prepare duplicate election returns that contain

the date, number of the precinct or election district, time the polls were open, and number of votes for each candidate designated by office. Votes for and against any proposition shall also be stated. Election returns shall be signed by the judges and clerks. Anyone refusing to sign shall state the reasons in writing and file it with the returns. The returns shall be placed in sealed envelopes, with one copy going to the clerk of the county circuit court or BC Superior Court and one to the county commissioners or BC Mayor and City Council. Each set of tallies shall also be signed, placed in sealed envelopes, and one copy sent to the election board and one to the register of wills.

- Sec. 69: Poll books, ballots cast and counted, and defective and spoiled ballots not counted shall be placed in the ballot box which shall then be locked.
- Sec. 70: Ballot boxes and registries shall be delivered to the election boards.
- Sec. 71: Election boards shall record the condition of the seal on the ballot boxes and deliver them to the county circuit court clerks or BC police commissioners to be kept for six months at which time, unless needed as evidence for a contested election or an investigation, the election boards in the presence of one or more orphans court judges shall destroy the ballots, poll books, and tally sheets including those delivered to the registers of wills. Election boards shall record the fact of destruction.
- Sec. 72: After the boards of canvassers organize, the court clerks, county commissioners, and BC mayor shall deliver to them the sealed election returns.
- Sec. 73: Each election board shall constitute a board of canvassers for its county or BC.
- Sec. 74: Canvassers shall meet two days after the election and select a chair and secretary. Each member shall take an oath before a court clerk.
- Sec. 75: Canvassers shall open all original returns, canvass and add up the votes, and prepare returns, using separate sheets for each office or proposition.
- Sec. 76: Election returns shall be signed by the chair and secretary and sent to the clerks of the county circuit courts or BC Superior Court who shall record them. For returns of federal and state offices, except governor and states attorney, the court clerks shall make three certified copies and sent one each to the governor, Secretary of State, and State Treasurer. The return for governor shall be sent to the Secretary of State. Each canvassing board shall prepare and publish a statement of votes given in each precinct, county, or city, showing the names of candidates and votes for each.
- Sec. 77: Unless otherwise provided in the Constitution, the canvassing boards shall declare those elected to county and city offices.
- Sec. 78: If mistakes are found when canvassing the votes, the canvassing board may subpoena the election judges and clerks to make corrections.
- Sec. 79: When it appears by affidavit that a canvassing board made a mistake, the county circuit court or BC Superior Court may require it to make corrections or show cause why not. Appeals may be taken to the Court of Appeals.
- Sec. 80: Secretary of State, Comptroller of the Treasury, State Treasurer, clerk of the Court of Appeals, and Attorney General shall constitute the state Board of Canvassers. It shall determine the total votes from the election returns of the local canvassing boards and declare the persons elected. These statements shall be delivered to the Secretary of State who shall preserve them along with the local election returns.

- Sec. 81: Secretary of State shall record the election returns of the state canvassers and any dissents or protests made by a member. Governor shall issue commissions.
- Sec. 114B: County election boards shall have the power to employ an attorney to advise the registry boards and election judges. BC election board shall biennially appoint such an attorney.
- Sec. 117: Before the first general registration held under this act and before subsequent general registrations preceding a presidential election, the election boards may divide and establish precincts in the election districts or wards. No precinct in BC may contain over 450 registered voters, based on the last election.
- Sec. 118: BC election board shall prepare maps showing the boundaries of the precincts and wards.
- Sec. 119: Contested elections for Comptroller of the Treasury, judges, court clerks, and registers of wills shall be decided by the House of Delegates.
- Sec. 120: Contested elections for other offices and not provided for in the Constitution shall be decided by the county circuit courts or BC Superior Court.

## **Acts of 1901, Ch. 2**

An act to repeal and reenact Sec. 54 of and to add a section to Art. 33, Public General Laws, re voter registration and records, approved 3-21-1901

- Sec. 25A: All persons who prior to the passage of this act have moved out of state shall be presumed to have abandoned their legal residence in Maryland and to have surrendered their right to registration as legal voters unless within thirty days hereafter they go in person before the clerks of the county circuit courts or BC Superior Court, depending on the location of the former residence, to make an affidavit that they did not intend to change legal residence and that they intend to return on or before six months before the next November election. If they do not so return, they shall lose their voter registration rights and registry boards shall strike their names from the registries. Hereafter any person moving out of a residence and intending to return shall make such an affidavit and file it with a clerk of the county circuit court or BC Superior Court who shall record and index it. Registry boards may require proof of an affidavit if they suspect a qualified voter has lost residency by removal from the state.
- Sec. 54: Materials for each polling place include two registries of voters, ballot box, ballots, and two poll books. BC election board shall deliver the materials to the police commissioners for delivery to the election judges. The county election boards shall deliver the materials to the election judges.

## **Acts of 1901, Ch. 10**

An act to add a section to Art. 33, Public General Laws, re precincts, approved 4-1-1901

- Sec. 117A: County election boards shall examine the boundaries of election districts and precincts and when necessary subdivide an area having over 600 voters. They shall appoint officers of registration and election judges and clerks for each such new area. Appropriate names shall be transcribed in registries for the new area. Election board members shall sign the records to certify their accuracy. The boundaries of the new precincts shall be advertised for three weeks.

**Acts of 1902, Ch. 133**

An act to add a section to Art. 33, Public General Laws, re intention to vote, approved 3-29-1902

- Sec. 25B: A person moving into a county or BC from out of state shall indicate an intention to become a citizen and resident of Maryland by registering with the clerk of the county circuit court or BC Superior Court. The record shall contain the name, residence, age, and occupation of the individual. No one moving into the state shall be entitled to vote until one year after declaring the intent to become a legal voter.

**Acts of 1902, Ch. 290**

An act to add a section to Art. 33, Public General Laws, re elections in DO and QA, approved 4-8-1902

- Sec. 9B: Election judges and clerks in DO and QA shall not be required to appear before the election boards for examination and oaths as required by Sec. 9 of Art. 33, Public General Laws. They may take an oath before any election board member, justice of the peace, or notary public. The justices and notaries shall issue certificates of qualifications, to be filed with the election boards.

**Acts of 1902, Ch. 343**

An act to add a section to Art. 33, Public General Laws, re elections in HO, approved 4-8-1902

- Sec. 9B: Election judges and clerks in HO shall not be required to appear before the election boards for examination and oaths as required by Sec. 9 of Art. 33, Public General Laws. They may take an oath before any election board member, justice of the peace, or notary public. The justices and notaries shall issue certificates of qualifications, to be filed with the election board.

**Acts of 1902, Ch. 539**

An act to add a section to Art. 33, Public General Laws, re elections in FR, approved 4-8-1902

- Sec. 9B: Election judges and clerks in FR shall not be required to appear before the election boards for examination and oaths as required by Sec. 9 of Art. 33, Public General Laws. They may take an oath before any election board member, justice of the peace, or notary public. The justices and notaries shall issue certificates of qualifications, to be filed with the election board.

**Acts of 1904, Ch. 254**

An act to repeal and reenact Secs. 24-25 of Art. 33, Public General Laws, re voter registration, approved 4-12-1904

- Sec. 24: County registry boards shall make a new general registration in 1906.
- Sec. 25: In BC there shall be a general registration in 1906 and biennially thereafter. A BC voter moving to a different precinct shall produce a certificate of removal from the registry board of the

other precinct where the name shall be stricken from the registry. At the end of each registration session the BC registry boards shall note for erasure the names of persons known or supposed to be dead, suspected of being disqualified, or have moved and not taken out removal papers. Boards shall then proceed per the provisions of Sec. 20.

### **Acts of 1906, Ch. 703**

An act to repeal and reenact Sec. 24 of Art. 33, Public General Laws, re voter registration, approved 4-5-1906

- Sec. 24: In the counties a new general registration shall be made in 1910. Election boards shall transcribe from the old registries the names of qualified voters into the new books. Alleged transcription errors may be rectified by filing a petition with the circuit court which may order corrections.

### **Acts of 1908, Ch. 122**

An act to add sections to Art. 33, Public General Laws, re "corrupt practices act," approved 4-25-1908

- Sec. 161: Primary elections shall include those to nominate a candidate for public office or elect delegates to a nominating convention, nominating conventions of such delegates, and caucuses of members of the General Assembly.
- Sec. 162: Treasurer shall mean any person appointed by a political committee or candidate to receive or disburse money to aid or promote the success or defeat of any party, principle, or candidate. Political agent shall mean any person appointed by a candidate for assistance. No person shall act as treasurer or political agent unless before the election the designation signed by a political committee or candidate is filed with the Secretary of State. If the duties relate to a local jurisdiction only, the paper shall be filed with the clerk of the county circuit court or BC Circuit Court. The paper shall show the period during which the individual shall act in the given capacity.
- Sec. 163: Every political committee shall appoint and constantly maintain a treasurer who before acting shall give bond. A treasurer may appoint a sub-treasurer.
- Sec. 165: No person but a treasurer or political agent shall pay expenses, except that a candidate may use personal funds to pay for postage, telegrams, telephones, stationery, printing, expressage, and travel and board.
- Sec. 167: Within twenty days after every election each treasurer and political agent shall file a full and detailed account and statement, subscribed to under oath, with the clerk of the county circuit court or BC Circuit Court. Statement shall include the amount of money or property received or promised, name of person giving or promising, amount of each expenditure made or promised and to whom and purpose, list of unpaid debts, and obligations if any and to whom and purpose.
- Sec. 168: Within thirty days after a primary election every candidate for public office, including U.S. Senator, shall prepare and file with the official empowered by law to issue a certificate of election, with a duplicate with the clerk of the county circuit court or BC Circuit Court, a statement, subscribed under oath, setting forth in detail all money and things contributed, expended or promised, and extant unfilled promises or liabilities and showing date when, person

to whom, and purpose for which each sum or thing was paid, expended, or promised or liability incurred.

- Sec. 170: Statements required by Secs. 167-168 shall be preserved for at least three years.
- Sec. 173: Within thirty days after an election a defeated candidate or any ten qualified voters may present to a county circuit court or BC Superior Court a petition alleging corrupt practices, contrary to the provisions of Art. 33, naming the successful candidate(s) as defendant(s). The trial shall be by jury only if requested by one of the parties. When the petition relates to the election of U.S. electors, U.S. Senator, U.S. Representative, Governor, Attorney General, member of the General Assembly, judge, court clerk, register of wills, or states attorney, the trial judge shall have no power to void the election. The judge shall file the findings with the Secretary of State along with a transcript of the evidence. Secretary of State shall submit these materials to various officials:
  - Governor when involving U.S. electors or Attorney General
  - Speaker of the House of Representatives when involving the U.S. Congress
  - President of the state Senate when involving the U.S. or state Senator
  - Speaker of the House of Delegates when involving the governor, state delegate, judge, court clerk, or register of wills
  - local judge having criminal jurisdiction when involving the states attorney
- Sec. 173 (continued): When the petition relates to any other office the trial judge shall file the findings with the governor and show whether or not the election was void. If an election is voided, the governor within five days after receiving the decision shall proclaim the election void and the vacancy shall be filled as if the candidate had died after the election. An appeal may be taken to the Court of Appeals on questions of law from any decision relative to ineligibility to public office or employment.
- Sec. 175: States attorneys may prosecute in the regular course of criminal procedures any person who violates any provision of this act.

### **Acts of 1908, Ch. 492**

An act to repeal and reenact Sec. 10 of Art. 33, Public General Laws, re election judges and clerks, approved 4-8-1908

- Sec. 10: Election judges and clerks in CH, DO, FR, GA, HO, PG, QA, SM, and WA shall not be required to appear before the election boards for examination and oaths as specified in Sec. 9. They may take oath before the election board, justice of the peace, or notary public, with a certificate of qualification being filed with the election boards.

### **Acts of 1908, Ch. 737**

An act to add sections to Art. 33, Public General Laws, re primary elections, approved 4-6-1908, effective 1-1-1909

- Sec. 160A: Political parties which at the general election of November 1907 or any future election polled 10% of the votes cast in the counties shall hereafter nominate candidates for county offices and elect delegates to conventions or managing bodies in the parties and all county



executives and county executive committees, not appointed, through primary elections.

Candidates may also be nominated by conventions composed of delegates elected at primary elections. Primary elections shall be held annually not later than the second Monday in September. By July 1, 1908 the election boards shall prepare an alphabetical list of qualified voters for each election district or precinct, and annually thereafter correct the lists.

- Sec. 160B: Primary elections shall be conducted by three election judges and two clerks, belonging to the political party, in each election district or precinct, who shall be appointed by the election boards and take an oath.
- Sec. 160E: Governing bodies of the parties shall furnish two poll books, two tally sheets, and ballots for each polling place.
- Sec. 160G: When a person votes, the election judges shall enter the letter v in the vote column in the registries or lists and clerks shall enter the names in the poll books.
- Sec. 160H: Upon the closing of the polls, each clerk shall sign under the last voters name. In the registries or lists the judges shall write the word no opposite the names of voters who did not vote.
- Sec. 160I: After returns have been canvassed and results announced by the party, the election judges shall deliver the ballot boxes and registries to the election boards.
- Sec. 160N: Primary elections in the counties for nominations for state offices shall be conducted under provisions of this act.
- Sec. 160O: President of the BC election board shall set the date for the primary election for nominations for state offices. Each candidate shall file with the election board a certificate containing the name, address, business, business address, office being sought, and party affiliation of each individual. The elections shall be held under the supervision of the election board in conformity with the BC primary election law.

### **Acts of 1910, Ch. 249**

An act to add a section to Art. 33, Public General Laws, re primary elections, approved 4-11-1910

- Sec. 160X: When a person nominated for a state or judicial office or U.S. Representative resigns or dies, the state central committee or governing body of the political party shall select someone else. For county offices the selection shall be made by the state central committee or local governing body of the party.

### **Acts of 1910, Ch. 291**

An act to amend Sec. 10 of Art. 33, Public General Laws, re election judges and clerks in CR, approved 4-7-1910

- Provisions of Acts of 1908, Ch. 492, re examinations and oaths of election judges and clerks, are made applicable in CR.

### **Acts of 1910, Ch. 427**

An act to repeal and reenact Sec. 168 of Art. 33, Public General Laws, re campaign reports, approved 4-11-1910

- Sec. 168: Every candidate for public office, including U.S. Senator, shall within thirty days after a primary election shall prepare and file with the Secretary of State, with a duplicate with the clerk of the county circuit court or BC Circuit Court, a statement, subscribed under oath, setting forth in detail all money and things contributed, expended or promised, and extant unfilled promises or liabilities and showing date when, person to whom, and purpose for which each sum or thing was paid, expended, or promised or liability incurred. Within three days after certification of nominations being filed the election boards shall certify to the Secretary of State the names and addresses of all candidates and offices for which nominated. Secretary of State shall then send each person a form for preparation of the statement required by this section.

## **Acts of 1910, Ch. 741**

An act to repeal and reenact Acts of 1908, Ch. 737, re primary elections, approved 4-11-1910

- Sec. 160A: Political parties polling 10% of the votes cast in general elections shall nominate candidates for county and BC offices and elect delegates to state and local conventions and members of managing bodies of the parties through primary elections. Provisions requiring nomination of candidates for county offices and the General Assembly by direct vote shall not apply in HO, SO, WA, WI, and WO. Such candidates shall be selected by county conventions whose delegates have been selected in a primary election. Nominations by conventions shall be certified to the election boards. At the first primary elections in these counties voters shall indicate by ballot their preference for or against primaries in their parties. If the vote is for, the county shall be removed from the list of exemptions. Candidates of political parties for governor, Attorney General, Comptroller of the Treasury, and clerk of the Court of Appeals shall be nominated by state conventions.
- Sec. 160B: Primaries shall be held annually not later than the first Monday in September. All parties shall have their primaries on the same day.
- Sec. 160D: Election boards shall conduct the primaries and appoint the election judges and clerks.
- Sec. 160F: Election boards shall furnish voter registries to the election judges. The books in BC shall have a column headed "voted at primary election." In the counties until new books are prepared the present ones shall be used and the judges shall designate a column for voting at primaries.
- Sec. 160G: Ballots shall be prepared by the election boards. Candidates wanting to be placed on the ballot shall file a certificate with the election boards and pay filing fees. Each certificate shall contain the name of the person, residence, place where registered to vote, address, office or position being sought, and party affiliation.
- Sec. 160H: Ballots shall be cast, counted, and canvassed and election results announced and certified per provisions of Art. 33, Public General Laws, for general elections. When a voters name is entered in the poll books, the clerks shall also record the party of affiliation.
- Sec. 160I: At every general registration hereafter registration books shall contain a column for party affiliation, if the voter has any. Thereafter, voters shall cast ballots at primaries according to the information in that column. At intermediate registrations, voters may have the entry altered.
- Sec. 160K: Every candidate for nomination for a state office shall be nominated by a convention

whose delegates shall be elected at a primary. The ballots shall include the names of the candidates for state office. Election boards shall issue to delegates elected to state conventions a certificate of election which shall also contain the result of the balloting as to the first, second, etc. choice of the voters.

## **Acts of 1912, Ch. 2**

An act to repeal and reenact Secs. 160A-160B, 160E, and 160G of and add sections to Art. 33, Public General Laws, re primary elections, approved 1-10-1912

- Sec. 160A: Political parties polling 10% of the votes cast in general elections shall nominate candidates for county and BC offices and elect delegates to state and local conventions and members of managing bodies of the parties through primary elections. Provisions requiring nomination of candidates for county offices and the General Assembly by direct vote shall not apply in HO, WA, WI, and WO. Such candidates shall be selected by county conventions whose delegates have been selected in a primary election. Nominations by conventions shall be certified to the election boards. Candidates of political parties for governor, Attorney General, Comptroller of the Treasury, clerk of the Court of Appeals, judges, and U.S. Representatives shall be nominated by state conventions.
- Sec. 160B: Primaries shall be held annually between September 8 and 15, except in years of election for U.S. President and Vice President. Then the primaries shall be held on the first Monday in May.
- Sec. 160E: County election boards shall prepare new books of registry and have transcribed the names of qualified voters. If a transcription error is alleged, a petition may be filed with the circuit court which may order a correction. The new registries shall contain a column for party affiliation which shall be filled with the party name or the word declined. This will show voters qualified to vote in primaries. Five days before each primary the registry boards shall sit for revisions by adding new voters, making transfers, and other changes.
- Sec. 160G: Ballots shall be prepared by the election boards. Candidates wanting to be placed on the ballot shall file a certificate with the election boards and pay filing fees. Each certificate shall contain the name of the person, residence, place where registered to vote, address, office or position being sought, and party affiliation. Candidates for governor, Attorney General, Comptroller of the Treasury, and clerk of the Court of Appeals shall file their certificates of nomination with the Secretary of State who shall certify the filings to the election boards.
- Sec. 160Y: After a primary, defeated candidates may petition election boards for an appeal from and review of actions and decisions of election judges and for a recanvass and recount of the ballots. Election boards shall act as election judges in the recounts, and may issue new certificates of nomination or election, after correcting the returns.

## **Acts of 1912, Ch. 228**

An act to repeal and reenact Secs. 162, 165-168, and 173 of Art. 33, Public General Laws, re campaign reports and corrupt practices, approved 4-11-1912

- Sec. 168: Within thirty days after a primary election every candidate for public office, including

U.S. Senator, shall prepare and file with the clerk of the county circuit court or BC Circuit Court, a statement, subscribed under oath, setting forth in detail all money and things contributed, expended or promised, and extant unfilled promises or liabilities and showing date when, person to whom, and purpose for which each sum or thing was paid, expended, or promised or liability incurred. Within three days after certification of nominations being filed the election boards shall certify to the Secretary of State the names and addresses of all candidates and offices for which nominated. Secretary of State shall then send each person a form for preparation of the statement required by this section. Election boards shall file the certificates of nomination with the clerks of the county circuit courts or BC Circuit Court.

- Sec. 173: Within thirty days after an election a defeated candidate or any ten qualified voters may present to a county circuit court or BC Superior Court a petition alleging corrupt practices, contrary to the provisions of Art. 33, naming successful candidate(s) as defendant(s). The case shall be heard within fifteen days of the filing date. The trial shall be by a jury only if requested by one of the parties. When the petition relates to the election of U.S. electors, U.S. Senator, U.S. Representative, Governor, Attorney General, member of the General Assembly, judge, court clerk, register of wills, or states attorney, the trial judge shall have no power to void the election. The judge shall file the findings with the Secretary of State along with a transcript of the evidence. Secretary of State shall submit these materials to various officials:
  - Governor when involving U.S. electors or Attorney General
  - Speaker of the House of Representatives when involving the U.S. Congress
  - President of the state Senate when involving the U.S. or state Senator
  - Speaker of the House of Delegates when involving the governor, state delegate, judge, court clerk, or register of wills
  - local judge having criminal jurisdiction when involving the states attorney
- Sec. 173 (continued): When the petition relates to any other office the trial judge shall file the findings with the governor and show whether or not the election was void. If an election is voided, the governor within five days after receiving the decision shall proclaim the election void, and the vacancy shall be filled as if the candidate had died after the election. An appeal may be taken to the Court of Appeals on questions of law from any decision relative to ineligibility to public office or employment.

### **Acts of 1912, Ch. 511**

An act to repeal and reenact Sec. 125 of Art. 33, Public General Laws, re election districts and precincts in WI, approved 4-8-1912

- Sec. 125: Election boards may subdivide election districts and precincts and change the boundaries of precincts. No election district or precinct shall be subdivided unless there are over 600 registered voters. WI election board shall not have these powers and cannot change the locations of polling places.

### **Acts of 1914, Ch. 205**

An act to repeal and reenact Sec. 10 of Art. 33, Public General Laws, re election judges and clerks in AL, approved 3-10-1914

- Provisions of Acts of 1908, Ch. 492, re examinations and oaths of election judges and clerks, are made applicable in AL.

### **Acts of 1914, Ch. 223**

An act to add a section to Art. 33, Public General Laws, re voter registration in PG, approved 4-1-1914

- Sec. 29A: As an alternative in PG declarations of intention may be made before the registry board when it is in session in the election district or precinct where the declarant plans to reside. The certificates shall be sent to the circuit court clerk for recording.

### **Acts of 1914, Ch. 475**

An act to repeal and reenact Sec. 160A of Art. 33, Public General Laws, re primary elections, approved 1-10-1912

- Sec. 160A: Political parties polling 10% of the votes cast in general elections shall nominate candidates for county and BC offices and elect delegates to state and local conventions and members of managing bodies of the parties through primary elections. Provisions requiring nomination of candidates for county offices and the General Assembly by direct vote shall not apply in HO. Such candidates shall be selected by county conventions whose delegates have been selected in a primary election. Nominations by conventions shall be certified to the election boards. Candidates of political parties for governor, Attorney General, Comptroller of the Treasury, clerk of the Court of Appeals, judges, and U.S. Representatives shall be nominated by state conventions.

### **Acts of 1914, Ch. 534**

An act to add a section to Art. 33, Public General Laws, re voter registration in CE, approved 4-16-1914

- Sec. 29A: As an alternative declarations of intention may be made before the registry boards, when in session, in the election district or precinct where the declarant intends to reside. Election boards shall provide the forms for certificates of declarations of intention. Each entry shall include the name, age, residence, occupation, and color of the declarant and date of application. One certificate shall be given to the declarant and one sent to the clerk of the county circuit court for recording. This act shall apply only in CE.

### **Acts of 1914, Ch. 573**

An act to add a section to Art. 33, Public General Laws, re voter registration in FR, approved 4-16-1914

- Sec. 29C: As an alternative in FR declarations of intention may be made before the registry board, when it is in session, in the election district or precinct where the declarant plans to reside. The certificates shall be sent to the circuit court clerk for recording.

**Acts of 1914, Ch. 774**

An act to repeal and reenact Sec. 160E of Art. 33, Public General Laws, re voter registration in DO, approved 4-13-1914

Sec. 160E of Acts of 1912, Ch. 2 and Ch. 347 [not abstracted] required the transcription of registries. This did not occur in DO.

- Sec. 160E: After the next general registration in DO persons may vote in primary elections only if a party of affiliation is shown on the voter registration records. After passage of this act the names of registered voters shall be transcribed into new registries by the DO election board. Upon petition the circuit court may order corrections of transcription errors. The new registries shall include a column for party affiliation. At the first primary thereafter each voter shall be asked this information which shall be recorded in the registries by the election judges. Before each primary thereafter the registry boards shall sit for revisions.

**Acts of 1914, Ch. 792**

An act to repeal and reenact Sec. 160E of Art. 33, Public General Laws, re primary elections, approved 4-16-1914

- Sec. 160E: County election boards shall prepare new books of registry and have transcribed the names of qualified voters. If a transcription error is alleged, a petition may be filed with the circuit court which may order a correction. The new registries shall contain a column for party affiliation which shall be filled with the party name or the word declined. This will show voters qualified to vote in primaries. Five days before each primary the registry boards shall sit for revisions by adding new voters, making transfers, and other changes. Changes in party affiliation can be changed only at least six months before a primary.

**Acts of 1916, Ch. 546**

An act to repeal and reenact Sec. 29A of Art. 33, Public General Laws, re voter registration, approved 4-14-1916, effective 6-1-1916

- Sec. 29A: As an alternative declarations of intention may be made before the registry boards, when in session, of the election district or precinct where the declarant intends to reside. Election boards shall provide the forms for certificates of declarations of intention. Each entry shall include the name, age, residence, occupation, and color of the declarant and date of application. One certificate shall be given to the declarant and one sent to the clerk of the county circuit court or BC Superior Court for recording. This act shall apply only in BC, CA, CR, CE, FR, GA, HA, and MO.

**Acts of 1917, Ch. 40**

An act to add sections to Art. 33, Public General Laws, re voter registration, approved 6-28-1917

- Sec. 30A: Names of the voters serving in the U.S. military shall not be stricken from registries

during their absences.

- Sec. 30B: When a new general registration is held, the registry boards shall ascertain the names of registered voters absent for U.S. military service. When these names are transcribed, the words re-entered during military service shall be placed in the signature column, with the date of the re-entry.

### **Acts of 1918, Ch. 120**

An act to repeal and reenact Sec. 10 of Art. 33, Public General Laws, re election officials, approved 4-10-1918, effective 6-1-1918

- Sec. 10: Election judges and clerks in the counties shall not be required to appear before the election boards for examination and oaths per provisions of Sec. 9. Oaths may be taken before the election boards, justices of the peace, or notaries public. Certificates of qualification shall be filed with the election boards.

### **Acts of 1918, Ch. 486**

An act to repeal and reenact Sec. 29A of Art. 33, Public General Laws, re voter registration, approved 4-10-1918, effective 6-1-1918

- Sec. 29A: As an alternative declarations of intention may be made before the registry boards, when in session, of the election district or precinct where the declarant intends to reside. Election boards shall provide the forms for certificates of declarations of intention. Each entry shall include the name, age, residence, occupation, and color of the declarant and date of application. One certificate shall be given to the declarant and one sent to the clerk of the county circuit court or BC Superior Court for recording. This act shall apply only in AL, AA, BC, CV, CA, CR, CE, CH, DO, FR, GA, HA, KE, MO, QA, SO, TA, WA, and WI..

### **Acts of 1920, Ch. 58**

An act to repeal and reenact Sec. 127 of Art. 33, re precincts, approved 4-16-1920, effective 6-1-1920

- Sec. 127: Before general registrations preceding a presidential election, the election boards may divide and establish precincts in the election districts or wards. No precinct in BC may contain over 400 registered voters, based on the last election. [Restrictions imposed on the WI election board by Acts of 1912, Ch. 511 are removed.]

### **Acts of 1920, Ch. 529**

An act to add a section to Art. 33, Public General Laws, re registration and polling places, approved 4-9-1920, effective 6-1-1920

- Sec. 1: Whenever possible and practicable, BC and county election boards shall use public buildings such as schoolhouses, fire engine houses, etc., for registration and poling places.

## **Acts of Special Session 1920, Ch. 1**

An act to add a section to Art. 33, Public General Laws, re polling places, approved 9-22-1920

- Sec. 127A: When more than 800 persons are registered to vote in any one precinct or election district, the election boards shall provide an additional polling place for which they shall appoint judges and clerks and provide a transcript of registered voters.

## **Acts of 1922, Ch. 97**

An act to repeal and reenact Sec. 29A of Art. 33, Public General Laws, re voter registration, approved 3-21-1922, effective 6-1-1922

- Sec. 29A: As an alternative declarations of intention may be made before the registry boards, when in session, of the election district or precinct where the declarant intends to reside. Election boards shall provide the forms for certificates of declarations of intention. Each entry shall include the name, age, residence, occupation, and color of the declarant and date of application. One certificate shall be given to the declarant and one sent to the clerk of the county circuit court or BC Superior Court for recording. This act shall apply only in AL, AA, BC, CV, CA, CR, CE, CH, DO, FR, GA, HA, HO, KE, MO, QA, SO, TA, WA, and WI..

## **Acts of 1922, Ch. 195**

An act of repeal and reenact Secs. 10-11 of Art. 33, Public General Laws, re election officials, approved 4-13-1922, effective 6-1-1922

- Sec. 10: Election judges and clerks in the counties shall not be required to appear before the election boards for examination and oaths per provisions of Sec. 9. Procedures outlined in Sec. 11 shall be followed and certificates of qualification shall be filed with the election boards.
- Sec. 11: Election boards shall advertise the names and residences of the judges and clerks. Boards shall investigate any written complaints and remove any official found unfit or incapable and then appoint someone else. Appointments to fill vacancies shall be recorded. In the counties each election board shall designate one judge of each election district or precinct as the chief election judge who shall appear before the boards to take the oath and receive the commission. Chief judge shall administer the oath to the other judges and clerks at the polling place and give them their commissions. The oaths shall be returned to the election boards.

## **Acts of 1922, Ch. 227**

An act to amend the Constitution by adding Art. XVII, re quadrennial elections, approved 4-13-1922, ratified 11-1922

- Sec. 8: Terms of members of election boards shall begin on the first Monday in June after their appointment.
- This act shall be voted on at the next general election.



**Acts of 1922, Ch. 318**

An act to repeal and reenact Sec. 127A of Art. 33, Public General Laws, re polling places, approved 4-13-1922, effective 6-1-1922

- Sec. 127A: When more than 600 persons are registered to vote in any one precinct or election district, the election boards shall provide an additional polling place for which they shall appoint judges and clerks and provide a transcript of registered voters.

**Acts of 1924, Ch. 299**

An act to add a section to Art. 33, Public General Laws, re voter registration, approved 4-9-1924, effective 6-1-1924

- Sec. 17 1/2: A female applicant for registration to vote shall not be required to state her exact age; only to state that she is at least age 21.

**Acts of 1924, Ch. 422**

An act of repeal and reenact Sec. 11 of Art. 33, Public General Laws, re election officials, approved 4-9-1924

- Sec. 11: In the counties each election board shall designate one judge of each election district or precinct as the chief election judge who shall appear before the board to take the oath and receive the commission. Chief judge shall administer the oath to the other judges and clerks at the polling place and give them their commissions. The oaths shall be returned to the election boards.

**Acts of 1924, Ch. 426**

An act to repeal and reenact Sec. 7 of Art. 33, Public General Laws, re election officials, approved 4-9-1924

- Sec. 7: In 1924 and biennially thereafter the BC election board shall by July 1 select four election judges and by September 15 select two election clerks for each precinct, equally divided among the two major political parties. In 1924 and biennially thereafter the county election boards shall by July 1 select two election judges and by September 15 select two election clerks for each precinct, equally divided among the two major political parties.

**Acts of 1929, Ch. 578**

An act to repeal and reenact Secs. 31-32 of Art. 33, Public General Laws, re voter registration, approved 4-11-1929, effective 6-1-1929

- Sec. 31: A person moving into a county from out of state shall indicate an intention to become a citizen and resident of Maryland by registering with the clerk of the county circuit court. The record shall contain the name, residence, age, and occupation of the individual. No one moving into the state shall be entitled to vote until one year after declaring the intent to become a legal

voter. This section shall apply only to BA and PG.

- Sec. 32: In other counties and BC new residents when appearing before the registry boards shall make an affidavit that they have resided in the state at least one year, accompanied by affidavits from two witnesses.

### **Acts of 1931, Ch. 125**

An act to add a section to Art. 33, Public General Laws, re districts, approved 4-6-1931, effective 6-1-1931

- Sec. 139A: When new boundaries for any ward, election district, or precinct are established, the election boards shall provide descriptions to the state Geological and Economic Survey.

### **Acts of 1931, Ch. 276**

An act to add a section to Art. 33, Public General Laws, re voter registration in AL and BA, approved 4-17-1931, effective 6-1-1931

- Sec. 28C: In AL and BA a new general registration of voters shall be made by the registry boards in 1932 under provisions of Art. 33, Public General Laws. The registry boards shall sit in September and October. The present registries shall be used in the 1932 primary elections.

### **Acts of 1933, Ch. 396**

An act to repeal and reenact Sec. 26 of Art. 33, Public General Laws, re voter registration in BA, approved 4-21-1933, effective 6-1-1933

- Sec. 26: Election boards shall have the alphabetical lists of registered and removed names printed and posted and given to the election judges. The provisions for printing and posting shall not apply in BA.

### **Acts of 1933, Ch. 520**

An act to add a section to Art. 33, Public General Laws, re voter registration in SO, approved 4-21-1933, effective 6-1-1933

- Sec. 28D: In SO a new general registration of voters shall be made in August 1934 under procedures outlined in Art. 33, Public General Laws.

### **Acts of 1935, Ch. 399**

An act to add a section to Art. 33, Public General Laws, re voter registration in FR, approved 5-17-1935, effective 6-1-1935

- Sec. 28G: In FR a new general registration of voters shall be made in April 1936 under procedures outlined in Art. 33, Public General Laws.

**Acts of 1935, Ch. 484**

An act to repeal and reenact Sec. 44 of Art. 33, Public General Laws, re voter registration in MO, approved 5-17-1935, effective 6-1-1935

- Sec. 44: Election boards shall have the alphabetical lists of registered and removed names printed and posted and given to the election judges. The publication requirement shall not apply in MO.

**Acts of 1936, Ch. 48**

An act to add sections to Art. 33, Public General Laws, re voter registration in FR, approved 4-8-1936

- Sec. 28GG: FR election board shall be required to give notice of persons registered or removed in the general registration in 1936 by handbills or in newspapers. The lists shall be furnished to anyone who applies for them.
- Sec. 28GGG: After 1936 notices shall be given in newspapers, but not in handbills.

**Acts of 1936, Ch. 154**

An act to add sections to Art. 33, Public General Laws, re voter registration in MO, approved 5-13-1936

- Sec. 29A: In MO the names of qualified voters now in the registries shall be transcribed onto cards provided for permanent registration of voters. MO election board shall by June 1, 1936 prescribe the format for the cards or registration forms.
- Sec. 29B: Voter registration records shall consist of cards or loose leaf pages adequate to contain the information required by Sec. 18 of Art. 33, Public General Laws. Provisions shall be made on the backs of the cards or sheets to record whether or not voters have voted for a period of at least twelve years. There shall also be space for address changes.
- Sec. 29C: Registry board shall use the cards or sheets instead of books. There shall be an original and duplicate form, signed by the applicant. The original forms shall be arranged by precinct in alphabetical order by name and shall constitute the register for use in the polling places. The duplicate forms shall constitute the permanent record of registration and shall be arranged alphabetically for the entire county. After being registered according to this act, a person need not register again unless the registration is canceled.
- Sec. 29D: After January 1, 1938 persons in MO may register, change party affiliation, or change addresses at the office of the election board, except for twenty days preceding and ten days following an election. The election board clerk and a person appointed annually by the governor shall constitute a permanent board of registry. Each shall take an oath. In addition to the methods of making declarations of intention provided for in Secs. 31-32 of Art. 33, Public General Laws, declarations in MO may be made before a member of the registry board, subject to the other provisions of Sec. 32.
- Sec. 29E: After January 1, 1938 the election board shall provide one day of supplemental registration preceding each general election in the precincts and election districts.
- Sec. 29G: At the end of each calendar year, beginning in 1940, in which there has been a primary or general election, the election board shall direct the registry board to examine the entries of the

precinct registries for the purpose of eliminating the names of persons who have died or moved from the county. Registration cards or sheets of persons who have not voted in the preceding four years shall be removed from the original and duplicate files and placed in a transfer file. Each person shall be notified about the need to register again in order to be eligible to vote.

### **Acts of 1937, Ch. 9**

An act to repeal and reenact Sec. 29G of Art. 33, Public General Laws, re voter registration in MO, approved 5-28-1937, effective 6-1-1937

- Sec. 29G: At the end of each calendar year, beginning in 1940, in which there has been a primary or general election, the election board shall direct the registry board to examine the entries of the precinct registries for the purpose of eliminating the names of persons who have died or moved from the county. Registration cards or sheets of persons who have not voted in the preceding four years shall be removed from the original and duplicate files and placed in a transfer file. Each person shall be notified about the need to register again in order to be eligible to vote. Any voter may file with the registry board objections to the registration of anyone believed to be ineligible to vote or to the removal of someone. Registry board shall hear and determine these matters by two weeks before an election. If necessary, the election board may appoint more persons to conduct the hearings. Appeals may be taken to the MO Circuit Court.

### **Acts of 1937, Ch. 75**

An act to repeal and reenact Sec. 18 of Art. 33, Public General Laws, re voter registration, approved 3-24-1937, effective 6-1-1937

- Sec. 18: Six weeks before the general election the registry boards shall meet at the places designated by the election boards for the registration of voters. The name and age of every applicant shall be entered in the registries and all other facts of the application, whether or not entitled to vote. If a person is not qualified to vote, a red line shall be drawn through the entry, but done so it remains legible. The following entries shall be made:
  - residence and post office address; general description will suffice in the counties
  - full name
  - age
  - place of birth - state, country, etc.
  - color
  - sex
  - occupation
  - length of residence in precinct or district
  - length of residence in county or legislative district
  - length of residence in state
  - naturalized to be noted as yes, no, or native
  - ability to read
  - date of naturalization, if applicable
  - court where naturalized

- qualified voter to be noted as yes or no
- date of application
- signature; those unable to write to be noted as cannot write
- why disqualified
- Sec. 18 (continued): Registry boards may use preceding registries for comparison and identification. At the end of the day the officers of registration shall compare registries, correct errors, and sign or initial under the last entry of each letter so that no new names can be added without discovery. Registry boards shall maintain alphabetical lists of names, addresses, and color of all registered persons, those refused registration, and those erased. In BC at the end of each session the officers of registration shall deliver these lists to the police officer on duty who shall take them to the police board for delivery to the election board which shall have them printed in handbills and posted.

### **Acts of 1945, Ch. 934**

An act to repeal and reenact Art. 33, Annotated Code, re voter registration and elections, approved 4-27-1945, effective 6-1-1945

- Sec. 1(a): Biennially the governor with consent of the Senate shall appoint in each county and BC three persons as boards of supervisors of elections, two of which shall be selected from the two leading political parties.
- Sec. 1(b): Governor shall also appoint two substitute election supervisors, one from each major political party, to serve temporarily in case of incapacity or vacancy.
- Sec. 1(c): Governor shall fill vacancies.
- Sec. 1(d): The state central committees of the two major political parties shall submit to the governor lists of four candidates for positions in each jurisdiction. If all are deemed unfit, the governor shall file a statement to this effect with the Secretary of State and request another list of names.
- Sec. 2: Election supervisors shall take oaths, to be recorded by the clerks of the county circuit courts and BC Superior Court. Governor may remove supervisors based upon written charges and after hearings. Each election board shall select one of themselves as president.
- Sec. 4a: Election boards shall have the power to appoint and remove election and registration officials.
- Sec. 6: Biennially the election boards shall select for each precinct four election judges and where paper ballots are used two election clerks, with half being from each major party.
- Sec. 7: Election officials shall take oaths.
- Sec. 9: In BC and any county having a permanent board of registry, no places of registration need to be provided in the precincts. The election board office shall be the place of registration.
- Sec. 11: Election boards shall create as many precincts as necessary.
- Sec. 12: County election boards shall designate two election judges in each precinct to constitute the board of registry therein.
- Sec. 13: Election boards shall furnish each registry board with two registries, cards, or loose leaf pages. New registry books shall be started when the current ones are worn or filled.
- Sec. 15: Before each primary and general election registry boards shall meet to register new

voters. All facts from the application shall be recorded and a red line drawn through an entry if an applicant is deemed ineligible to vote.

- Sec. 16: Registry boards shall prepare lists of persons noted for erasure under the headings of deceased voters, removed voters, and disqualified voters. Each person shall receive a notice at the address in the registry to appear before the board to show cause why the name should not be removed.
- Sec. 17: Red lines shall note the removal of names in the registries. Reasons shall be recorded in the remarks column.
- Sec. 19: Secs. 12-13 and 15-18 shall not apply in BC, MO, and WA which use a system of permanent registration. Election boards and county commissioners in the other counties may adopt this system.
- Sec. 20: Cards or loose leaf pages shall be used as voter registration records, both original and duplicate, and contain the same information as put in the registry books and have spaces for showing the fact of voting for at least twelve years and for showing address and party affiliation changes.
- Sec. 21: At the election boards the original registration forms shall be arranged by precinct and then alphabetically by name. These forms shall be precinct registers on election day. Duplicate forms shall be arranged alphabetically by name for the entire county or BC and shall be the permanent office record.
- Sec. 23: Registrations shall take place in the offices of the election boards.
- Sec. 23A: In BC registration cards shall be given to voters.
- Sec. 23C: When necessary the BC election board may order a detailed check of precinct registration lists in order to correct them. A clerk shall visit the residences of the voters and note whether the persons are present, moved, or deceased. Election board shall send notifications to affirm or deny to those noted as moved.
- Sec. 24(a): BC election board shall appoint two officers of registration as provided for in Sec. 4 and may appoint temporary officers as needed.
- Sec. 24(b): In the counties mentioned in Sec. 19 the permanent board of registry shall consist of the clerk of the election board and one person appointed by the governor in the same manner as are members of the election board. Election boards may establish supplemental registry boards if necessary.
- Sec. 26(a): Before each general election the BC election board shall prepare an official voter list for each precinct and post copies.
- Sec. 26(b): In BC and the counties persons may file with the election board or permanent registry board objections to the registration or removal of names.
- Sec. 26(c): Hearings shall be held on these matters.
- Sec. 27: Appeals may be taken to the county circuit courts or any court in BC and thereafter to the Court of Appeals.
- Sec. 28: Monthly in BC and semi-annually in the counties the following information shall be filed with the election boards:
  - lists of deceased persons over age 21, by the BC health commissioner and county health officers
  - lists of persons convicted of infamous crimes, by the clerks of the BC Criminal Court and

county circuit courts

- lists of women over age 21 whose names have changed by marriage, by the clerks of the BC Court of Common Pleas and county circuit courts
- lists of name changes, by the clerks of the BC Circuit Court, BC Circuit Court No. 2, and county circuit courts
- Sec. 29(a): Names shall be removed from registration records by a red line drawn through entries in the registry books or removal of the cards or forms. The latter shall be placed in a transfer file.
- Sec. 29(b): If a registrant fails to vote at least once in five years, the election board or permanent registry board shall cancel the registration and sent a notice to the voter.
- Sec. 29(c): Such persons may re-register.
- Sec. 30: When a voter changes residence, the registration can be changed only with a certificate of removal from the election board or permanent registry board.
- Sec. 31: Any person moving into Maryland from another state shall indicate the intent to become a resident by registration with the clerk of the county circuit court and BC Superior Court or declaring the intent before an registry board. The latter shall issue a certificate of declaration of intent and send it the court clerk for recording. Persons must do this one year before registering to vote.
- Sec. 33: All nominations made by convention or primary shall be certified. The certificate of nomination shall show the name, residence, and occupation of the person and office sought.
- Sec. 34: Candidates may also be nominated by petitions. Then the certificate must be accompanied by the signatures and addresses of the voters.
- Sec. 35: Petitions for the election of a local government charter board shall be pursuant with Art. XIA of the Constitution.
- Sec. 36: Certificates of nomination for members of the U.S. Congress and for offices to be filled by voters of the entire state or any division greater than one county shall be filed with the Secretary of State. All others shall be filed with the election boards.
- Sec. 38: Certificates of nomination shall be preserved for two years.
- Sec. 40: Secretary of State shall certify the names of nominees filed there with the election boards.
- Sec. 42: Candidates may withdraw their nominations by notifying the office where the certificates were filed.
- Sec. 44: Constitutional amendments and other questions submitted to all voters in the state shall be certified by the Secretary of State to the election boards. Questions of local concern shall be certified by the county commissioners or BC Register to the election boards.
- Sec. 45(4): Candidates for nomination as U.S. President shall file certificates with the Secretary of State.
- Sec. 46: Primary elections shall be held on the second Monday in September, except in presidential election years when they shall be held on the first Monday in May.
- Sec. 53(b): Primary elections shall be conducted and determined as are general elections.
- Sec. 54(a): The vote count of the election judges may be appealed to the election board for a recount.
- Sec. 65(a): Each election clerk in a precinct where paper ballots are used shall keep a poll book with columns to indicate the number and names of the voters and the fact of voting. If a vote is

thereafter rejected by the election judges, a line shall be drawn through the name and number.

- Sec. 68: Election judges shall note the fact of voting in the registries.
- Sec. 75: Election judges shall prepare duplicate returns of the canvass of the vote, which they and the clerks shall sign. One set shall be sent to the clerks of the county circuit courts or BC Superior Court, and the other to the county commissioners or BC Mayor and City Council. Tallies shall also be signed and one set sent to the election boards and one to the registers of wills.
- Sec. 80: Election boards shall have the authority to use voting machines.
- Sec. 83: When voting machines are used, the elections shall be conducted by four election judges and no clerks.
- Sec. 88: Votes registered in a machine shall be entered on triplicate return sheets and on a general return sheet and statement, all signed by the election judges. Separate sheets shall be used for each machine. Triplicate return sheets shall be filed with the clerks of the county circuit courts or BC Superior Court, county commissioners or BC Mayor and City Council, and registers of wills. The general sheet and statement shall be filed with the election boards.
- Sec. 92: Officials named in Sec. 88 shall deliver the returns to the local board of canvassers.
- Sec. 93: Each election board shall constitute the local board of canvassers which shall meet on the Thursday after the election.
- Sec. 94: Canvassers boards shall prepare statements of the total votes for each office and issue.
- Sec. 95: The statements shall be filed with the clerks of the county circuit courts or BC Superior Court for recording. Clerks shall prepare three copies of the election returns for presidential electors and state offices, except for governor and state attorney, and send one each to the governor, Secretary of State, and State Treasurer. The returns for the governor shall be sent to the Secretary of State. Clerks shall issue certificates of election to the persons receiving the highest votes, upon application by the candidates.
- Sec. 98: Persons charging errors by the canvassing boards may file a petition with the county circuit courts or BC Superior Court for a writ of mandamus. Appeals may be taken to the Court of Appeals.
- Sec. 99: Secretary of State, Comptroller of the Treasury, State Treasurer, clerk of the Court of Appeals, and Attorney General shall constitute the Board of State Canvassers which shall meet within thirty days after an election. Their statement of total votes shall be delivered to the Secretary of State who shall also maintain the statements made by the local canvassing boards and any written protests of the state canvassers.
- Sec. 100: Secretary of State shall record the election statements made by the state canvassing board and any of its dissents or protests. Secretary of State shall issue to each elected person, including the governor, a certificate of election. Governor shall issue commissions.
- Sec. 101: Contested elections for Comptroller of the Treasury, judges, court clerks, and registers of wills shall be decided by the House of Delegates.
- Sec. 102: All others not provided for in the Constitution shall be decided by the county circuit courts or BC Superior Court.
- Sec. 125: State absentee ballots shall be applied for to the Secretary of State who shall forward them to the election boards.
- Sec. 127: Election boards shall record such applications.
- Sec. 131: Absentee ballots shall be sent by voters to the Secretary of State who shall forward



them to the election boards.

- Sec. 138(a): There shall be a state War Ballot Commission composed of the governor, Secretary of State, Attorney General, presiding officers and minority leaders of the Senate and House of Delegates, and two persons named in this act. Governor shall fill vacancies.
- Sec. 146: Appointments of treasurers and political agents by political committees and candidates shall be filed with the Secretary of State unless the duties relate only to a county, BC, or a division therein. Then the appointments shall be filed the clerk of the county circuit court or BC Circuit Court.
- Sec. 147: Every political committee shall have a treasurer.
- Sec. 151: Within twenty days after an election every treasurer and political agent shall file an account of receipts and sources and disbursements and purposes with the clerk of the county circuit court or BC Circuit Court.
- Sec. 152: Within thirty days after an election each candidate shall file with the same clerks statements showing contributions, existing liabilities, and pertinent dates, names of persons, and purposes. This must be done before the office is assumed.
- Sec. 154: These accounts and statements shall be preserved for at least three years.
- Sec. 158: Petitions charging corrupt practices may within thirty days after an election be filed with the county circuit court or BC Superior Court. If the petition relates to presidential electors, U.S. senator, U.S. representative, governor, attorney general, state senator, state delegate, judge, court clerk, register of wills, or states attorney, the court may not declare the election void. The findings shall be filed with the Secretary of State along with a transcript of the evidence. Secretary of State shall submit the materials as follows: to governor for presidential electors or attorney general; to House of Representatives for U.S. representative; to state senate for U.S. or state senator; to House of Delegates for governor, delegate, judge, clerk, or register of wills; and to judges having criminal jurisdiction for state attorney. Findings for other offices shall be filed with the governor.
- Sec. 194: Secretary of State shall collect from the election boards and/or other officials and keep a record of all referendum of votes taken by voters of the state, county, BC, incorporated town, or proposed town incorporation upon any law passed by the General Assembly. Secretary of State shall also prepare two certificates showing the vote results. One shall be delivered to the clerk of the Court of Appeals for attachment to the original law. The other shall be delivered to the person who indexes laws.
- Sec. 198: Attorney General shall prepare forms and instructions for the registry boards and election boards. Secretary of State shall deliver them along with a compilation of election laws to the election boards.

## **Acts of 1948, Ch. 56**

An act to add a section to Art. 33, Annotated Code, re voter registration, approved and effective 6-1-1948

- Sec. 13A: Election boards may use registries that consist of cards or loose leaf pages instead of bound books. Registry boards shall note unqualified applicants on the cards or pages rather than using a red line. Upon certification of nonqualification from a registry board, the election board shall remove the card or page which must then be retained for five years. Election boards shall do

the same with the registrations of persons who have not voted in five years.

### **Acts of 1949, Ch. 421**

An act to repeal Sec. 36 of Art. 33, Annotated Code, re voter registration, approved 4-29-1949, effective 6-1-1949

The requirement for new state residents to file declarations of intent to vote imposes a hardship because people are unaware of the law until they try to register, and only then discover that they cannot vote for another year. Maryland is the only state with such a provision in the law.

- Sec. 36 of Art. 33, Public General Laws, re declarations of intention, is repealed.

### **Acts of 1950, Ch. 24**

An act to add a section to Art. 33, Annotated Code, re voter registration, approved 3-28-1950, effective 6-1-1950

- Sec. 16(d): In any county where the election board has full time staff, persons may register at that office provided there are two employees and/or election supervisors of opposite parties present. They shall then constitute a registry board.

### **Acts of 1955, Ch. 701**

An act to add a section to Art. 33, Annotated Code, re elections, approved 4-25-1955, effective 6-1-1955

- Sec. 92(f): Beginning with the 1956 general election use of voting machines shall be mandatory in every polling place.

### **Acts of 1957, Ch. 739**

An act to repeal and reenact Art. 33, Annotated Code, re voter registration and elections, approved 4-15-1957, effective 6-1-1957

[Same as Acts of 1945, Ch. 934 and subsequent amendments, except for changes noted as follows.]

- Sec. 9(a): Biennially the election boards shall appoint four election judges for each precinct.
- Sec. 9(b): An equal number shall be chosen from the two leading political parties.
- Sec. 16(c): When precinct lines are changed, an election board shall have maps prepared and adopt a resolution describing the lines. One copy of the map and resolution shall be filed with the clerk of the county circuit court.
- Sec. 17: Voter registration shall be conducted by election judges acting as boards of registry, except in counties having a system of permanent registration, which shall use permanent boards of registry.
- Sec. 35: AL, AA, BC, DO, FR, MO, PG, and WA have a system of permanent registration. Election boards and county commissioners in the other counties may adopt this system.
- Sec. 52(d): Election boards may microfilm canceled registration records at any time and may destroy the originals after they have been canceled for five years.

- Sec. 54: Nominations shall be made by primary elections, primary meetings, or petitions.
- Sec. 55: Certificates of nomination for members of the U.S. Congress and for offices to be filled by voters of the entire state or any division greater than one county shall be filed with the Secretary of State, except for judges of the BC Supreme Bench and the Court of Appeals judge from the 4th appellate judicial circuit which shall be filed with the BC election board. All others shall be filed with the local election boards.
- Sec. 62: Primary elections by political parties shall be held on the third Tuesday in May.
- Sec. 69: All nominations shall be attested to by certificates of nomination.
- Sec. 172(a): The governing bodies of the counties, municipalities, or any other political subdivision having a referendum on a ballot shall report the results to the county or BC court clerks who shall certify the results to the Secretary of State and Comptroller of the Treasury.
- Sec. 234: Applications for absentee ballots shall be made to the election boards.

### **Acts of 1962, Ch. 43**

An act to repeal and reenact Sec. 169 of and to add sections to Art. 33, Annotated Code, re referendum, approved 3-23-1962, effective 6-1-1962

- Sec. 169: Every petition under Art. XVI of the Constitution shall include the signature, residence, place of registration, and typed name of each signer.
- Sec. 169C: Each petition filed with the Secretary of State shall be accompanied by a statement of contributions and expenditures associated with the matter.

### **Acts of 1963, Ch. 225**

An act to repeal and reenact Sec. 223 of Art. 33, Annotated Code, re campaign reports, approved 3-29-1963, effective 6-1-1963

- Sec. 223: Within twenty days after an election every treasurer and political agent shall file an account of receipts and sources and disbursements and purposes with the clerk of the county circuit court of BC Circuit Court. For candidates for statewide offices and U.S. Representatives, copies shall be filed with the Secretary of State.

### **Acts of 1965, Ch. 744**

An act to repeal and reenact several sections of and to add sections to Art. 33, Annotated Code, re campaign officials and reports, approved 5-4-1965, effective 6-1-1965

- Sec. 213(a): Each candidate in any election shall within seven days of filing a certificate of candidacy appoint a campaign treasurer and file the name and address with the clerk of the county circuit court or BC Circuit Court where the person resides, except for statewide offices and U.S. Representative. For those the information shall be filed with the Secretary of State.
- Sec. 213(b): The same filings shall apply for the appointment of treasurers, subtreasurers, and political agents by candidates and political committees.
- Sec. 213A: Secretary of State shall prepare and distribute forms for reporting contributions and

expenditures.

- Sec. 214(a): Every political committee shall appoint a treasurer.
- Sec. 223(a): Treasurers shall file reports of contributions and expenditures as prescribed by Sec. 223A with the court clerk where the candidate resides or for statewide offices, U.S. representatives, or political committees with the Secretary of State by the seventh day preceding an election and within thirty days after an election. With unpaid bills reports shall be filed within sixty days, six months, and/or one year after the election.
- Sec. 224(b): No elected candidate shall take office until the campaign reports are filed.

### **Acts of 1965, Ch. 784**

An act to repeal and reenact Sec. 62(a) of Art. 33, Annotated Code, re primaries, approved 5-4-1965, effective 6-1-1965

- Sec. 62(a): Primary elections shall be held on the second Tuesday after the first Monday in September.

### **Acts of 1967, Ch. 392**

An act to repeal and reenact Art. 33, Annotated Code, re voter registration and elections, approved 4-21-1967, effective 7-1-1967

[Same as Acts of 1945, Ch. 934, Acts of 1957, Ch. 739, and subsequent amendments, except for changes noted as follows.]

- Sec. 2-12(d)(1): When precinct lines are changed, the election boards shall have maps prepared and adopt a resolution describing the lines. One copy of the map and resolution shall be filed with the clerks of the county circuit courts and another with the Secretary of State.
- Sec. 2-12(d)(2): By January 1, 1969 each election board shall file with the Secretary of State a map showing the boundaries of all election districts and precincts.
- Sec. 3-1(a): Continuous voter registration shall be conducted under the direction of the election boards and in their offices.
- Sec. 3-1(b): Supplemental registrations may be conducted in other places.
- Sec. 3-10(a): Each election board shall appoint two persons as a board of registry, one from each of the major political parties. Supplemental boards may also be appointed.
- Sec. 3-11(a): Cards or loose-leaf pages shall be used for recording registrations. At the election boards the original registration forms shall be arranged by precinct and then alphabetical by name. These forms shall be precinct registers on election day. Duplicate forms shall be arranged alphabetically by name for the entire county or BC and shall be the permanent office record.
- Sec. 3-12(a): Space on the cards and pages shall be provided for recording the fact of voting for at least twelve years.
- Sec. 3-14(b): Election boards shall retain all old registration books or forms that have been transcribed for at least sixty years.
- Sec. 3-16(d): Registry boards shall hear challenges to the right to vote.
- Sec. 3-17(b): When moving from one county or BC to another, a voter shall apply to the election board in the new residence for registration. The election board shall send a cancellation

authorization to the board holding the former registration.

- Sec. 3-23(a): Registry boards shall issue registration cards.
- Sec. 3-24: When necessary election boards may order a detailed check of precinct registration lists in order to correct them. A clerk shall visit the residences of the voters and note whether the persons are present, moved, or deceased. Election boards shall send notifications to affirm or deny to the those noted as moved.
- Sec. 3-25: Election boards may microfilm canceled registration records.
- Sec. 4A-2(a): Certificates of candidacy for nominations of members of Congress, statewide offices, and offices for any division larger than a county, including all state senators, shall be filed with the Secretary of State.
- Sec. 4A-2(b): Certificates of candidacy for nominations of judges of the county circuit courts, Court of Special Appeals, and Court of Appeals shall be filed with the Secretary of State. Those for judges of the BC Supreme Bench shall be filed with the BC election board.
- Sec. 4A-2(c): All other certificates of candidacy shall be filed with the election boards.
- Sec. 11-1(d): Constitution, by-laws, amendments, and names and address of officers of political parties shall be filed with the Secretary of State.
- Sec. 14-1(a): If there are insufficient voting machines or there are too many names or questions, paper ballots may be used.
- Sec. 16-16(1): One set of election return sheets shall be sent to the clerks of the county circuit courts or BC Superior Court.
- Sec. 16-16(2): Another set shall be filed with the county commissioners, county councils, or BC mayor.
- Sec. 16-16(3): The general return sheets or tally sheets shall be filed with the election boards.
- Sec. 17-5(c): Court clerks shall send copies of the election returns to the governor and Secretary of State.
- Sec. 17-5(d) Court clerks shall send certificates of election to the elected county and city officials.
- Sec. 23-1(b): Election returns re questions arising under Art. XIA of the Constitution shall be filed with the election boards, BC mayor, county commissioners, or county council.
- Sec. 26-18: Government officials responsible for receiving campaign reports shall retain them for at least three years.
- [Provisions re War Ballot Commission omitted.]

## **Acts of 1968, Ch. 613**

An act to repeal and reenact Secs. 26-1 to 26-26 of and to add sections to Art. 33, Annotated Code, re campaigns, approved 5-7-1968, effective 7-1-1968

- Sec. 26-2: Secretary of State shall summarize the provisions of elections laws relating to campaign contributions and expenditures and provide for their distribution, along with specimen forms.
- Sec. 26-3(a): Each candidate shall appoint a campaign treasurer and file the name with the election boards or Secretary of State, along the acceptance of the appointee. No certificate of candidacy shall be accepted until a treasurer is appointed.
- Sec. 26-3(c): The appointments shall be filed with the Secretary of State except where the office

is limited to a county, city, ward, or legislative district. Then the appointments shall be filed with the election boards. An appointment by a candidate for the state senate shall be filed with the Secretary of State who shall send the information to the election board where the person resides.

- Sec. 26-3(e): If a candidate joins ticket or slate, the election board or Secretary of State shall be notified. Its treasurer shall report per provisions of Sec. 26-4(a).
- Sec. 26-4(a): Every state central committee or political committee except political clubs shall appoint a treasurer whose name and address, along with the names and addresses of the principal officers and steering committees, if any, shall be filed with the election boards where the committee acts or with the Secretary of State if actions expand beyond one county or BC. Treasurers shall report contributions and expenditures.
- Sec. 26-5(a): Treasurer shall also file reports of subtreasurers.
- Sec. 26-11(a): Each treasurer shall file reports of contributions and expenditures with the election board where the candidate resides, except that those of candidates for statewide office, U.S. Senate, or U.S. Representative shall be filed with the Secretary of State. The following schedule shall be followed:
  - by the seventh day preceding any election
  - by the thirtieth day after the election or prior to taking office, whichever comes first
  - if unpaid bills or deficits remain, sixty days after the election
  - if unpaid bills or deficits remain, six months after the election
  - if unpaid bills or deficits remain, one year after the election.
- Sec. 26-11(c): Each treasurer of a state or local central committee or political committee which continually exists shall file reports with the Secretary of State by the seventh day before an election and the thirtieth day after an election.
- Sec. 26-11(d): All other committees shall file reports according to the schedule listed in Sec. 26-11(a). They shall be filed with the election board where most of the members or contributors reside, with duplicates going to the Secretary of State if members or contributors reside in more than one jurisdiction or in another state.
- Sec. 26-13(a): No person shall take office until the campaign reports are filed.
- Sec. 26-14: Campaign reports shall be retained for at least one year.
- Sec. 26-18: Petitions charging corrupt practices may within thirty days after an election be filed with the county circuit court or BC Superior Court. If the petition relates to presidential electors, U.S. senator, U.S. representative, governor, attorney general, state senator, state delegate, judge, court clerk, register of wills, or states attorney, the court may not declare the election void. The findings shall be filed with the Secretary of State along with a transcript of the evidence. Secretary of State shall submit the materials as follows: to governor for presidential electors or attorney general; to House of Representatives for U.S. representative; to state senate for U.S. or state senator; to House of Delegates for governor, delegate, judge, clerk, or register of wills; and to judges having criminal jurisdiction for state attorney. Findings for other offices shall be filed with the governor.

## Acts of 1969, Ch. 554

An act to repeal Secs. 7-1 and 7-2 of and to enact a new section in Art. 33, Annotated Code, re petitions, approved 5-14-1969, effective 7-1-1969

- Sec. 7-1(e): Any paper that is to form a part of a certificate of candidacy shall be submitted to the election board where the signers reside. Election boards shall verify the number of legitimate signatures of registered voters, and, when so required, send the petition and verifications to the Secretary of State. Secretary of State shall determine the sufficiency of the percentage of registered voters in those cases in which the candidates file certificates of nomination or candidacy in that office. In other instances, the election boards shall make that determination.

### **Acts of 1969, Ch. 555**

An act to repeal and reenact Secs. 18-1 and 18-2 of and to add a section to Art. 33, Annotated Code, re State Administrative Board of Election Laws, approved 5-14-1969, effective 6-1-1969

- Sec. 1A-1(a): There shall be a State Administrative Board of Election Laws (SABEL), consisting of five members appointed by the governor with consent of the Senate. The members first appointed shall serve until July 1, 1971. Thereafter the term of office shall be four years. Governor shall fill vacancies. Three members shall belong to the political party of the governor and two from the second major party. SABEL shall elect one of themselves as president.
- Sec. 1A-1(b): There shall be a state administrator of election laws, appointed by the governor for a six year term and removable only for incompetence upon written charges by SABEL. Governor shall fill vacancies.
- Sec. 1A-1(c): State administrator shall receive and may audit financial reports of candidates required by Art. 33, Annotated Code, and shall perform duties assigned by SABEL.
- Sec. 1A-1(e): All powers and duties formerly vested in the Secretary of State by Art. 33, Annotated Code, are transferred to SABEL, except as otherwise provided.
- Sec. 1A-1(f): SABEL shall have the following powers and duties:
  - advisory supervision over the conduct of elections
  - adoption of rules and regulations to assist the local election boards in the conduct of registration, voting, and elections
  - depository for election records and relevant information concerning elections as provided by law or administrative practice
  - make annual reports to the General Assembly.
- Sec. 18-1(a): Board of State Canvassers shall be composed of the chairman of SABEL, Comptroller of the Treasury, State Treasurer, clerk of the Court of Appeals, and Attorney General. Canvassers shall meet within thirty days after an election. Their statement of total votes shall be delivered to SABEL which shall also maintain the statements made by the local canvassing boards and any written protests of the state canvassers.
- Sec. 15-2: SABEL shall record the election statements made by the state canvassing board and any of its dissents or protests. SABEL shall issue to each elected person, including the governor, a certificate of election. Governor shall issue commissions.

### **Acts of 1969, Ch. 559**

An act to add sections to Art. 33, Annotated Code, re campaigns, approved 5-14-1969, effective 7-1-1969

- Sec. 26-21: Secretary of State may seek an injunction against any violation of the campaign practices subtitle.

### **Acts of 1969, Ch. 560**

An act to repeal and reenact Sec. 5-2(a) of and to add sections to Art. 33, Annotated Code, re presidential primaries and conventions, approved 5-14-1969, effective 6-1-1969

- Sec. 4A-2(c-1): Certificates of candidacy for candidates for the election of delegates to a national convention shall be filed with the Secretary of State.
- Sec. 5-2(a): Primary elections for state offices and state central committees shall be held on the second Tuesday after the first Monday in September. Primaries for presidential delegates shall be held on the third Tuesday in May.
- Sec. 12-1(a): The number of delegates and alternates to the national conventions shall be determined by the governing body of each political party and certified to the Secretary of State.
- Sec. 12-2(a) Presidential candidates in primaries may become a candidate for nomination by direction of the Secretary of State who shall place a name on the ballot, whose candidacy is generally recognized in the news media, unless the individual certifies otherwise to the Secretary of State. An alternate method shall be by petition with signatures filed with the Secretary of State.
- Sec. 12-3(a): State political conventions shall nominate or provide for the nomination of candidates for presidential delegates.
- Sec. 12-3(c): The names of the delegates shall be certified to the Secretary of State.

### **Acts of 1970, Ch. 33**

An act to repeal and reenact Sec. 1A-1(a) of Art. 33, Annotated Code, re SABEL, approved 4-1-1970, effective 4-1-1970

- Sec. 1A-1(a): There shall be a State Administrative Board of Election Laws (SABEL), consisting of five members appointed by the governor with consent of the Senate. The members first appointed shall serve until July 1, 1971. Thereafter the term of office shall be four years. Governor shall fill vacancies. Three members shall belong to the majority political party and two from the second major party. SABEL shall elect one of themselves as president.

### **Acts of 1970, Ch. 103**

An act to repeal and reenact several sections of Art. 33, Annotated Code, re campaigns and elections, approved 4-15-1970, effective 6-1-1970

Purpose - to show the powers and duties vested in SABEL and no longer with the Secretary of State.

- Sec. 2-1(d): The state central committees of the two major political parties shall submit to the governor lists of four candidates for members of each local election board. If all are deemed unfit, the governor shall file a statement to this effect with SABEL and request another list of names.



- Sec. 2-12(d): When precinct lines are changed, the local election boards shall prepare new maps and adopt a resolution describing the lines. One copy of the map and resolution shall be filed with the clerks of the county circuit courts and BC Superior Court and another with SABEL. Each local election board shall file a map showing the boundaries of election districts and precincts with SABEL.
- Sec. 4A-2(a): Certificates of candidacy for nominations of members of Congress, statewide offices, and offices for any division larger than a county, including all state senators, shall be filed with SABEL.
- Sec. 4A-2(b): Certificates of candidacy for nominations of judges of the county circuit courts, Court of Special Appeals, and Court of Appeals shall be filed with SABEL. Those for judges of the BC Supreme Bench shall be filed with the BC election board.
- Sec. 4A-2(c-1): Certificates of candidacy for candidates for the election of delegates to a national convention shall be filed with SABEL.
- Sec. 7-1(e): Any paper that is to form a part of a certificate of candidacy shall be submitted to the local election board where the signers reside. Election boards shall verify the number of legitimate signatures of registered voters, and, when so required, send the petition and verifications to SABEL. SABEL shall determine the sufficiency of the percentage of registered voters in those cases in which the candidates file certificates of nomination or candidacy in that office. In other instances, the local election boards shall make that determination.
- Sec. 8-3: SABEL and local election boards shall retain certificates of candidacy and nomination for two years.
- Sec. 11-1(d): Political parties shall file their constitutions, amendments, by-laws, and names and addresses of officers and members of the governing bodies with SABEL.
- Sec. 12-1(a): The number of delegates and alternates to the national conventions shall be determined by the governing body of each political party and certified to SABEL.
- Sec. 12-3(c): The names of the persons nominated by state conventions as candidates for presidential electors shall be certified to SABEL.
- Sec. 17-5(a): Within forty-eight hours after an election, the local boards of canvassers shall send their returns to the clerks of the county circuit courts or BC Superior Court. The clerks shall send copies to SABEL.
- Sec. 17-5(c): Clerks shall send certified copies of the election statements to the governor and SABEL.
- Sec. 23-11(a): The governing body of a county, city, or other political subdivision shall report election returns on local referendum to the clerks of the county circuit courts or BC Superior Court. The clerks shall send copies to SABEL and Comptroller of the Treasury.
- Sec. 23-11 (b): SABEL shall maintain election returns of all referendum votes at both the local and state levels.
- Sec. 23-11(c): SABEL shall prepare duplicate certificates of the referendum returns on state laws and send one to the clerk of the Court of Appeals who shall attach it to the original law. SABEL shall file the other one with the person designated to index laws.
- Sec. 25-2: The text of Art. 33, Annotated Code, with forms and instructions shall be published by SABEL and distributed to election officials.
- Sec. 26-2: SABEL shall summarize the provisions of elections laws relating to campaign

- contributions and expenditures and provide for their distribution, along with specimen forms.
- Sec. 26-3(a): Each candidate shall appoint a campaign treasurer and file the name with the election boards or SABEL, along the acceptance of the appointee. No certificate of candidacy shall be accepted until a treasurer is appointed.
  - Sec. 26-3(e): If a candidate joins a ticket or slate, the election board or SABEL shall be notified. Its treasurer shall report per provisions of Sec. 26-4(a).
  - Sec. 26-4(a): Every state central committee or political committee except political clubs shall appoint a treasurer whose name and address, along with the names and addresses of the principal officers and steering committees, if any, shall be filed with the election boards where the committee acts or with SABEL if actions expand beyond one county or BC. Treasurers shall report contributions and expenditures.
  - Sec. 26-11(a): Each treasurer shall file reports of contributions and expenditures with the election board where the candidate resides, except that those of candidates for statewide office, U.S. Senate, or U.S. Representative shall be filed with SABEL. The following schedule shall be followed:
    - by the seventh day preceding any election
    - by the thirtieth day after the election or prior to taking office, whichever comes first
    - if unpaid bills or deficits remain, sixty days after the election
    - if unpaid bills or deficits remain, six months after the election
    - if unpaid bills or deficits remain, one year after the election.
  - Sec. 26-11(c): Each treasurer of a state or local central committee or political committee which continually exists shall file reports with SABEL by the seventh day before an election and the thirtieth day after an election.
  - Sec. 26-11(d): All other committees shall file reports according to the schedule listed in Sec. 26-11(a). They shall be filed with the election board where most of its members or contributors reside, with duplicates going to SABEL if members or contributors reside in more than one jurisdiction or in another state.
  - Sec. 26-18: Petitions charging corrupt practices may within thirty days after an election be filed with the county circuit court or BC Superior Court. If the petition relates to presidential electors, U.S. senator, U.S. representative, governor, attorney general, state senator, state delegate, judge, court clerk, register of wills, or states attorney, the court may not declare the election void. The findings shall be filed with SABEL along with a transcript of the evidence. SABEL shall submit the materials as follows: to governor for presidential electors or attorney general; to House of Representatives for U.S. representative; to state senate for U.S. or state senator; to House of Delegates for governor, delegate, judge, clerk, or register of wills; and to judges having criminal jurisdiction for state attorney. Findings for other offices shall be filed with the governor.

## **Acts of 1971, Ch. 288**

An act to add to Sec. 2-12(d) of Art. 33, Annotated Code, re directories, approved 4-29-1971, effective 7-1-1971

- Sec. 2-12(d)(4): Local election boards shall maintain a directory of street addresses in alphabetical and/or numerical order, that shows the election district, ward, precinct, legislative

district, congressional district, and zip code for each address. Copies shall be filed with SABEL.

### **Acts of 1971, Ch. 352**

An act to repeal and reenact and repeal other sections of Art. 33, Annotated Code, re elections, approved 5-6-1971, effective 7-1-1971

- Sec. 1A-1(e)(1): SABEL shall supervise the conduct of elections. [word advisory removed]
- Sec. 17-5(d), re certificates of election sent by court clerks to elected local officials, repealed.

### **Acts of 1971, Ch. 354**

An act to repeal and reenact and to add sections to Art. 33, Annotated Code, re voter registration and elections, approved 5-6-1971, effective 7-1-1971

- Sec. 3-9A(a): Six months before a primary election the local election boards shall submit to SABEL a report on voter registration showing the names of the political parties mentioned in the records and number of voters affiliated with each.
- Sec. 3-9A(b): SABEL shall issue a statement of registration showing the same information for the entire state and the percentage of registered voters affiliated with each party. The statement shall be retained at least six years.
- Sec. 4-1(a) Nominations shall be made by primary election or petition.
- Sec. 4A-1: Each person seeking a nomination shall file a certificate of candidacy.
- Sec. 4B-1(a): New political parties can be formed by filing with SABEL a petition that gives its name and the names and addresses of the chair and governing body and contains the signatures of voters.
- Sec. 4B-1(d): The signature pages shall be submitted by SABEL to the local election boards for verification of voter registration. If these are proper and the petition is otherwise in proper form and upon the filing of an interim constitution and by-laws with SABEL, the party shall be considered a political party.
- Sec. 4B-1(f): Amendments to the constitution shall also be filed with SABEL.
- Sec. 4C-1(a): If in any general election, any political party polls less than 3% of the votes cast, it shall cease to be a political party.
- Sec. 11-1(a): Each political party required to nominate its candidates by primary election shall adopt a permanent constitution and by-laws.
- Sec. 11-1(d): Those documents and subsequent amendments shall be filed with SABEL.

### **Acts of 1972, Ch. 571**

An act to repeal and reenact Sec. 4A-2 of Art. 33, Annotated Code, re certificates of candidacy, approved 5-26-1972, effective 7-1-1972

- Sec. 4A-2(b): Certificates of candidacy for nominations of judges of the county circuit courts, BC Supreme Bench, Court of Special Appeals, and Court of Appeals shall be filed with SABEL.

**Acts of 1973, Ch. 86**

An act to add to Sec. 26-3(a) of Art. 33, Annotated Code, re campaigns, approved 4-26-1973, effective 7-1-1973

- Sec. 26-3(a)(2): The resignation of a treasurer shall be filed with the local election board or SABEL where the original appointment was filed. The candidate shall appoint a new treasurer.

**Acts of 1973, Ch. 439**

An act to add to sections of Art. 33, Annotated Code, re campaigns, approved 5-21-1973, effective 7-1-1973

- Sec. 4A-2(a): Certificates of candidacy for nominations of members of Congress, statewide offices, members of the House of Delegates, state senators, and offices for any division larger than a county shall be filed with SABEL.
- Sec. 26-3(c): The appointments of campaign treasurers shall be filed with SABEL except where the office is limited to a county, city, ward, or legislative district. Then the appointments shall be filed with the local election boards. An appointment by a candidate for the state senate or House of Delegates shall be filed with SABEL which shall send the information to the local election board where the person resides.

**Acts of 1973, Ch. 440**

An act to repeal and reenact Sec. 3-18 of Art. 33, re voter registration, approved 5-21-1973, effective 7-1-1973

- Sec. 3-18(a): Reports shall be made monthly to SABEL as follows:
  - (1): lists of deaths of persons over age 18, by the BC commissioner of health and county health officers
  - (2): names of persons convicted of infamous crimes, by the clerks of the BC Criminal Court, county circuit courts, and districts courts in each county; a similar arrangement shall be made with the U.S. District Court for Maryland
  - (3): former and present names of females over age 18 who marry, by clerks of BC Court of Common Pleas and county circuit courts
  - (4): name changes, by clerks of BC and county circuit courts
  - (5): agencies that acquire, condemn, or raze residences shall report the locations of the buildings
- Sec. 3-18(c): Local election boards or SABEL shall notify voters whose names appear on these lists to show cause in two weeks why their registrations should not be canceled.

**Acts of 1973, Ch. 730**

An act to a section to Art. 19A, Annotated Code, re conflict of interest, approved 5-24-1973, effective 7-1-1973

- Sec. 11A: Any person making a campaign contribution and whose business with the state exceeds \$10,000 per year shall file an annual statement by September 1, showing all contributions or business dealings, with the Secretary of State, president of the Senate, and speaker of the House of Delegates.
- Sec. 11B: The statement shall be on a form prescribed by the Board of Ethics which shall also receive a copy of the completed form.

### **Acts of 1973, Ch. 779**

An act to repeal and reenact sections of Art. 33, Annotated Code, re forms, approved 5-24-1973, effective 7-1-1973

- SABEL shall prescribe the following forms, formerly specified in the law:
  - Sec. 3-12(b): cards or loose leaf pages for voter registration
  - Sec. 3-16(e): objections to voter registrations
  - Sec. 3-20(c): notifications to those persons who have not voted for five years
  - Sec. 26-3(b): appointment and acceptance of campaign treasurers
  - Sec. 26-12: campaign financial reports
  - Sec. 27-5(b): applications for absentee registrations and ballots

### **Acts of 1974, Ch. 4**

An act to repeal and reenact Sec. 26-3(c) of Art. 33, Annotated Code, re campaigns, approved and effective 2-1-1974

- Sec. 26-3(c): The appointment of a campaign treasurer shall be filed with the local election boards or SABEL, wherever the candidate must file a certificate of candidacy.

### **Acts of 1974, Ch. 91**

An act to repeal and reenact Sec. 17-5 (a) and (c) of Art. 33, Annotated Code, re election returns, approved 3-28-1974, effective 7-1-1974

- Sec. 17-5(a): Within forty-eight hours after an election, the local boards of canvassers shall send their returns to the clerks of the county circuit courts or BC Superior Court, governor, and SABEL.
- Sec. 17-5(c): [Court clerks no longer required to send copies of election returns to the governor and SABEL.]

### **Acts of 1974, Ch. 290**

An act to repeal Sec. 11 of Art. 19A and to add sections to Art. 33, Annotated Code, re conflict of interest, approved 4-30-1974, effective 7-1-1974

- Sec. 30-1(b): This act shall apply to persons and firms doing business with any state or local government agency worth \$10,000 or more.

- Sec. 30-1(e): This act shall cover campaign contributions in excess of \$100.
- Sec. 30-2(a): Required statement shall be filed annually by September 1 and shall cover the preceding twelve months ending on July 31.
- Sec. 30-2(b): Any person or firm within the categories specified in Sec. 30-1 shall file a statement.
- Sec. 30-2(c): The statement shall show the names of the candidates, aggregate contributions to each, name of agency with which business is done, and nature and amount of the business.
- Sec. 30-2(d): Statements shall be filed with the Secretary of State and be retained at least two years.
- Sec. 30-2(e): Secretary of State shall prescribe the forms.

### **Acts of 1974, Ch. 341**

An act to repeal and reenact Secs. 26-11, 26-13, and 26-14 of Art. 33, Annotated Code, re campaign reports, approved and effective 4-30-1974

- Sec. 26-11(a): The candidates and treasurers shall file statements of contributions and expenditures with the local election boards or SABEL wherever the certificate of candidacy was filed. The following schedule shall be followed:
  - by the seventh day preceding any election
  - by the thirtieth day after the election or prior to taking office, whichever comes first
  - if unpaid bills or deficits remain, sixty days after the election
  - if unpaid bills or deficits remain, six months after the election
  - if unpaid bills or deficits remain, one year after the election.
- Sec. 26-11(a) [continued]: Thereafter annual reports shall be filed if balances, unpaid bills, or deficits still exist.
- Sec. 26-11(c): Provisions of Sec. 26-11-(a) shall also apply to chairs and treasurers of central committees.
- Sec. 26-11(d): Provisions of Sec. 26-11-(a) shall also apply to chairs and treasurers of other committees.
- Sec. 26-14: Campaign reports shall be retained for at least two years after the election or one year after the date for filing the final report. Before destroying the records, SABEL and the local election boards shall make a permanent record showing the required reports not filed and outstanding balances, bills, or deficits. The local election boards shall file copies of their permanent records with SABEL.

### **Acts of 1976, Ch. 40**

An act to repeal and reenact Sec. 18-1(a) of Art. 33, Annotated Code, re state canvassers, approved 3-16-1976, effective 6-1-1976

- Sec. 18-1(a): Board of State Canvassers shall be composed of the Secretary of State, Comptroller of the Treasury, State Treasurer, clerk of the Court of Appeals, and Attorney General. The SABEL administrator shall serve as secretary.

**Acts of 1976, Ch. 45**

An act to add a section to Art. 33, Annotated Code, re campaign reports, approved 3-16-1976, effective 7-1-1976

- Sec. 26-11(h): SABEL and local election boards shall exchange names of candidates and treasurers who have failed to file reports.

**Acts of 1976, Ch. 365**

An act to repeal and reenact Sec. 26-14 of Art. 33, Annotated Code, re campaign reports, approved 5-4-1976, effective 7-1-1976

- Sec. 26-14: Campaign reports shall be retained for at least five years after the election or one year beyond the length of the term of the office sought. Before destroying the records, SABEL and the local election boards shall make a permanent record showing the required reports not filed and outstanding balances, bills, or deficits. The local election boards shall file copies of their permanent records with SABEL.

**Acts of 1976, Ch. 378**

An act to repeal and reenact Sec. 12-12(b) and to add a subsection to Art. 33, Annotated Code, re campaign reports, approved 5-4-1976, effective 7-1-1976

- Sec. 26-11(b): Sec. 26-11 shall not apply to candidates for federal offices.
- Sec. 26-12(b): Instead these candidates shall file copies of statements required by federal law or regulation with SABEL.

**Acts of 1976, Ch. 699**

An act to repeal and reenact Secs. 8-3 and 26-14 of Art. 33, Annotated Code, re certificates and campaign reports, approved 5-17-1976, effective 7-1-1976

- Sec. 8-3: SABEL and local election boards shall preserve certificates of candidacy and nomination for at least five years or one year beyond the term of the office being sought and then transfer them to the Hall of Records.
- Sec. 26-14: Campaign reports shall be retained for at least five years after the election or one year beyond the length of the term of the office sought. Before destroying the records, SABEL and the local election boards shall make a permanent record showing the required reports not filed and outstanding balances, bills, or deficits. The local election boards shall file copies of their permanent records with SABEL. These permanent records shall be transferred to the Hall of Records.

**Acts of 1977, Ch. 80**

An act to repeal and reenact, add, and repeal sections of Art. 33, Annotated Code, re voter registration, approved 3-31-1977, effective 7-1-1977

- Sec. 2-9(b): Copies of rules and regulations adopted by local election boards shall be filed with SABEL within thirty days after their adoption.
- Sec. 3-9A(c): Local election boards shall provide reports of voter registration and other related activity as may be required by SABEL.
- Sec. 3-14(b): Local election boards shall retain old registration books or forms, that have been transcribed, for at least five years. After that the records may be transferred to SABEL for delivery to the Hall of Records.
- Sec. 3-14(c): Local election boards shall retain canceled registration records for at least five years. After that the records may be transferred to SABEL for delivery to the Hall of Records. The election boards may microfilm them first.
- Sec. 3-25, re destruction of registration records after microfilming, is repealed.



## EQUITY

### **Acts of Nov. 1773, Ch. 7**

An act re jurisdiction of Chancery Court, passed 12-23-1773

- Sec. 1: Persons under age twenty-one or being idiot, lunatic, or non compos mentis and possessed of real property in trust or by mortgage and therefore subject to a decree for sale or bound by an agreement to convey made by someone else and therefore subject to a decree for conveyance shall be direction of the Chancery Court, upon a petition of interested parties and a hearing, convey and assign any such land.
- Sec. 2: Minors shall have the right to contest any such decree of conveyance six months after coming of age. After a hearing, the Chancery Court may order a reconveyance and an account of rents and profits from the person who received them. Heirs of a minor shall have the same rights, if the minor dies before coming of age.

### **Acts of Apr. 1777, Ch. 12**

An act re marriages, passed 4-20-1777

- Chancery Court shall hear and determine all causes for alimony.

### **Acts of 1785, Ch. 72**

An act re jurisdiction of Chancery Court, passed 3-10-1786

- Sec. 1: When a minor, idiot, lunatic, or non compos mentis possesses real property mortgaged for money or tobacco payments or to secure a debt and the payments are in default, the Chancery Court, upon a petition of the mortgagee and a hearing, may decree a sale of all or part of the land to discharge the debt or may decree foreclosure of all or part of the land to satisfy the debt.
- Sec. 2: Upon reaching age twenty-one, an interested minor may within one year try to prove fraud in obtaining the mortgage or that the debt was not really due. If the allegations prove true, the Chancery Court shall order a reconveyance in the case of a foreclosure and order money raised by a sale to be paid the minor.
- Sec. 3: In all cases of applications to foreclose a mortgage, the Chancery Court shall have the authority to order all or part of the property sold. The trustee appointed to make the sale shall give bond.
- Sec. 4: If a person has died and left real property or personal property to be sold for the payment of debts or other purposes, but has not appointed anyone to do so or the person appointed neglects the duty or has died, the Chancery Court, upon petition, shall have the authority to appoint a trustee to make the sale and apply the money for the intended purposes.
- Sec. 5: If a person has died without leaving sufficient personal property to discharge debts and has left or devised real property to a minor, idiot, lunatic, or non compos mentis, the Chancery Court, upon petition of creditors and a hearing, shall have the authority to order all or part of the land sold to pay the claims.
- Sec. 6: Chancery Court shall have the authority to superintend and direct the affairs of lunatics or

idiots both as to care of their persons and management of their estates, appoint a committee or trustee, pass orders or decrees concerning their persons and estates, and order the sale of personal property or real property to discharge debts.

- Sec. 7: Chancery Court shall have the authority to appoint a trustee to make any sale in pursuance of this act.
- Sec. 8: All sales made by order of the Chancery Court must be ratified by the court before a conveyance can take place.
- Sec. 10: When a trustee has been appointed by a will, an interested person may request that bond be given by order of the Chancery Court. If the bond is not given, the court may appoint a new trustee.
- Sec. 11: If a deed has been executed but inadvertently not recorded, the Chancery Court, upon application of a party claiming under the deed and a hearing, may decree that it be recorded.
- Sec. 12: If a minor, idiot, or non compos mentis has a joint interest in real property, the Chancery Court, upon application and a hearing, may order a sale of all or part of the land, or under a contract of sale may order the execution of a deed.
- Sec. 17: Chancery Court shall have the authority to appoint an auditor to state, audit, and settle accounts.
- Sec. 28: When an injunction to stay waste has been issued and the person continues to commit the waste and destruction, the Chancery Court may order an attachment of contempt and issue a commission to inquire into the matter and determine the damage done and its value. The person shall then pay double the value of the damages.

### **Acts of 1785, Ch. 7**

An act supplemental to Acts of 1785, Ch. 72, re jurisdiction of Chancery Court, passed 3-11-1786

- Sec. 1: If a landowner dies intestate and without heirs and not leaving enough personal property to pay debts, creditors may petition the Chancery Court and the Attorney General shall appear as the defendant. Chancery Court may appoint a trustee to sell all or part of the land. If insufficient to cover all debts, the sale proceeds shall be distributed proportionally among the creditors. Upon a survey being made and returned in consequence of an escheat warrant, any creditor of the deceased person may enter a caveat against the issuance of a patent until a hearing by the Chancery Court and satisfaction of the debt by sale of the land. If a landowner dies intestate and without heirs and had contracted for the sale of real property, the claimant may petition the Chancery Court and the Attorney General shall appear as the defendant. After a hearing the court may order the Attorney General to execute a deed. Any purchase money still owed shall be paid to the Treasurer of the Western Shore for discharging the debts of the decedent with the balance going for use of the state.

### **Acts of Apr. 1787, Ch. 30**

An act supplemental to Acts of 1785, Ch. 72, re jurisdiction of Chancery Court, passed 5-18-1787

- Sec. 1: Doubts have arisen about the power of the Chancery Court to issue a decree against nonresidents.

- Sec. 2: An effort must be made to notify nonresident defendants.
- Sec. 3: Chancery Court may issue decrees against nonresidents. Within two years thereafter the individuals and their heirs and representatives may petition for a rehearing.

### **Acts of 1789, Ch. 46**

An act supplemental to Acts of 1785, Ch. 72, re jurisdiction of Chancery Court, passed 12-25-1789

- Sec. 1: Chancery Court shall have the authority to direct the sale of real property belonging to nonresident minors for the payment of debts due by a decedent.
- Sec. 3: Notice shall be given to the guardians.

### **Acts of 1790, Ch. 60**

An act supplemental to Acts of 1785, Ch. 72, re jurisdiction of Chancery Court, passed 12-22-1790

- Sec. 2: Chancery Court shall have the authority to order the sale of personal property of any idiot, lunatic, or non compos mentis whose person and estate have been committed to a trustee, provided it appears beneficial to convert the property into money and place it on interest.

### **Acts of 1791, Ch. 78**

An act re jurisdiction of the county courts, passed 12-30-1791

- Sec. 1: County courts shall have original jurisdiction where the value of the matter or thing in dispute does not exceed £100 or 10,000 lbs. of tobacco. The case shall be filed where the defendant resides.
- Sec. 4: When sums exceed £30 or 3000 lbs. of tobacco, appeals may be taken to the Chancery Court.
- Sec. 5: This act does not give the county courts jurisdiction to compel a specific performance of an agreement. When a civil suit is commenced in the court and either party prays a decision on the principles of equity, the civil case shall be proceeded to judgment.

### **Acts of 1791, Ch. 79**

An act supplemental to Acts of 1785, Ch. 72, re jurisdiction of Chancery Court, passed 12-30-1791

- Sec. 4: If a person has contracted for the sale of real property and dies without fulfilling the agreement and having devised or left the land to descend to a minor, idiot, lunatic, or non compos mentis, the Chancery Court, upon a petition and hearing, may decree that a conveyance be made by the guardian or trustee.

### **Acts of 1792, Ch. 63**

An act supplemental to Acts of 1791, Ch. 78, re jurisdiction of the county courts, passed 12-23-1792

- Sec. 2: The part of Sec. 5 of Acts of 1791, Ch. 78 that forbids the county courts from compelling

a specific performance is repealed.

- Sec. 3: County courts shall have jurisdiction in such cases where the value of the matter or thing in dispute does not exceed £100 or 10,000 lbs. of tobacco.
- Sec. 5: When sums exceed £30 or 3000 lbs. of tobacco, appeals may be taken to the Chancery Court.

### **Acts of 1794, Ch. 60**

An act supplemental to Acts of 1785, Ch. 72, re jurisdiction of Chancery Court, passed 12-26-1794

- Sec. 2: Chancery Court may order the sale of real property of a deceased person to satisfy debts when the defendants are nonresidents.
- Sec. 3: If a person having an equitable interest in real property dies without heirs and without leaving enough personal property to pay debts, the Chancery Court, upon petition by the creditors and a hearing, may order all land sold. Any remaining money shall be paid to the Treasurer of the Western Shore for use of the state.
- Sec. 8: When an infant, idiot, or person non compos mentis has a joint or common interest in real property, the Chancery Court, upon a petition and hearing, may decree a partition of all or part of the land.
- Sec. 9: Chancery Court may order the foreclosure or sale of mortgaged property when the defendants are unlocatable.
- Sec. 10: Chancery Court may order the sale of equitable interests in real property in order to satisfy debts.

### **Acts of 1795, Ch. 88**

An act re proceedings in the Chancery Court, passed 12-24-1795

- Sec. 1: Notice by publication shall be given to nonresident defendants who, if not found, may petition the Chancery Court for a review within eighteen months after the issuance of a decree.
- Sec. 4: With consent of the parties, commissions to take depositions may be issued to one person instead of the four now required by law or practice.

### **Acts of 1797, Ch. 114**

An act re proceedings in the Chancery Court, passed 1-21-1798

- Sec. 5: On a bill of complaint to partition land held jointly or in common with a nonresident minor, the Chancery Court may issue a commission to three persons to go to the minor, appoint a guardian for taking an answer, take the answer, and return it to the court.

### **Acts of 1798, Ch. 101**

An act re jurisdiction of the Chancery Court, passed 1-20-1799

- Ch. 10, Sec. 11: If an executor must retain personal property for future use as directed by a will,

the Chancery Court or orphans court, upon application of an interested party, may direct activities concerning the property.

### **Acts of 1799, Ch. 79**

An act re proceedings in the Chancery Court, passed 1-3-1800

- Sec. 6: With consent of the parties, commissions for any purpose may be issued to one person only or to three with the power for two of them alone to act.

### **Acts of 1800, Ch. 67**

An act re trust estates, passed 12-19-1800

- Sec. 1: Chancery Court is now confined to the annual proceeds of the estate in providing for an idiot, lunatic, or person non compos mentis.
- Sec. 2: Chancery Court shall have the authority in cases where the trustee has been appointed by the court to order all or part of the property sold for support of the person or payment of reasonable expenses.
- Sec. 3: When the land to be sold cannot be divided, the Chancery Court may order all of it sold and direct the balance to be invested.
- Sec. 4: Chancery Court shall ratify such sales.

### **Acts of May 1813, Ch. 21**

An act re trust estates, passed 5-29-1813

- Sec. 1: Chancery Court, upon petition of a trustee and a hearing, may direct the trustee of a lunatic, idiot, or insane person to send the individual to the hospital near Baltimore, to remain there until further order of the court.

### **Acts of 1814, Ch. 94**

An act supplemental to Acts of 1791, Ch. 78, re jurisdiction of the county courts, passed 1-28-1815

- Sec. 1: County courts and Chancery Court shall have concurrent original equity jurisdiction.
- Sec. 2: Each judge during the court recess shall have the same power as the Chancellor to grant and enforce injunctions.
- Sec. 3: An associate county court judge shall attend at the courthouse at some day between court terms in order to make necessary orders concerning equity cases. The court clerk shall attend and make entries of such actions.
- Sec. 4: County courts may appoint auditors who shall have the same powers and duties as the auditor of the Chancery Court.
- Sec. 5: Decrees of the county courts may be appealed to the Court of Appeals.
- Sec. 7: This act shall remain in effect until November 20, 1815 and the end of the General Assembly session.

**Acts of 1815, Ch. 163**

An act supplemental to Acts of 1791, Ch. 78, re jurisdiction of the county courts, passed 1-26-1816

- Sec. 1: County courts shall have full equity jurisdiction whether derived from common law, statute, or act of the General Assembly.
- Sec. 5: Judges during court recesses may grant injunctions and direct any rule, order, or interlocutory decree to bring a cause to a fair hearing.
- Sec. 8: County courts may establish intermediate court terms between the common law terms for the transaction of equity business.
- Sec. 9: Acts of 1814, Ch. 94 is made permanent.

**Acts of 1816, Ch. 34**

An act re trust estates, passed 1-28-1817

- Sec. 1: Receipts, acquittances, releases, and final discharges to trustees appointed by the Chancery Court or county courts shall be recorded in separate books.

**Acts of 1816, Ch. 154**

An act re minors, passed 1-30-1817

- Sec. 1: When minors own real property, the Chancery Court or county courts, upon petition of the guardian or prochein ami and a hearing, may order the sale of all or part of the land.
- Sec. 2: A trustee shall be appointed to make the sale.
- Sec. 3: All sales must be ratified by the court. Purchase money must be paid before a conveyance is executed. The trustee must give bond.
- Sec. 5: Sale proceeds shall be given to the guardian for investment, to be directed by the orphans court.
- Sec. 8: No part of the principal shall be applied towards maintenance and education unless deemed necessary by the Chancery Court or county court.
- Sec. 9: If a minor dies before of age and without lawful issue, the proceeds of the sale or investment shall be considered as real property and thus descended to heirs who would be entitled to the land.
- Sec. 10: If a widow is entitled to a dower and consents to the sale of the land, she shall signify her consent in writing and the court shall award her a portion of the purchase money.
- Sec. 11: When the widow does not consent to the sale, the court shall issue a commission to lay off the dower and make a return for confirmation or rejection by the court.
- Sec. 13: This act shall apply to cases where minors possess a reversion interest dependent upon an estate for life and upon assent to the sale by the tenant for life. The court shall determine the amount to be paid the person with a life interest.

**Acts of 1817, Ch. 119**

An act re records of decrees, judgments, and judicial proceedings, passed 2-4-1818

- Sec. 3: Some judgments, decrees, and other final proceedings of the county courts have not been recorded, although by law they should have been. For anyone wishing to read the records or have copies, the county court clerks for the time being shall use the court minutes, docket entries, and original papers.
- Sec. 5: Former clerks or their executors, administrators, or securities and current clerks shall record or have recorded the following judgments and judicial proceedings:
  - ejectments, trespasses quare clausum fregit, dowers, partitions, replevins where avowry has been pleaded or rent recovered
  - judgments in debt or damages under which land or tenement has been seized in execution
  - decrees, petitions, commissions, returns, deeds, papers, and proceedings re real property
- Sec. 6: County court judges shall direct the process of bringing the records up to date by specifying times for the work and examining the records.
- Sec. 7: Records pertaining to land shall be recorded within twelve months and court proceedings involving land shall be recorded twelve months after the final judgment is rendered.
- Sec. 8: County court clerks and register of the Chancery Court will not be required to record any other judgments, decrees, or judicial proceedings unless required in writing by a party interested in the case. Information and copies of unrecorded cases can be obtained from the court minutes, docket entries, and original papers.
- Sec. 9: With the records mentioned in Sec. 8 the county court clerks and register shall transcribe in a separate book at the end of each court term from the court minutes and docket entries of those civil, criminal, and equity cases that have been terminated. Each record shall show the names of the parties, nature of the case, other memoranda deemed important, judgment, decree, order or agreement, and court costs. The books shall have numbered pages and be alphabetized.

### **Acts of 1818, Ch. 133**

An act re minors, passed 2-6-1819

- Sec. 2: Upon a petition of a guardian or prochein ami for the sale of the real property of a minor, the Chancery Court or county courts shall issue a commission to view and ascertain the value and whether advantageous to sell, and file the report with the court.

### **Acts of 1818, Ch. 193**

An act re jurisdiction, passed 2-17-1819

- Sec. 2: Provisions of Sec. 5 of Acts of 1785, Ch. 72, re sales of real property, shall be extended to defendants of full age.
- Sec. 7: Provisions of Acts of 1816, Ch. 154, re real property of minors, shall be extended to equitable titles to land.
- Sec. 8: Chancery Court and county courts may order a sale of real property in order to save personal property with the consent of the adult parties and guardians of minors.
- Sec. 9: When sales of land have been made by executors under a supposed authority derived from

a will, the Chancery Court and county courts may confirm them after a hearing.

- Sec. 11: Provisions of Sec. 5 of Acts of 1797, Ch. 114, re partition of land, shall be extended to cases where all persons are nonresidents.

### **Acts of 1819, Ch. 144**

An act re minors, passed 2-10-1820

- Sec. 1: Provisions of Acts of 1816, Ch. 154, re real property of minors, shall be extended to the personal property of minors.

### **Acts of 1819, Ch. 183**

An act supplemental to Acts of 1818, Ch. 193, re dower rights, passed 2-14-1820

Sec. 8 of Acts of 1818, Ch. 193 does not provide for dower rights.

- Sec. 1: When real property is sold under a decree and a widow is entitled to dower rights, the trustee shall proceed with the sale and the widow shall be awarded a portion of the purchase money.
- Sec. 2: Before any sale of land is decreed, the widow shall give consent in writing.

### **Acts of 1826, Ch. 192**

An act re mortgage foreclosures in BA and BC, passed 3-8-1827

- Sec. 1: A mortgagee of any interest created in lands or tenements in BC or BA shall be authorized, on the failure to pay the money and after giving twenty days notice, to sell the property at public auction, with the same powers as a trustee acting under a court decree.
- Sec. 2: Before acting the mortgagee or agent shall give bond, to be approved by the BA Court.
- Sec. 3: Within fifteen days after the sale, it shall be reported to the court.
- Sec. 4: The report shall be published once a week for three weeks, proof of which shall be submitted to the court. The court shall ratify the sale, and the seller shall execute a deed to the purchaser.
- Sec. 5: Within twenty days after the sale interested parties may file with the court objections to the sale or claims to the sale proceeds.
- Sec. 6: Upon acquiring possession, the purchaser may sue in the court for a writ of possession against the mortgagor.
- Sec. 8: Parties interested in the property or sale proceeds may apply to the Chancery Court or BA Court for an injunction to stay the sale or proceedings after the sale.

### **Acts of 1826, Ch. 247**

An act re records of decrees, judgments, and judicial proceedings, passed 3-13-1827, effective 6-1-1827

- Sec. 10: County court clerks and register of the Chancery Court shall not record at full length the proceedings in civil, equity, and criminal actions or any verdict, judgment, or decree nor



transcribe the minutes and short docket entries of any such action wherein the proceedings were not required to be so recorded as heretofore prescribed by law. An exception will be made when an interested party shall in writing require the case to be recorded or transcribed.

- Secs. 8-9 of Acts 1817, Ch. 119, re cases not subject to full recording, are repealed.

### **Acts of 1828, Ch. 26**

An act supplemental to Acts of 1800, Ch. 67, re trust estates, passed 1-21-1829

- Sec. 1: When any lunatic, idiot, or person non compos mentis owns real property, the Chancery Court or county courts, upon a petition of a guardian, trustee, or committee and a hearing, may order a sale and direct application of the proceeds, interest, and investment in such funds or loans as deemed proper.
- Sec. 2: All sales shall be ratified by the court before a deed is executed. The trustee appointed to sell the land shall give bond.
- Sec. 3: On the death of the lunatic, idiot, or person non compos mentis, the money from the sale shall belong to the heirs that would have been entitled to the land.

### **Acts of 1829, Ch. 202**

An act re divorces, passed 2-27-1830

- Sec. 1: Anyone intending to apply to the General Assembly for a divorce may file a petition in the county court which shall appoint a commission to take testimony. Court clerk shall sent the petition, answer, testimony, and other proceedings to the legislature.

### **Acts of 1831, Ch. 294**

An act re judgments and decrees, passed 3-13-1832

- Upon full or partial payment of a judgment or decree the plaintiff shall execute a receipt to the defendant and file it with the clerk of the county court where the case took place. The clerk shall note the payment and date on the docket and for full payment shall enter the judgment or decree as satisfied.

### **Acts of 1831, Ch. 311**

An act re jurisdiction, passed 3-14-1832

- Sec. 1: When any two or more persons jointly or in common own a term of years or leasehold interest in real property, the Chancery Court and county courts, upon a petition and hearing or return of a commission to survey, may decree a sale of the interest or a division and allotment.
- Sec. 2: The courts may order the leasing for any term of years and on conditions approved by the court any ground, real property, or estate located in BC.
- Sec. 3: This act shall apply when a minor owns a remainder or reversion in real property, provided the owner of the life estate consents to the decree and court orders.

- Sec. 4: If any owner is a minor, the courts may still act after a hearing.
- Sec. 6: Provisions of Acts of 1816, Ch. 154, Acts of 1818, Ch. 193, and this act shall be extended to cases where minors or nonresidents are jointly or in common owners of real property or personal property.
- Sec. 7: Provisions of Sec. 12 of Acts 1785, Ch. 72, re sale of joint interests, are extended to cases where the parties of age hold any kind of interest in real property.
- Sec. 12: On behalf of minors and after an application and hearing, the courts may decree the mortgage of land or any interest therein.
- Sec. 13: This act shall apply to nonresidents provided notices are published.

### **Acts of 1832, Ch. 302**

An act proceedings, passed 2-22-1833

- Sec. 5: Chancery Court and county courts shall file opinions for any final decree or decretal order whenever it is passed upon oral or written arguments.

### **Acts of 1832, Ch. 307**

An act re attachments and executions, passed 3-22-1833

- Sec. 1: A person who has sued out of a civil or equity case a writ of fieri facias or writ of attachment against the goods and chattels of a defendant may instruct the sheriff or other officer to lay upon an interest in the capital, joint stock, or debt of a corporation.
- Sec. 15: When the sale of such stocks or bonds exceeds \$100, the county court clerk shall record the proceedings in the case in the same manner as done when real property is sold.

### **Acts of 1833, Ch. 150**

An act re trust estates, passed 3-7-1834

- Sec. 2: A trustee of an idiot, lunatic, or person non compos mentis may apply to the Chancery Court or county courts to lease land. The court shall appoint a commission to examine the matter and make a return. Under regulations provided in Acts of 1831, Ch. 311, the court may order the leasing for any term of years and on conditions approved by the court any ground, real property, or estate located in BC. By the same means the court may approve the surrender of a lease and decree a new one.

### **Acts of 1833, Ch. 181**

An act re mortgage foreclosures in BC, passed 3-14-1834

- Sec. 2: In the mortgage of lands, hereditaments, or chattels real in BC where the mortgagor assents to a decree, the mortgagee after it is recorded may submit the instrument or a copy to the Chancery Court or BA Court. The court may decree that the premises be sold for default in payments. The court shall set the terms of the sale and appoint a trustee to make the sale, who

shall give bond.

- Sec. 3: Mortgagee shall file a statement of the claim remaining due.
- Sec. 4: Trustee shall report the sale to the court for ratification or rejection.
- Sec. 5: The decrees shall be recorded, and the cases placed in the dockets.

### **Acts of 1835, Ch. 279**

An act re records in WO, passed 4-1-1836

Many records were burned in a courthouse fire in 1834.

- Sec. 5: In cases where the judgment or equity records and original papers have been destroyed, the docket entries and short copies of the judgments and decrees taken from the dockets shall be received in evidence in any court of law or equity.

### **Acts of 1835, Ch. 380**

An act supplemental to Acts of 1831, Ch. 311, re jurisdiction, passed 5-25-1836

- Sec. 9: The power of the Chancery Court and county courts to decree the sale of the estate of a minor shall extend to cases of trust for the application of rents, profits, or income and to cases of chattels real where if the property were freehold the sale might be decreed.

### **Acts of 1836, Ch. 249**

An act re mortgage foreclosures in BC, passed 3-21-1837

- Sec. 1: Every mortgage of land and tenements in BC, containing a provision to sell the premises upon default, shall be foreclosed in the following manner.
- Sec. 2: A notice of foreclosure sale shall be published three times a week for three weeks.
- Sec. 5: The sale shall be at public auction. If the property consists of distinct lots, they shall be sold separately unless agreed otherwise in the mortgage. No more lots shall be sold than necessary to satisfy the amount due and sale costs.
- Sec. 8: Surplus sale proceeds shall be distributed to holders of subsequent mortgages or judgments, provided the parties can agree. If not, the money shall be deposited with the BA Court.
- Sec. 9: Court shall distribute the funds to interested parties who apply.
- Sec. 10: An affidavit of the sale shall be made by the auctioneer and shall include a copy of the published sale notice
- Sec. 11: An affidavit of the sale notice shall be made by the newspaper.
- Sec. 12: These affidavits may be filed with the court and recorded by the clerk in the mortgage records.
- Sec. 13: A note referring to this record shall be made in the margin of the recorded mortgage.
- Sec. 16: Interested parties may apply to the court for an injunction to stay the sale.

### **Acts of 1838, Ch. 303**

An act re jurisdiction, passed 3-26-1839

- Chancery Court and county courts shall have jurisdiction in disputes between owners of ships, vessels, schooners, and steamboats and may decree a sale and apportion the proceeds among the interested parties. County courts shall not have jurisdiction when any defendant is not a resident of the county where the bill is filed.

### **Acts of 1840, Ch. 109**

An act re proceedings, passed 2-22-1841

- Sec. 1: When minor defendants have been summoned to appear, the county court clerk may issue a commission to assign a guardian to take the answer. This is now done by court order.
- Sec. 2: Any sale made under a decree of a county court and reported during the court recess shall stand for final ratification without procuring a nisi order, provided the clerk enters on the docket a notice of motion for final ratification to be published as court rules prescribe.
- Sec. 3: In cases of petition or bill of complaint for the sale of real property of minors by their guardian or next friends, the court clerks may issue commissions to value the lands and assign guardians. This is now done by court order.
- Sec. 4: If all parties agree in writing, a county judge may issue a decree between court terms.
- Sec. 5: County court clerks may issue commissions to take testimony to such persons as the parties agree upon in writing.
- Sec. 6: Proceedings may be commenced in the county court where the land lies in whole or part or where the defendants or any of them reside. The clerk of the court conducting the case shall send to the clerk of the court where the land is located a copy of the proceedings to be recorded in the land records.

### **Acts of 1840, Ch. 238**

An act supplemental to 1829, Ch. 202, re divorces, passed 3-9-1841

- Sec. 1: Applications for a divorce shall be made to a justice of the peace.
- Sec. 2: Either party may take testimony before the justice or where the witnesses reside if in a different county. Applicant shall send the testimony to the General Assembly.

### **Acts of Dec. 1841, Ch. 262**

An act re divorces, passed 3-1-1842

- Sec. 1: Chancery Court and county courts shall have jurisdiction over all applications for divorce.
- Sec. 2: When a divorce is decreed, the court shall have the authority to award alimony, settle property, and award custody of children.

### **Acts of 1845, Ch. 254**

An act re decrees, judgments, and judicial proceedings, passed 2-24-1846

- Sec. 1: County court clerks shall transcribe in a separate book at the end of each court term from the docket entries those civil and equity cases that have been terminated. Each record shall show the names of the parties, nature of the case, docket entries, any names of superseders, other memoranda, judgment, decree, order or agreement, and court costs. The books shall have numbered pages and be indexed.
- Sec. 2: County court clerks shall also transcribe the following in separate books with numbered pages and indexed:
  - docket entries of every execution which shall be entered satisfied or otherwise settled
  - docket entries of every fieri facias or other final process under which personal property was seized, with a copy of the accompanying schedule
  - sheriffs returns on such executions or fieri facias

### **Constitution of 1851, Art. III**

- Sec. 21: No divorce shall be granted by the General Assembly.

### **Constitution of 1851, Art. IV**

- Sec. 8: Circuit courts shall exercise all jurisdiction of the Chancery Court.
- Sec. 11: BC shall have another court of law called the Superior Court which shall have jurisdiction where the debt or damages claimed exceeds \$500 and handle all other civil cases not assigned to the Court of Common Pleas. Superior Court shall also have equity jurisdiction.
- Sec. 21: Chancellor and register of the Chancery Court shall remain in office for two more years.

### **Acts of 1852, Ch. 16**

An act re jurisdiction, passed 2-24-1852

- Sec. 1: County circuit courts and BC Superior Court shall have all powers and duties imposed on the Chancery Court before adoption of the present Constitution.
- Sec. 5: When defendants reside in another county or BC or reside in more than one county and BC, the court in which the proceedings began shall have jurisdiction.

### **Acts of 1852, Ch. 173**

An act re proceedings, passed 5-24-1852

- Sec. 1: Court clerks may pass orders nisi for ratification of sales, but not final orders.
- Sec. 2: Court clerks may issue commissions to take testimony to commissioners appointed by the court or when parties agree in writing to the named commissioners.
- Sec. 3: Court clerks may issue commissions to assign guardians and take answers of minors and commissions to value real property of minors where there is an application to sell land.
- Sec. 4: Court clerks may pass and issue orders of publication to notify nonresident defendants.

## **Acts of 1852, Ch. 198**

An act re mortgage foreclosures in BC, passed 5-13-1852

- Jurisdiction and powers of in the BA Court re mortgage foreclosures on land and chattels real in BC which contained an assent to the passage of a decree for sale of the premises are hereby vested in the BC Superior Court.

## **Acts of 1852, Ch. 227**

An act re proceedings in BC, passed 5-17-1852

- Sec. : Cases pending in the BA Court at the time of the establishment of the BC Superior Court, in which all or part of the land is within BC or all or some of the defendants reside in BC, shall be transferred to the latter court.
- Sec. 4: Actions already taken by the BC Superior Court are hereby confirmed.

## **Acts of 1852, Ch. 312**

An act re proceedings in BC, passed 5-29-1852, effective 1-1-1854

- BC Superior Court with consent of the parties may appoint a referee to hear arguments and recommend a decree.

## **Acts of 1853, Ch. 122**

An act to establish BC Circuit Court, passed 4-22-1853

- Sec. 1: BC Circuit Court is established and shall consist of one judge.
- Sec. 2: The court shall have concurrent equity jurisdiction with the BC Superior Court.
- Sec. 5: The court shall have a clerk who shall give bond to be approved by the judge.
- Sec. 6: The first election for the judge and clerk shall be in November 1853.

## **Acts of 1853, Ch. 123**

An act re proceedings, passed 4-21-1853

- Sec. 1: Plaintiffs or defendants may request that a case be removed from the Chancery Court to a circuit court. Case papers and a transcript of the docket entries shall be sent to the circuit court.

## **Acts of 1853, Ch. 412**

An act re proceedings, passed 6-30-1853

- Sec. 1: Court clerks shall the authority to pass orders nisi for ratification of auditors reports and accounts, but not final orders.

## **Acts of 1854, Ch. 64**

An act re judgment and decree indexes in AA, passed 2-24-1854

Presently in AA judgments and decrees are indexed by only the first named defendant and superseded judgments not at all.

- Sec. 1: Hereafter when judgments are rendered in the AA Circuit Court, the names of all defendants shall be indexed.
- Sec. 2: In addition, the names of all persons superseding a judgment shall be indexed.
- Sec. 3: Court clerk shall also index all judgments standing open on the docket for the past twelve years.
- Sec. 4: These provisions shall also extend to decrees and decretal orders passed in equity cases.

### **Acts of 1856, Ch. 251**

An act re records in FR, passed 3-10-1856

- Sec. 2: FR Circuit Court clerk shall transcribe Equity Dockets 1 and 2.

### **Acts of 1860, Ch. 214**

An act re proceedings in BC affecting land in WA, passed 3-9-1860

Papers and proceedings in Robert Gilmer vs. Brien in the Chancery Court were sent to the BC Superior Court. The lands lie exclusively in WA, and the titles of many persons in WA are involved.

- Sec. 1: The BC Superior Court clerk shall have all the papers and proceedings in case of Robert Gilmer vs. Brien copied and sent to the WA Circuit Court clerk for recording.

### **Public General Laws of 1860, Art. 61**

Mechanics liens

- Sec. 24: Proceedings to recover the amount of any lien shall be by bill in equity or scire facias. [Found no law prior to 1860 on recovery in equity.]

### **Constitution of 1864, Art. III**

- Sec. 31: The 13th circuit shall consist of four courts: BC Superior Court, BC Court of Common Pleas, BC Circuit Court, and BC Criminal Court. Each court shall have one judge, elected for a fifteen year term.
- Sec. 32: General Assembly shall not pass local or special laws for granting divorces.
- Sec. 33: The jurisdiction of the BC Superior Court shall include cases where the debt or damages claimed exceeds \$1000, equity concurrent with the BC Circuit Court, all other civil cases not assigned to the BC Court of Common Pleas, and appeals from commissioners for opening streets.
- Sec. 35: The jurisdiction of the BC Circuit Court shall include equity concurrent with the BC Superior Court and commissions involving estates.

## **Acts of 1865, Ch. 162**

An act re estates, passed 3-24-1865

- Sec. 3: Orphans courts and courts of equity shall have concurrent jurisdiction in authorizing and directing sales of the real property of intestates where the appraised value is not over \$1500.

## **Acts of 1866, Ch. 81**

An act re estates, passed 3-7-1866

- Sec. 3: Orphans courts and courts of equity shall have concurrent jurisdiction in authorizing and directing sales of the real property of intestates where the appraised value is not over \$2500.

## **Constitution of 1867, Art. III**

- Sec. 33: General Assembly shall not pass local or special laws for granting divorces or changing names.

## **Constitution of 1867, Art. IV**

- Sec. 18: Court of Appeals shall develop uniform rules, forms, and modes for equity proceedings.
- Sec. 27: The 8th circuit shall consist of six courts: BC Supreme Bench, BC Superior Court, BC Court of Common Pleas, BC Court, BC Circuit Court, and BC Criminal Court.
- Sec. 29: BC Circuit Court shall have exclusive jurisdiction in equity cases, except for applications for writs of habeas corpus in criminal cases.
- Sec. 33: The powers and duties of the BC Supreme Bench shall include providing for the general court terms to be held by at least three judges, making rules and regulations for the conduct of court business, and hearing and determining motions for new trials and motions in arrest of judgment.

## **Acts of 1868, Ch. 19**

An act re records in WA, approved 2-6-1868

- Sec. 2: WA Circuit Court clerk shall transcribe Equity Docket 2 with an index.

## **Acts of 1868, Ch. 129**

An act re docket indexes in BA, approved 3-17-1868

- Sec. 1: BA Circuit Court clerk shall make general indexes to the civil and equity dockets dating from 1851.
- Sec. 3: Hereafter the clerk shall continue to maintain the indexes.

## **Acts of 1868, Ch. 311**



An act re name changes, approved 3-30-1868

- Sec. 1: A person wanting to change a name may file in the county circuit court or BC Circuit Court a petition stating the change sought and reasons. A petition may also be filed on behalf of a minor by a parent or guardian.

### **Acts of 1868, Ch. 348**

An act to repeal and reenact Sec. 58 of Art. 16, Public General Laws, re proceedings, approved 3-30-1868

- Sec. 58: Proceedings may be commenced in the county circuit court or BC Circuit Court where the land lies in whole or part or where the defendants or any of them resides. No proceedings shall affect title to real property or personal property beyond the limits of the county or BC where the case was instituted until a copy of the bill of complaint has been filed with the clerk of the county circuit court or BC Circuit Court where the property is located. Clerk receiving the record shall enter and index it in the equity docket and state therein which court it came from.

### **Acts of 1868, Ch. 471**

An act to repeal and reenact Art. 26 and to repeal Secs. 22 and 99-103 of Art. 16 and Secs. 33-43 of Art. 88, Public General Laws, re corporations, approved 3-30-1868

- Sec. 184: Governor may order the Attorney General or a states attorney to file a bill in a county circuit court or BC Circuit Court for restraining by injunction any corporation from the assumption of a franchise or transaction of business not allowed by its charter or by law. The bill shall be filed where the principal office or place of operation is located. Appeals may be taken to the Court of Appeals.

### **Acts of 1870, Ch. 108**

An act re indexes in PG, approved 3-23-1870

- Sec. 1: PG Circuit Court clerk shall prepare a general index to equity dockets, dating from 1852.
- Sec. 2: Clerk shall continue to maintain the index.

### **Acts of 1870, Ch. 247**

An act to add sections to Art. 16, Public General Laws, re trustees, approved 4-7-1870

- Sec. 1: A trustee appointed by a will or in an equity case to manage, lease, or sell real property or personal property may petition the equity court in the county or BC where the property is located for permission to resign. Any accounts of receipts and disbursements must be included. The court may decree a release and discharge the trustee.
- Sec. 2: The court shall appoint a new trustee.

### **Acts of 1874, Ch. 312**

An act to repeal Sec. 110 of Art. 16, Public General Laws, re proceedings in BC, approved 4-11-1874

- Sec. 1: Sec. 110 of Art. 16, Public General Laws, [requiring opinions for final decrees or decretal orders when passed upon written or oral arguments], is repealed as far as it relates to BC.

### **Acts of 1874, Ch. 483**

An act to repeal and reenact Art. 81, Public General Laws, re deeds of trust, approved 4-11-1874

- Sec. 107: A trustee to whom an estate has been limited or conveyed for the benefit of creditors or to be sold for other purposes shall file with the court where the instrument is recorded a bond, to be recorded by the court clerk. When the sale is to be made on a contingency, no bond is necessary until the contingency happens. No title shall pass to a trustee until the bond is filed and approved, and no sale shall be made without a valid bond.
- Sec. 109: If the bond is not filed within three months after the trust instrument is recorded, the court shall appoint another trustee.
- Sec. 110: Six months after giving bond the trustee shall report to the court on the trust estate and its disposition and any sale that was made. Sales must be ratified by the court.

### **Acts of 1876, Ch. 34**

An act re records in FR, passed 3-9-1876

- Sec. 2: FR Circuit Court clerk shall transcribe Equity Docket 3 and 4.

### **Acts of 1882, Ch. 15**

An act to repeal and reenact Secs. 7-9 of Art. 79, Public General Laws, re receipts and releases, approved 2-17-1882

- Sec. 7: All receipts, releases, and final discharges shall be recorded by the court clerk where the trustee was appointed, deed recorded, or trust executed or by the register of wills where the will was recorded. Females over age eighteen may execute such documents.

### **Acts of 1882, Ch. 389**

An act re indexes in HO, approved 5-3-1882

- Sec. 1: HO Circuit Court clerk shall make general indexes of civil and equity dockets since their beginning.

### **Acts of 1884, Ch. 238**

An act re leasehold property, approved 4-8-1884

- Sec. 1: A decree for the renewal of a ninety-nine year lease shall be sufficient to renew the title of all parties to the lease. The decree shall not bind a person not party to the suit.

- Sec. 2: A copy of the decree shall be recorded in the land records of the county or BC where the land is located.

### **Acts of 1884, Ch. 396**

An act to add a section to Art. 16, Public General Laws, re estates, approved 4-8-1884

[Sec. 126 concerns the sale of real property when the personal property of an estate is insufficient to pay debts.]

- Sec. 126A: Claims against the estate shall be proven and filed in the court where the proceedings were instituted or where the land lies. A certificate from the register of wills shall be sufficient proof of claims filed there and distributions out of the sale of personal property, unless excepted by an interested party.

### **Acts of 1886, Ch. 231**

An act to repeal and reenact Sec. 45 of Art. 16, Public General Laws, re minors, approved 4-7-1886

- Sec. 45: When real or leasehold property owned in whole or part by a minor is sold through an equity proceeding, the sale proceeds to which the minor is entitled shall be invested under the direction of the court decreeing or ratifying the sale, provided the sum exceeds \$500. The investments may not be transferred except by court order. With lesser amounts the court may order the money paid to the guardian upon proof that the individual has filed a bond with the register of wills.

### **Acts of 1886, Ch. 282**

An act re indexes in WI, approved 4-7-1886

- Sec. 1: WI Circuit Court clerk shall prepare a general index of judicial and equity records and dockets.

### **Acts of 1886, Ch. 322**

An act to add a section to Art. 16, Public General Laws, re claims, approved 4-7-1886

- Sec. 1A: In cases of voluntary trusts, under decrees for payment of debts, or where creditors prove claims in court, the court clerks shall use a claims docket to enter alphabetically the names of the creditors, character of the claims, amounts, and dates proven.

### **Acts of 1888, Ch. 194**

An act to establish BC Circuit Court No. 2, approved 3-31-1888

- Sec. 1: BC Circuit Court No. 2 is established and shall have concurrent equity jurisdiction with BC Circuit Court. Both courts shall have the same court terms and return days, subject to rules and regulations of the BC Supreme Bench for the proper apportionment of business.

- Sec. 2: An additional judge of the BC Supreme Bench shall be elected in November 1888.
- Sec. 3: At the same time a clerk for the court shall be elected.

### **Acts of 1888, Ch. 508**

An act re judgment and decree indexes in BA, approved 4-5-1888

- Sec. 1: BA Circuit Court clerk is authorized to formulate a plan for preparing a general index of judgments and decrees affecting the title to real property and submit it to the court for approval.

### **Acts of 1890, Ch. 64**

An act to repeal and reenact Sec. 30 of Art. 16, Public General Laws, re equity, approved 2-28-1890

- Sec. 30: No declaratory suit can be brought or decree passed to establish facts that are without legal consequences. Whenever such questions are involved, which parties may be entitled to have submitted to a jury, the court shall direct an issue or issues to be made up and sent to a court of law. Nothing herein shall prevent the BC equity courts from summoning a jury to try such issues per Sec. 174 of Art. 4, Public Local Laws. Orders granting or denying such issues may be appealed.

### **Acts of 1890, Ch. 197**

An act to amend Sec. 692 of Art. 4, Public Local Laws, re mortgage foreclosures in BC, approved 3-27-1890

- Sec. 692: Decrees for sale by consent involving mortgages shall include goods and chattels, following the same procedures as for real property and chattels real.

### **Acts of 1890, Ch. 383**

An act to add a section to Art. 17, Public General Laws, re auditors reports, approved 4-3-1890

- Sec. 2A: When ratified by a court, the auditors report of distribution of proceeds of a sale of real property or personal property shall be recorded by the court clerk in a book for that purpose. This act shall not apply to BA, CV, and SO.

### **Acts of 1890, Ch. 427**

An act re records in TA, approved 4-8-1890

- Sec. 1: TA Circuit Court clerk shall prepare general indexes of plaintiffs and defendants of all equity cases since 1850.
- Sec. 3: The clerk shall maintain the indexes for subsequent cases.

### **Acts of 1892, Ch. 241**

An act to repeal and reenact Sec. 205 of Art. 81, Public General Laws, re deeds of trust, approved 4-1-

- Sec. 205: A trustee to whom an estate has been limited or conveyed for the benefit of creditors or to be sold for other purposes shall file with the court where the instrument is recorded a bond, to be recorded by the court clerk. If the property lies in the county or BC where the grantor resides and elsewhere, the bond shall be recorded in the place of residency. If the property lies in a county or BC other than the residence of the grantor, the bond shall be recorded where the deed of trust was first recorded. When the sale is to be made on a contingency, no bond is necessary until the contingency happens. No title shall pass to a trustee until the bond is filed and approved, and no sale shall be made without a valid bond.

### **Acts of 1892, Ch. 244**

An act to add sections to Art. 16, Public General Laws, re adoptions, approved 3-31-1892

- Sec. 62A: Upon application to the court and notice to any parents or guardians, courts of equity shall have the authority to decree a minor the adopted child of a petitioner, provided the court deems the action in the best interest of the child and the child, if able, assents.
- Sec. 62D: The court may also decree to change the name of the child, if so requested in the petition.

### **Acts of 1894, Ch. 169**

An act re records in CH, approved 4-3-1894

- Sec. 1: CH Circuit Court clerk shall transcript Equity Docket 1, 1811-1885, and index it.

### **Acts of 1894, Ch. 453**

An act re records in WO, approved 4-6-1894

Some equity records were destroyed in a courthouse fire in 1893.

- Sec. 1: Where papers have been destroyed, docket entries shall be received in evidence in cases in WO and other courts.
- Sec. 2: Where papers have been destroyed and title to real property is involved and no deed has been executed, the circuit court shall use docket entries to determine if the purchaser has paid or secured the purchase money and shall pass an order for execution of the deed.
- Sec. 3: Where audits have been destroyed, the auditors shall reconstruct them.
- Sec. 5: This act shall not apply to any contested case where the court has not passed a decree or final order.

### **Acts of 1894, Ch. 513**

An act to add a section to Art. 17, Public General Laws, re records, approved 4-6-1894

- Sec. 20A: When requested in writing and recording costs are paid, the court clerks shall record

court papers even when title to land is not involved.

### **Acts of 1900, Ch. 114**

An act to repeal and reenact Sec. 205 of and to a section to Art. 16, Public General Laws, re deeds of trust, approved 3-27-1900

- Sec. 205: A trustee to whom an estate has been limited or conveyed for the benefit of creditors or to be sold for other purposes shall file with the court where the instrument is recorded a bond, to be recorded by the court clerk. If the property lies in the county or BC where the grantor resides and elsewhere, the bond shall be recorded in the place of residency. If the property lies in a county or BC other than the residence of the grantor, the bond shall be recorded where the deed of trust was first recorded. No title shall pass to a trustee until the bond is filed and approved, and no sale shall be made without a valid bond.
- Sec. 205A: When any estate shall be limited or conveyed to a trustee as security for debt or to be sold upon a contingency, the trustee need not file a bond until the contingency happens or a sale is about to be made. The bond shall be filed with the court where the deed of trust is recorded. The trustee shall report the sale to the court having equity jurisdiction.

### **Acts of 1900, Ch. 234**

An act re indexes in BA, approved 4-7-1900

- Sec. 1: With approval of the judges the BA Circuit Court clerk shall select a plan for new indexes of Equity Dockets 1-15.

### **Acts of 1900, Ch. 461**

An act re indexes in KE, approved 4-7-1900

- Sec. 1: KE Circuit Court clerk shall prepare a general index of all equity proceedings and include the names of all parties.

### **Acts of 1900, Ch. 471**

An act re records in PG, approved 4-7-1900

- Sec. 85C: PG Circuit Court clerk shall designate each volume of equity records with successive numbers, beginning with one.

### **Acts of 1902, Ch. 516**

An act to add a section to Art. 17, Public General Laws, re bonds, approved 4-11-1902

- Sec. 51A: Clerks of law and equity courts shall record all bonds filed, given, or taken in proceedings at law and in equity. Each book shall contain an index of all parties to the bonds.

### **Acts of 1904, Ch. 11**

An act re indexes in AL, approved 2-26-1904

- Sec. 1: AL Circuit Court clerk is authorized to prepare a general index of equity records for 1816-1904

### **Acts of 1904, Ch. 13**

An act re indexes in BA, approved 3-4-1904

- Sec. 1: BA Circuit Court clerk shall transcribe the index in Equity Docket 16 to conform with the general equity indexes.

### **Acts of 1906, Ch. 52**

An act re indexes in HA, approved 3-13-1906

- Sec. 1: HA Circuit Court clerk shall prepare indexes to all proceedings affecting title to land by way of commissioners appointed under various legislative acts, through condemnations or writs of inquisition, and writs of execution or otherwise. In addition, the clerk shall record all civil and equity proceedings affecting title to land not done by the former clerk.

### **Acts of 1906, Ch. 159**

An act re indexes in GA, approved 3-23-1906

- Sec. 2: GA Circuit Court clerk shall index all assignments of mortgages and bills of sale in the names of assignors and assignees and all judgments in personam decreed in equity cases in the names of plaintiffs and defendants in a separate book.

### **Acts of 1906, Ch. 477**

An act re indexes in CR, approved 4-5-1906

- Sec. 1: CR Circuit Court clerk shall prepare a general index of equity records.

### **Acts of 1906, Ch. 757**

An act re indexes in MO, approved 4-5-1906

- Sec. 1: MO Circuit Court clerk shall prepare a general index of all equity cases appearing on the dockets, beginning with the earliest. The index shall include for each case the names of all parties, name of the landowner when a sale of land is involved, number or year of the docket, case number, and reference to any recorded version.
- Sec. 3: Clerk shall continue to maintain this index.

### **Acts of 1906, Ch. 790**

An act re records in HA, approved 4-5-1906

- Sec. 1: HA Circuit Court clerk shall procure from the Land Office copies of papers and recorded cases of the Chancery Court, affecting title to land in HA. The clerk shall file and index them.
- Sec. 3: Clerk shall also prepare an index of the bonds of trustees and other fiduciaries.

### **Acts of 1908, Ch. 404**

An act to add a section to Art. 17, Public General Laws, re divorces, approved 4-8-1908

- Sec. 23A: Clerks of the county circuit courts, BC Circuit, and BC Circuit Court No. 2 shall maintain books for recording all final divorce decrees.

### **Acts of 1908, Ch. 661**

An act to add a section to Art. 16, Public General Laws, re records, approved 4-5-1908

- Sec. 201A: When a decree requires the plaintiff to pay court costs or make a money payment, the court clerk shall index the name of the plaintiff in a separate index of plaintiffs. No lien under such a decree shall arise against the real or leasehold property of the plaintiff and no right of execution shall accrue until the name is so indexed.

### **Acts of 1910, Ch. 87**

An act re indexes and records in PG, approved 4-5-1910

- Sec. 1: PG Circuit Court clerk shall prepare a general index of all cases appearing in the equity dockets, beginning with the earliest. The index shall include for each case the names of all parties, name of the landowner if not one of the parties, and references to the docket, papers, and recorded version.
- Sec. 2: Clerk shall continue to maintain this index.
- Sec. 5: Clerk shall record all proceedings affecting title to land and proper to be recorded.

### **Acts of 1910, Ch. 312**

An act re indexes in KE, approved 4-7-1910

- Sec. 1: KE Circuit Court clerk shall prepare a general index of all equity proceedings and include the names of all parties.

### **Acts of 1916, Ch. 461**

An act re indexes in KE, approved 3-31-1916, effective 6-1-1916

- Sec. 1: KE Circuit Court clerk shall prepare a general index of all equity proceedings and include the names of all parties.



### **Acts of 1918, Ch. 43**

An act to add a section to Art. 16, Public General Laws, re deeds of trust, approved 4-10-1918

- Sec. 246A: When a trustee named in a deed of trust dies or fails to perform the duties, interested parties may petition a court of equity to appoint a substitute trustee.

### **Acts of 1920, Ch. 130**

An act re indexes in HO, approved 4-16-1920, effective 6-1-1920

- Sec. 1: HO Circuit Court clerk shall prepare a general index of land, mortgage, equity, judgment, and magistrate judgment records, dating from 1840, according to the most approved system now in vogue.

### **Acts of 1920, Ch. 228**

An act to add a section to Art. 16, Public General Laws, re trust estates and estates, approved 4-9-1920

- Sec. 251A: Any trustee, executor, administrator, or other fiduciary desiring to compromise or settle a claim or dispute concerning the estate or property may submit the proposal to a court of equity for its ratification or approval. It may be done as part of an ongoing case or by an original bill of complaint or petition.

### **Acts of 1922, Ch. 220**

An act re indexes in CE, approved 4-13-1922, effective 6-1-1922

- Sec. 2: CE Circuit Court clerk is authorized to prepare a general index of Equity Dockets 1-8, according to the most approved system now in vogue.

### **Acts of 1927, Ch. 99**

An act re indexes in HA, approved 3-23-1927, effective 6-1-1927

- Sec. 1: The committee appointed per Acts of 1924, Ch. 24 to select a system of general land and judgments indexes in HA and to contract for implementing it shall include new general indexes to equity records.

### **Acts of 1927, Ch. 613**

An act re indexes in MO, approved 4-26-1927, effective 6-1-1927

- Sec. 1: MO Circuit Court clerk is authorized to prepare a general index of land, mortgage, equity, judgment, magistrates judgment, and plat records according to an approved modern system.
- Sec. 2: Clerk may let out the work on contract.
- Sec. 3: Clerk is authorized to work with a committee of the county bar association to investigate

indexing systems to determine the best method for MO.

### **Acts of 1927, Ch. 643**

An act to repeal and reenact Sec. 192 of Art. 16, Public General Laws, re proceedings, approved 4-26-1927

- Sec. 192: Equity courts shall file opinions for any final decree or decretal order whenever it passed upon oral or written arguments. This provision shall not apply in BC and the 7th judicial circuit.

### **Acts of 1927, Ch. 647**

An act re indexes in CR, approved 4-26-1927, effective 6-1-1927

- Sec. 2: CR Circuit Court clerk shall prepare a general index of equity records dating from 1915, according to the most approved system now in vogue.
- Sec. 3: Clerk shall let out the work on contract

### **Acts of 1929, Ch. 410**

An act to repeal and reenact Sec. 192 of Art. 16, Public General Laws, re proceedings, approved 4-11-1929

- Sec. 192: Equity courts shall file opinions for any final decree or decretal order whenever it passed upon oral or written arguments. This provision shall not apply in BC and BA.

### **Acts of 1929, Ch. 501**

An act to add a section to Art. 16, Public General Laws, re trust estates, approved 4-11-1929

- Sec. 267A: Whenever in any will, deed, or other instrument executed after July 1, 1929 real property or personal property is given to a trustee, with or without personal or discretionary power of sale or investment, anyone having an interest in the trust estate may apply to a court of equity to have the trust administered under its supervision.

### **Acts of 1929, Ch. 518**

An act to add a section to Art. 16, Public General Laws, re trust estates, approved 4-11-1929, effective 6-1-1929

- Sec. 117A: Courts of equity shall have the power to appoint a committee or trustee to take charge of and manage the property of a person incompetent by reason of insanity. The petition shall be accompanied by certificates from doctors. Courts may revoke, modify, or alter any decree.

### **Acts of 1929, Ch. 522**

An act to repeal and reenact Sec. 2 of Acts of 1927, Ch. 647, re indexes in CR, approved 4-11-1929,

effective 6-1-1929

- Sec. 2: CR Circuit Court clerk shall prepare a general index of equity records dating from earliest records, according to the most approved system now in vogue.

### **Acts of 1931, Ch. 453**

An act to add a section to Art. 16, Public General Laws, re trust estates, approved 4-17-1931, effective 6-1-1931

- Sec. 268A: Courts of equity shall have jurisdiction to enforce trusts for charitable purposes upon suit of the state by the Attorney General or anyone else having an interest in the trust.

### **Acts of 1931, Ch. 504**

An act to repeal and reenact Sec. 192 of Art. 16, Public General Laws, re proceedings, approved 4-17-1931, effective 6-1-1931

- Sec. 192: Equity courts shall file opinions for any final decree or decretal order whenever it passed upon oral or written arguments. This provision shall not apply in BC and PG.

### **Acts of 1933, Ch. 201**

An act to add a section to Art. 16, Public General Laws, re insolvency, approved 4-21-1933, effective 6-1-1933

- Sec. 47A: Whenever an assignment is made for the benefit of creditors and the court assumes jurisdiction and whenever a receiver is appointed by the court for an insolvent firm or corporation, the court, upon petition of two or more creditors, shall refer the cause to one of the standing commissioners or examiners of the court who shall examine the insolvent as to the condition and disposition of assets. The depositions, vouchers, and other papers filed in evidence shall be returned to the court clerk.

### **Acts of 1937, Ch. 197**

An act to repeal and reenact Sec. 278 of Art. 16, Public General Laws, re testimony, approved 5-18-1937, effective 6-1-1937

- Sec. 278: When testimony has been taken in shorthand and no appeal noted, it need not be transcribed, typewritten, or filed unless otherwise ordered by the court.

### **Acts of 1937, Ch. 259**

An act re indexes in AA, approved 4-26-1937

Equity cases dating from 1852 have never been placed in a general index, but appear only in the original dockets, some of which are damaged.

- Sec. 1: AA Circuit Court shall appoint a committee of three members of the AA Bar Association to select a system for a general index of equity cases.

### **Acts of 1941, Ch. 14**

An act to repeal and reenact Sec. 18 of Art. 62, Annotated Code, re divorces, approved 4-15-1941, effective 6-1-1941

- Sec. 18: Monthly the court clerks shall send to the Bureau of Vital Statistics a report of the names and residences of parties in divorce suits. If a divorce is granted, a copy of the decree shall be sent.

### **Acts of 1943, Ch. 127**

An act to repeal and reenact Sec. 18 of Art. 62, Annotated Code, re divorces, approved 3-23-1943, effective 6-1-1943

- Sec. 18: Monthly the court clerks shall send to the Bureau of Vital Statistics a report all divorces that are granted.

### **Acts of 1945, Ch. 343**

An act to add a section to Art. 16, Annotated Code, re adoptions, approved 3-24-1945, effective 6-1-1945

- Sec. 78A: Records and papers in adoptions proceedings prior to the entry of a final decree shall be open to inspection only upon court order. The parties in any adoption where a final decree has already been issued or is made hereafter may petition the court to have the papers sealed. Sealed records may be examined only by court order.

### **Acts of 1947, Ch. 599**

An act to repeal Secs. 78-84 of and to add sections to Art. 16, Annotated Code, re adoptions, approved 4-25-1947, effective 6-1-1947

- Sec. 85E: Records and papers in adoptions proceedings from and after the filing of the petition shall be sealed and opened to inspection only by court order. Parties in proceedings where the decree was issued prior to June 1, 1947 may petition the court to seal the records in that case. Court clerks shall keep separate dockets for adoptions.

### **Acts of 1962, Ch. 46**

An act to repeal and reenact Secs. 319(a) of Art. 93, Annotated Code, re estates approved 3-34-1962, effective 6-1-1962

- Sec. 319(a): Orphans courts and courts of equity shall have concurrent jurisdiction in authorizing and directing sales of the real property of intestates where the appraised value is not over \$15,000.

## ESTATES

### **Acts of 1752, Ch. 3**

An act re guardianships, passed 6-23-1752

- Sec. 1: Doubts exist as to whether persons chosen by orphans of age fourteen or older as guardians must give security.
- Sec. 2: County courts shall require such guardians to give bond.
- Sec. 3: Executors, administrators, and former guardians shall pay or deliver to the guardian the estate of the orphan only when bond has been given.

### **Acts of 1763, Ch. 24**

An act re guardianships, passed 11-21-1763

- Sec. 1: Sometimes executors, administrators, and others who marry widows obtain possession of the real property of orphans and commit waste and destruction thereon before any balance is transmitted from the commissary, in which case no guardian can be appointed by the county court under the current law.
- Sec. 2: Hereafter on application, the county court shall appoint a guardian or permit a ward age fourteen or older to choose a guardian and then order the real property into the hands of the guardian, according to current rules and regulations. Personal property shall be transmitted as a balance from the commissary.

### **Constitution of 1776**

- Art. 40: Registers of wills and orphans court judges shall hold commissions for terms of good behavior.
- Art. 41: Governor on recommendation of the Senate and House of Delegates shall appoint registers of wills.
- Art. 48: Governor and council shall appoint orphans court judges.

### **Acts of Feb. 1777, Ch. 8**

An act to establish orphans courts and registers of wills, passed 4-1777

- Sec. 2: Office of Commissary General is abolished. Justices of the peace shall be appointed by the governor and council as justices of the orphans court according to the following numbers: seven each in AA, BA, and PG and five each in the remaining counties. The justices shall hold court for the administration of justice in testamentary, granting administrations, recovery of legacies, securing filial portions, and distributions of estates of intestates. They shall have the power, authority, and jurisdiction within their county that was formerly held by the Commissary General.
- Sec. 3: Justices shall take an oath.

- Sec. 4: Registers of wills shall have the power, authority, and jurisdiction formerly held by deputy commissaries, attend meetings of the orphans courts and maintain proceedings, and record estate documents.
- Sec. 6: Registers shall give bond, to be recorded in that office.
- Sec. 7: Orphans courts may proceed by way of summons, attachment, and distress to compel court attendance and after issuance of a decree or judgment may proceed by process of attachment or execution against the person, goods, chattels, lands, and tenements of the defendant.
- Sec. 9: At the request of either party, a trial may be heard before a jury impaneled by the sheriff.
- Sec. 10: A plaintiff may elect to originate a suit in the county court, General Court, or Chancery Court according to the respective jurisdictions.
- Sec. 18: Orphans courts shall have the power to summon juries of inquiries and other powers and jurisdictions regarding executors, administrators, guardians, and orphans that were formerly held by the county courts.

### **Acts of Oct. 1777, Ch. 9**

An act supplemental to Acts of Feb. 1777, Ch. 8, re registers of wills, passed 12-3-1777

- Sec. 4: Registers of wills during court recesses may take the probate of wills, grant letters of administration and letters testamentary, grant warrants to appraisers, and have the same authority as formerly held by deputy commissaries.

### **Acts of Nov. 1779, Ch. 14**

An act re estates, passed 12-30-1779

- Sec. 2: Orphans courts may order the sale of personal property to pay debts or, at the election of the heirs, for distribution. If no election is made or the parties disagree, the courts may use their own judgment.
- Sec. 5: If anyone leaves an estate sufficient to pay all debts, that person may settle the estate by will and direct that it not be inventoried.

### **Acts of 1790, Ch. 58**

An act supplemental to Acts of Feb. 1777, Ch. 8, re orphans courts, passed 12-21-1790

- Sec. 1: Sec 2 of Acts of Feb. 1777, Ch. 8, re justices, is repealed.
- Sec. 2: Governor and council shall appoint three persons as justices of each county orphans court.

### **Acts of 1791, Ch. 76**

An act supplemental to Acts of Feb. 1777, Ch. 8, re registers of wills, passed 12-30-1791

- Sec. 5: Registers of wills are authorized to pass any account where the amount of the inventory does not exceed £350. Orphans courts may alter or reverse the action.

## **Acts of 1797, Ch. 88**

An act re records in QA, passed 1-20-1798

- Sec. 1: Commissioners appointed by a 1795 resolution to examine records of the QA Register of Wills and county court clerk report that many are in ruinous condition and many papers unrecorded.
- Sec. 3: Register of wills shall record and index unrecorded papers.

## **Acts of 1798, Ch. 57**

An act re records in KE, passed 1-15-1799

- Sec. 2: KE Register of Wills shall transcribe books and papers in ruinous condition.

## **Acts of 1798, Ch. 101**

An act re estates and guardianships, passed 1-20-1799, effective 6-1-1799

- Ch. 1, Sec. 4: Wills and codicils must be signed by the testator and attested to by three or four witnesses.
- Ch. 2, Sec. 6: If a will naming an executor is exhibited during the court recess, the register of wills may take probate and grant letters testamentary provided the next of kin attend and make no objections or it appears they have been given notice.
- Ch. 2, Sec. 7: Orphans courts may do the same when the will is exhibited before it.
- Ch. 2, Sec. 8: If it appears that no notice was given to relatives, the orphans court may summon them or give public notice and proceed to take probate on an appointed day.
- Ch. 2, Sec. 9: Orphans courts shall hear and decide caveats against wills.
- Ch. 2, Sec. 11: Either party may appeal the decision to the General Court or Chancery Court within three days, an action that will stay all further proceedings in the orphans court. The decision of those courts shall be final.
- Ch. 2, Sec. 12: If no objections are made or caveats filed, it shall not be necessary to examine all witnesses unless they voluntarily attend.
- Ch. 3, Sec. 1: When a will respecting personal property has been probated or authenticated before the register of wills or orphans court, letters testamentary may be granted to the executor who shall give bond.
- Ch. 3, Sec. 3: If a bond is not filed within thirty days by a sole executor, the orphans court may grant letters of administration to an entitled person.
- Ch. 3, Sec. 4: If a sole executor is not present at probate and does not appear within sixty days, the orphans court may grant letters of administration to an entitled person.
- Ch. 3, Sec. 5: If a sole executor is out of state at the time of probate and does not appear within six months, the orphans court may grant letters of administration to an entitled person.
- Ch. 3, Sec. 6: Secs. 3-5 shall apply to each executor when there is more than one.
- Ch. 3, Sec. 7: An executor may file a renunciation of executorship.
- Ch. 3, Sec. 10: Registers of wills shall record bonds of executors and administrators.

- Ch. 3, Sec. 14: In case of a delay in granting letters testamentary or letters of administration, the orphans court may issue letters to one or more persons for the collection and preservation of the personal property of the deceased and the return of an inventory.
- Ch. 3, Sec. 16: That collector shall give bond, to be recorded by the register of wills.
- Ch. 3, Sec. 18: Collectors may collect goods, chattels, personal estate, and debts and secure them. Collectors may sell perishable property only with the approval of the orphans court and then account for it.
- Ch. 4, Sec. 1: Letters testamentary or letters of administration shall not be granted to anyone under age eighteen, of unsound mind, convicted of a crime, or not a U.S. citizen.
- Ch. 4, Sec. 2: Orphans courts may hold hearings to determine the above factors, if alleged by someone.
- Ch. 4, Sec. 8: No married woman shall be entitled to letters testamentary or letters of administration unless her husband gives bond.
- Ch. 5, Sec. 3: Persons applying for letters of administration must prove intestacy.
- Ch. 5, Sec. 4: Letters of administration may be revoked if a will is exhibited and proved within thirty days after the granting of letters.
- Ch. 5, Sec. 6: If an executor or administrator dies before completing administration, letters of administration de bonis non shall be granted, but not to the executor of an executor.
- Ch. 5, Sec. 22: If there are no relatives, letters of administration may be granted to the largest creditor applying for it.
- Ch. 5, Sec. 25: Administration may be granted to two or more persons with consent of the person first entitled.
- Ch. 6, Sec. 2: After letters are granted, a warrant shall be issued to two unrelated and uninterested parties to appraise the personal property.
- Ch. 6, Sec. 5: The value of articles shall be stated in dollars and cents.
- Ch. 6, Sec. 6: The inventory shall be returned within three months after the issuance of the warrant.
- Ch. 6, Sec. 7: Assets to be included in the inventory shall encompass the following:
  - leases for years
  - estates for the life of another person, except those granted to the decedent and heirs only
  - goods, wares, merchandise, utensils, furniture, negroes, cattle, stock, provisions, tobacco, and crops on the land
  - things annexed to a freehold or building that may be removed without prejudice to it
  - clothing, except that belonging to the widow and the family
  - ornaments, except heirlooms
- Ch. 6, Sec. 8: Within the same time period, the executor or administrator shall return an inventory of money belonging to the deceased and of debts due the decedent, specifying the nature of each and separating the sperate from the desperate or doubtful.
- Ch. 6, Sec. 9: When more personal property is discovered, additional inventories shall be returned within two months of the discovery.
- Ch. 6, Ch. 12: An executor or administrator shall either finish the crop on hand or sell it as deemed most convenient. The person entitled to the land at the death of the testator or intestate, or the guardian if a minor is involved, may take the crop and pay money for it or give bond for



paying it within six months, as approved by the orphans court or register of wills. The crop cannot be sold under the appraised value unless agreed to by the orphans court.

- Ch. 6, Ch. 13: If an inventory is not returned on time, the orphans court may summon the executor or administrator to show cause and revoke letters.
- Ch. 8, Sec. 1: Every executor or administrator within fifteen months after letters are granted shall return an account of the administration, unless the orphans court allows further time.
- Ch. 8, Sec. 3: Orphans courts may permit the sale of personal property to pay debts. No credit for purchases shall exceed twelve months, and when done bond shall be given.
- Ch. 8, Sec. 5: Executors and administrators shall have the power to commence and prosecute any personal action at law or equity which the deceased might have done except for actions of slander and injuries or torts done to the person. They shall also have the power to act as defendants.
- Ch. 8, Sec. 8: When a judgment is rendered against an executor or administrator, the court shall assess the sum to be paid according to available assets and debts due other persons.
- Ch. 8, Sec. 9: This assessment shall not occur until the administration account showing assets and claims is passed. The court may then refer the matter to an auditor to ascertain the sum for which judgment shall be given.
- Ch. 8, Sec. 10: Executors and administrators shall pay all just and exhibited claims against the decedent or a proportion thereof, according to the assets. For any known and just claim, although not exhibited, they shall retain sufficient funds, or a proportion thereof, for the creditor.
- Ch. 8, Sec. 12: With the consent of all parties, the orphans court may arbitrate between a claimant and executor or administrator. Or, the dispute may be referred to someone approved by the court.
- Ch. 8, Sec. 17: Judgments and decrees shall be fully discharged before any other claims against an estate.
- Ch. 8, Sec. 18: If an executor or administrator disputes or rejects a debt claim and the creditor or claimant does not file a suit for recovery within nine months, the claimed debt shall no longer be valid and cannot be collected.
- Ch. 8, Sec. 19: An executor or administrator may not retain assets for personal claims unless passed by the orphans court.
- Ch. 8, Sec. 22: Executors and administrators shall not pay claims unless passed by the orphans court or proved according to provisions of Ch. 9 [not abstracted] of this act.
- Ch. 10, Sec. 1: Administration accounts shall include assets as shown in the inventories and sales of personal property. Articles sold on credit shall not be accounted for until the money is received.
- Ch. 10, Sec. 2: Administration accounts shall include disbursements for funeral expenses, debts of the deceased, allowances for things lost or perished, commissions of the executors and administrators, and allowances and costs and expenses allowed by the orphans court in the recovery or security of any part of the estates.
- Ch. 10, Sec. 3: If the first account is not the final one, subsequent ones must be returned at six month intervals.
- Ch. 10, Sec. 4: Orphans courts shall examine the lists of debts and for every one not marked desperate or improper to put in suit, the executors or administrators shall sue for collection unless the debt is paid within six months.
- Ch. 10, Sec. 6: When all claims and debts have been discharged or settled, the executor or administrator shall distribute the estate to those entitled, unless future duty towards assets

remains.

- Ch. 10, Sec. 7: If assets exceed debts owed, heirs may petition the orphans court for a full or partial distribution before the final accounting because of financial need.
- Ch. 10, Sec. 11: If a will obligates the executor to retain personal property to be paid at a distant period of time or based upon a contingency, that person or interested parties may petition the orphans court or Chancery Court to decree or give directions regarding distribution.
- Ch. 11, Secs. 1-14: Detailed rules on the distribution of the estate of an intestate. [not abstracted]
- Ch. 11, Sec. 15: If there are no relatives within the fifth degree, the estate shall belong to the state, to be applied as directed by the legislature, saving to the schools the rights they have by existing laws.
- Ch. 11, Sec. 16: If the distributable estate of an intestate consists of specific articles and the administrator cannot satisfy the parties, the administrator may apply to the orphans court to make the distribution or order the sale of the property and distribution of the money.
- Ch. 12, Sec. 1: Whenever any land shall descend or be devised to a male under age twenty-one or an unmarried female under age sixteen, or such person shall be entitled to a share of the personal property of an intestate or to a legacy or bequest, and has no natural guardian or one appointed by a will, the orphans court shall appoint a guardian after the probate of the will or grant of administration.
- Ch. 12, Sec. 2: Orphans courts may summon orphans before them for the appointment of guardians.
- Ch. 12, Sec. 3: Orphans courts may require natural or appointed guardians to give bond.
- Ch. 12, Sec. 4: Guardians appointed by the orphans courts shall give bond, to be recorded.
- Ch. 12, Sec. 5: After execution of the bond, the orphans court shall have the power to order the land, distributive share, or other property of the orphan to be delivered to the guardian immediately or at a reasonable time.
- Ch. 12, Sec. 6: A guardian appointed by the orphans court and having the care of real property, shall within three months of giving bond have the estate appraised by two persons designated by the court. The appraisers shall examine the estate and estimate the annual value, including slaves, working beasts, and utensils proper to be leased with the land. They shall also note the existence and condition of dwelling houses, outbuildings, orchards, gardens, meadows, enclosures, other improvements, and woodland. The valuation shall be returned to the orphans court.
- Ch. 12, Sec. 7: Orphans court may permit the guardian to cut down and sell wood, if necessary for education and maintenance.
- Ch. 12, Sec. 8: With approval of the court the guardian may cultivate the land directly or lease it out.
- Ch. 12, Sec. 9: A guardian shall account for all profits and increases of the estate and be allowed for any loss or decrease sustained without fault.
- Ch. 12, Sec. 10: Annually or oftener if required by the court a guardian shall file an account with the orphans court. The account shall show the amount expended for maintenance and education of the ward. If advantageous to the ward, the orphans court may permit the guardian to exceed the income of the estate, make use of the principle, or sell part of it, provided no part of the real property shall be diminished without approbation of the Chancery Court or General Court as well as the orphans court.

- Ch. 12, Sec. 11: In the first account the guardian shall state the property received from the executor or administrator or otherwise belonging to the ward.
- Ch. 12, Sec. 12: When the personal property of a ward consists of specific articles and it is deemed advantageous, the orphans court may allow the guardian to exceed the income of the estate and use part of the principal, provided no part of the real property is diminished without approved of the Chancery Court or General Court as well as the orphans court.
- Ch. 12, Sec. 15: When an orphan comes of age, the guardian shall exhibit a final account and deliver property to the ward or husband of the ward.
- Ch. 13, Sec. 2: Within ninety days a widow may renounce any bequest or devise made in her husband's will and instead take her dower rights of one-third of the personal property remaining after the payment of debts and claims.
- Ch. 14, Sec. 1: A person entitled to administration may decline in writing to the orphans court.
- Ch. 14, Sec. 3: A common warrant for land not executed or located during the lifetime of the decedent shall be considered personal property. Otherwise it shall be considered as real property due the heirs.
- Ch. 14, Sec. 5: If anything is bequeathed to an executor as compensation, no commission shall be allowed unless it appears insufficient to the orphans court.
- Ch. 14, Sec. 6: No executor shall be obliged to exhibit an inventory or administration account provided bond is given and conditioned for the payment of all debts, claims, recoveries, and legacies, provided the executor is a residuary legatee or the residuary legatee is of age and consents.
- Ch. 14, Sec. 7: An administrator may do the same, but only if entitled to the whole residue after payment of debts and claims.
- Ch. 15, Sec. 1: Governor and council shall appoint three justices of the orphans court in each county. They shall take probate of wills, grant letters testamentary and letters of administration, direct the conduct of executors and administrators, secure rights of legatees, superintend the distribution of intestate estates, secure the rights of orphans, and administer justice in all matters re affairs of deceased persons.
- Ch. 15, Sec. 3: Term of office is indefinite.
- Ch. 15, Sec. 4: Commissions of the justices shall be recorded in the proceedings of the orphans courts.
- Ch. 15, Sec. 6: Any justice may also act as a justice of the peace.
- Ch. 15, Sec. 7: Justices shall take an oath.
- Ch. 15, Sec. 8: Orphans courts shall be held in February, April, June, August, October, and December. Any two justices shall be a quorum.
- Ch. 15, Sec. 9: Registers of wills shall attend meetings of the orphans courts, make entries of their proceedings, record documents as required by law, and prepare and issue summons, processes, and court orders.
- Ch. 15, Sec. 11: Registers of wills shall take an oath.
- Ch. 15, Ch. 12: Orphans courts shall have jurisdiction to examine, hear, and decree upon all accounts, claims, and demands existing between wards and guardians and legatees or heirs of intestate estates and executors or administrators, and may enforce decrees in the same manner as the Chancery Court.

- Ch. 15, Ch. 16: At the request of either party in a hearing, the orphans court may direct a plenary proceeding by bill or petition to which there shall be an answer.
- Ch. 15, Ch. 17: In such proceedings depositions shall be taken in writing and recorded. At the request of either party, the orphans court shall direct an issue to be prepared and sent to a court of law.
- Ch. 15, Ch. 18: Decisions of the orphans courts may be appealed to the Chancery Court or General Court. The decisions there shall be final.
- Acts of Feb. 1777, Ch. 8 and its supplements are repealed.

### **Acts of 1800, Ch. 76**

An act re estates and records in HA, passed 12-19-1800

- Sec. 1: HA Register of Wills shall record and index all unrecorded letters testamentary, letters of administration, administration bond, inventories, guardian bonds, lists of debts, and accounts of sales.
- Sec. 5: Where inventories, lists of debts, and accounts of sale have been filed but not endorsed, the orphans court shall summon executors and administrators or their successors to appear and give the prescribed oaths.
- Sec. 6: Orphans court may order the return of accounts of sales, if this has not been done.
- Sec. 7: In all cases of error and defect remedied by this act the register shall note that fact on the record.

### **Acts of 1802, Ch. 101**

An act supplemental to Acts of 1798, Ch. 101, re claims and accounts, passed 1-8-1803

- Sec. 4: During court recesses the registers of will may pass any account or claim against an estate where the amount does not exceed \$50.
- Sec. 8: Executors and administrators are no longer obliged to try to discover judgments or decrees issued against the decedent. Instead the claimants shall exhibit the claims as do other creditors, still retaining the preference for payment.
- Sec. 13: Ch. 8, Secs. 7-9 of Acts of 1798, Ch. 101, re judgments against executors and administrators, are repealed.

### **Acts of 1806, Ch. 9**

An act re records in SM, passed 12-31-1806

- Sec. 1: Many wills and other estate papers remain unrecorded in the office of the SM Register of Wills
- Sec. 2: Register shall record and index the unrecorded papers.

### **Acts of 1807, Ch. 50**

An act re records in KE, passed 1-20-1808

- Sec. 2: KE Register of Wills shall transcribe records and record papers as deemed necessary by the orphans court.
- Sec. 5: This act shall remain in effect until March 1, 1812.

### **Acts of 1807, Ch. 64**

An re records in WO, passed 1-20-1808

- Sec. 1: Many wills in WO are in a ruinous state.
- Sec. 2: WO Register of Wills shall make a new record from the original wills and affix indexes for wills filed but not recorded.

### **Acts of 1807, Ch. 136**

An act supplemental to Acts of 1798, Ch. 101, re guardianships, passed 1-20-1808

- Sec. 4: Orphans courts may appoint guardians for minors who may acquire property by gift or purchase as now done for orphans who inherit.

### **Acts of 1809, Ch. 168**

An act re receipts and releases, passed 1-7-1810

- Sec. 1: Registers of wills shall record in separate books receipts, releases, and final discharges from heirs, representatives, or legatees to guardians, executors, or administrators.

### **Acts of 1810, Ch. 34**

An act supplemental to Acts of 1798, Ch. 101, re estates, passed 12-23-1810

- Sec. 1: No nuncupative will shall be good where the estate bequeathed exceeds \$300 unless proved by three witnesses and took place during the last, sudden illness.
- Sec. 5: With specific articles in an estate the orphans court may appoint two persons to make the distribution or recommend a sale.
- Sec. 6: When the validity of a will is being contested, the orphans court may grant letters of administration to the executor, person bequeathed the largest portion of the personal property, or other entitled person, provided that upon a decision on the will administration shall be completed according to the usual rules.

### **Acts of 1813, Ch. 112**

An act re records in SM, passed 1-26-1814

- Sec. 1: SM Register of Wills shall transcribe and index wills and inventories.

### **Acts of 1816, Ch. 203**

An act supplemental to Acts of 1798, Ch. 101, re estates and guardianships, passed 2-3-1817

- Sec. 1: Natural guardians and guardians appointed by will shall give bond and file accounts per provisions of Acts of 1798, Ch. 101.
- Sec. 2: Orphans courts may authorize guardians to sell leasehold estates and shall order the proceeds to be invested in good securities. No sale, transfer, or disposal of securities of wards shall be made without concurrence of the court.
- Sec. 3: When an executor or administrator dies before settling an administration account, the executor or administrator of that person shall render the account.
- Sec. 5: During court recesses registers of wills may accept inventories, receive accounts of sale, examine vouchers, and state administration and guardian accounts, subject to the review and final passage or rejection by the orphans court.
- Sec. 6: Registers may take probate of accounts against the estates of decedents that are proper to be brought forward for passage or settlement.

### **Acts of 1818, Ch. 138**

An act re records in QA, passed 2-8-1818

- Sec. 1: QA Register of Wills shall record all unrecorded papers.
- Sec. 2: This act shall remain in effect until January 1, 1822.

### **Acts of 1818, Ch. 204**

An act re appeals, passed 2-19-1819

- Sec. 1: Appeals of decisions of the orphans courts may be taken to the Court of Appeals provided it is done within thirty days of the action.
- Sec. 2: If all parties agree in writing, appeals may be taken to the county court.
- Sec. 4: The parts of Acts of 1798, Ch. 101 that apply to appeals to the Chancery Court and General Court are repealed.

### **Acts of 1818, Ch. 217**

An act supplemental to Acts of 1798, Ch. 101, re estates, passed 2-19-1819

- Sec. 1: Interest on money due for property sold by executors and administrators shall be considered assets and accounted for.
- Sec. 2: Money received for the hire of slaves belonging to the estate shall be considered assets and accounted for.
- Sec. 4: During court recesses registers of wills may grant letters of administration.
- Sec. 5: Letters of administration heretofore granted by registers are make valid and confirmed.

### **Acts of 1820, Ch. 174**

An act supplemental to Acts of 1798, Ch. 101, re guardianships and estates, passed 2-14-1821

- Sec. 1: If no guardian is appointed by a will or the orphans court does not appoint one by the time letters testamentary or of administration are granted, the executor or administrator shall take possession of the real property belonging to minors and act as guardian until the orphans court appoints one or the wards come of age, whichever comes first.
- Sec. 2: When the guardian is appointed or the ward comes of age, the executor or administrator shall settle the accounts as other guardians are required to do.
- Sec. 7: Within one year after letters are granted, executors and administrators shall file a list of debts due from the deceased, stating the principal and time when interest begins. Similar returns shall be made every six months until the estate is settled. Registers shall record these lists.
- Sec. 8: The lists shall be proofs of debt in suits for recovery.

### **Acts of 1823, Ch. 146**

An act to tax officials, passed 2-13-1824, effective March 1, 1824

- Sec. 1: Clerks of state and county courts and registers of wills shall keep accounts of all fees received by them or others in office for them. Fees earned before March 1, 1824 are excluded.
- Sec. 2: Semi-annually in October and April returns of such accounts shall be sent to the Treasurer of the Western Shore or Treasurer of the Eastern Shore.
- Sec. 3: When the amount exceeds \$1500 per year, the state treasurers shall charge 25% on the excess for use of the state.
- Sec. 4: Above officials shall pay the tax to the state treasurers semi-annually within sixty days of the return.
- Sec. 5: Fees collected by successors shall be charged to the predecessors' accounts.
- Sec. 12: Attorney General shall prosecute officials not complying.

### **Acts of 1823, Ch. 195**

An act re bonds of officials, passed 2-22-1824

- Sec. 1: Every two years on August 1 the clerks of state and county courts and registers of wills shall renew their bonds. Bonds of the county clerks and registers shall be recorded by the county court clerks.
- Sec. 2: Certified copies shall be sent to the governor and council.

### **Acts of 1824, Ch. 190**

An act supplemental to Acts of 1823, Ch. 146, re taxes on officials, passed 2-10-1825

- Sec. 1: Returns of officials accounts shall be filed annually in May so that the annual sums can be more readily determined.

### **Acts of 1825, Ch. 63**

An act supplemental to Acts of 1820, Ch. 174, re guardianships, passed 2-10-1826

- Sec. 1: No executor or administrator shall be obliged to fulfill the duties of guardian after the close of administration of the estate or at the end of three years from the grant of letters.

### **Acts of 1825, Ch. 160**

An act supplemental to Acts of 1809, Ch. 168, re receipts and releases, passed 1-31-1826

- Sec. 1: Powers of attorney to give receipts, releases, or final discharges shall be recorded by the registers of wills.

### **Acts of 1826, Ch. 246**

An act re taxes on officials, passed 3-13-1827

- Sec. 1: Acts of 1823, Ch. 146 and Acts of 1824, Ch. 190 are repealed.
- Sec. 2: This act shall not affect money still due the state treasury.

### **Acts of 1828, Ch. 92**

An act re records in SM, passed 2-28-1828

The late SM Register of Wills, now deceased, left records unrecorded.

- Sec. 1: SM Register of Wills shall record accounts, vouchers, exhibits, inventories, accounts of sale, wills, and court proceedings left unrecorded by the deceased predecessor.

### **Acts of 1828, Ch. 107**

An act re records in HA, passed 3-5-1829

- Sec. 1: HA Register of Wills shall have administration keys repaired and transcribe those parts as directed by the orphans court.

### **Acts of 1829, Ch. 132**

An act re records in CA, passed 2-23-1830

Some records have become defaced.

- Sec. 1: CA Orphans Court shall examine the administration key and guardian key and order the register of wills to transcribe them, if necessary.

### **Acts of 1829, Ch. 216**

An act supplemental to Acts of 1798, Ch. 101, re guardianships, passed 2-25-1830

- Sec. 5: Guardianship of females shall be extended to age eighteen or marriage.
- Sec. 7: Receipts, releases, or final discharges executed by females of age eighteen to twenty shall be legal.



## **Acts of 1830, Ch. 70**

An act re records in BA, passed 1-29-1831

Some administration books are becoming illegible.

- Sec. 1: BA Register of Wills is authorized to have administration books transcribed. The transcribed records shall not exceed five volumes when completed.

## **Acts of 1831, Ch. 177**

An act re burnt records in SM, passed 3-5-1832

- Sec. 1: Any person having an original and attested copy of a will or other estate documents that were recorded and destroyed in the courthouse fire in SM may have them recorded again. Register of wills shall endorse the second recording on the document.
- Sec. 3: A copy of any receipt, release, or final discharge from an heir, representative, or legatee, that was recorded and the original destroyed, shall be accepted as evidence, accompanied by a certificate of the register.
- Sec. 4: The same procedure shall apply to the copy of a voucher or evidence of a claim against an estate.
- Sec. 5: The same procedure shall apply to the copy of a voucher or evidence of payment of money or articles allowed in a guardian account.

## **Acts of 1831, Ch. 315**

An act supplemental to Acts of 1798, Ch. 101, re estates and guardianships, passed 3-14-1832

- Sec. 1: During court recesses registers of wills may take probate of any will whether it relates to real property or personal property or both.
- Sec. 2: The time for widows to renounce a bequest or devise is extended to six months.
- Sec. 3: Executors and administrators shall pass the first administration account within twelve months after the grant of letters.
- Sec. 4: Orphans courts may order executors and administrators to bring into court funds received by them or to invest them in good securities.
- Sec. 5: Orphans courts may order guardians to bring into court funds received by them or to invest them in good securities.
- Sec. 6: When letters testamentary, letters of administration, or guardianships are revoked by the orphans court, the individual shall render an account of the administration or guardianship up to that date.
- Sec. 10: When authorized and directed to sell real property of a testator, an executor may sell and convey the land and account to the orphans court, as now done for the sale of personal property. The sale shall not be valid unless ratified and confirmed by the orphans court, after giving public notice as done in sales under equity decrees.
- Sec. 12: An executor or administrator believing that someone has concealed personal property may file a petition or bill of complaint with the orphans court. After an answer is filed, either

party may request that an issue be prepared and sent to a court of law for trial.

- Sec. 13: The same procedure shall apply when an interested party accuses the executor or administrator of concealing personal property. Decisions of the orphans courts in cases under this section and Sec. 12 may be appealed to the county court.
- Sec. 15: Registers of wills may issue citations to guardians for rendering accounts when the annual income or profits does not exceed \$50.
- Sec. 16: Original probated wills shall be retained in the office of the register of wills and can be removed only on order from the Chancery Court or county court.

### **Acts of 1834, Ch. 291**

An act supplemental to Acts of 1798, Ch. 101, re guardianships, passed 3-20-1835

- Sec. 2: The orphans court may appoint a guardian even though the ward's father or mother is living, provided notice has been given. The court may appoint a parent as guardian.
- Sec. 5: Guardianship shall extend to all property of the minor whether in or out of state.

### **Acts of 1836, Ch. 224**

An act to amend the Constitution, re court clerks and registers of wills, passed 3-17-1837, confirmed by Acts of 1837, p. 161

- Sec. 1: Governor with consent of the Senate shall appoint the clerks of state, county, and BC courts and registers of wills for terms of seven years. Present officials are exempt until 1845.

### **Acts of 1840, Ch. 230**

An act to amend the Constitution re appointments, passed 3-9-1841, confirmed by Acts of 1841, Ch. 62

- Sec. 3: When the Senate is not in session, the governor may fill vacancies among judges and all other state officials authorized by the Constitution. The Senate will then vote on consent at the next regular session. If more than one year passes before a new session, the governor shall make a new appointment or renew it.

### **Acts of 1843, Ch. 284**

An act re tax on commissions, passed 3-7-1844

- Sec. 1: Separate commissions shall be issued to officials, except for justices of the peace and coroners. Secretary of State shall send commissions to the county court clerks for delivery.
- Sec. 2: Commissions shall encompass both state and local officials, including county court judges, county court clerks, registers of wills, sheriffs, county surveyors, tobacco inspectors, wood corders, and orphans court judges. Each official shall pay the county court clerk a specific sum when the commission is delivered.
- Sec. 3: Clerks shall send the amounts collected to the Treasurer of the Western Shore within twenty days.

## **Acts of 1843, Ch. 304**

An act re sales, passed 3-8-1844

- Sec. 1: Executors, administrators, and guardians may sell property of decedents and wards only by order of the orphans courts. Any sale made without a court order shall be void and title shall not pass to the purchaser.
- Sec. 4: This provision shall not apply when an executor or guardian has been authorized by a will to sell property without making a return of the sale to the orphans court.

## **Acts of 1844, Ch. 237**

An act re inheritance taxes, passed 2-26-1845, effective 6-1-1845

- Sec. 1: An estate of any type transferring after the death of someone as authorized by a will or deed shall be subject to an inheritance tax. Property going to parents, spouses, children,, and lineal descendants shall be exempt. Estates valued under \$500 shall also be exempt.
- Sec. 2: Before paying a legacy or making a distribution, the executor or administrator shall pay the inheritance tax to the register of wills. Registers shall keep a record of the tax payments. If necessary, executors and administrators may sell property to pay the tax. Executors and administrators shall inform county and BC assessment officials about the transfer of real property through estates.
- Sec. 3: Quarterly the registers of wills shall pay the taxes to the state treasury.

## **Acts of 1845, Ch. 202**

An act supplemental to Acts of 1844, Ch. 237, re inheritance taxes, passed 3-2-1846, effective 6-1-1846

- Sec. 1: Executors and administrators shall pay the inheritance tax within thirteen months after the grant of letters and before paying legacies and distributable shares.
- Sec. 2: When real property is subject to the tax, the orphans court shall summon the entitled parties, including guardians of minors, within ten months of the grant of letters and by interrogatories determine the market value of the land and the inheritance tax. Orphans court shall be governed by the assessed value of the property, if ascertainable.
- Sec. 3: If the tax is not paid within three months, the register of will shall notify the State Treasurer who shall direct the Attorney General or deputy to institute proceedings in the county court for recovery by action of debt.
- Sec. 4: The tax shall be a lien on real property.
- Sec. 5: Semi-annually the registers of wills shall pay the taxes to the state treasury.

## **Acts of 1845, Ch. 391**

An act re estates, passed 3-10-1846

- Sec. 2: Ch. 14, Secs. 6-7 of Acts of 1798, Ch. 391, re inventories and accounts, are repealed.

Within three months of the grant of letters, an executor and administrator shall return an inventory of personal property with a list of debts due the decedent. When personal property is sold, the differences between the purchase prices and appraisements shall be reported to the orphans court.

### **Acts of 1846, Ch. 147**

An act re claims, passed 2-25-1847

- Sec. 1: When giving notice to creditors to bring in claims pursuant to a court order, the executor or administrator shall report the fact of the notice to the orphans court. The report shall be certified by the court and recorded.

### **Acts of 1846, Ch. 187**

An act re estates in BA and BC, passed 3-4-1847

- Sec. 1: BA Orphans Court shall handle estates of BA residents on Wednesdays and Saturdays.
- Sec. 2: It shall handle estates of BC residents on the other days of the week.

### **Acts of 1846, Ch. 279**

An act re real property, passed 3-10-1847

Currently if a person who has sold real property dies before receiving the purchase money or conveying the land, the process can be completed only through a court of equity.

- Sec. 1: If a person who has sold real property dies before receiving the purchase money or conveying the land, the executor or administrator may execute a deed, provided the orphans court is satisfied that the purchase money has been paid.
- Sec. 2: The purchase money received by an executor or administrator shall be returned as a separate debt due the estate.

### **Acts of 1846, Ch. 344**

An act supplemental to 1844, Ch. 237, re inheritance taxes, passed 3-10-1847

- Sec. 1: When any estate is liable for an inheritance tax and consists only of a life estate, an interest for a term of years, or a contingency, the orphans court shall determine what part of the tax each party shall pay. The decision of the court shall be final.
- Sec. 3: Executors and administrators shall take an additional oath, to be recorded, for compliance with duties concerning inheritance taxes.

### **Acts of 1847, Ch. 122**

An act supplemental to Acts of 1830, Ch. 70, re records in BA, passed 2-29-1848

- The five volume limitation on transcribed volumes of administrations is removed.

**Acts of 1847, Ch. 222**

An act supplemental to 1844, Ch. 237, re inheritance taxes, passed 3-8-1848

- Sec. 1: When real property is liable for an inheritance tax, an inventory of real property shall be made and returned to the orphans court in order to ascertain the value of the land. Court shall appoint two appraisers, who may be the same as those valuing personal property, whose duties and procedures shall be the same as prescribed by Acts of 1798, Ch. 101 for the inventory of personal property.
- Sec. 5: Executors and administrators shall collect the inheritance taxes from the liable parties within thirteen months of the grant of letters and pay the funds to the registers of wills. If the tax is not paid by a liable party, the orphans court may order the executor or administrator to sell all or part of the real property sufficient to pay the tax and execute a deed after ratification of the sale by the court.
- Sec. 6: When the orphans court determines the tax per provisions of Acts of 1846, Ch. 344, the liable parties shall have thirty days to pay the amount due. If not done, the provisions of Sec. 5 shall apply.
- Sec. 14: The parts of Sec. 2 of Acts of 1844, Ch. 237 and Secs. 2-4 of Acts of 1845, Ch. 202, re assessments, are repealed.

**Acts of 1847, Ch. 230**

An act to repeal parts of Acts of 1798, Ch. 101, re inventories and accounts, passed 3-9-1848

- Sec. 3: Ch. 14, Secs. 6-7, of Acts of 1798, Ch. 101, re times when inventories and administration accounts are unnecessary, are repealed.

**Acts of 1847, Ch. 294**

An act re orphans courts, passed 3-6-1848

- Sec. 1: Separate commissions shall be issued to justices of the orphans courts, and the chief and associate justices shall be designated.

**Constitution of 1851, Art. IV**

- Sec. 17: There shall be three judges of the orphans court for each county and BC, elected for four year terms.
- Sec. 18: Registers of wills shall be elected for six year terms. Vacancies shall be filled until the next election by the orphans court.
- Sec. 26: Vacancies among the judges shall be filled until the next election by the governor, with consent of the Senate.
- Sec. 29: Election returns shall be certified to the governor who shall issue commissions.

## Acts of 1852, Ch. 62

An act re estates and records in BA and BC, passed 3-18-1852

- Sec. 1: Unfinished matters concerning estates in BA shall be transferred to the BA Orphans Court.
- Sec. 2: Unfinished matters concerning estates in BC shall be transferred to the BC Orphans Court.
- Sec. 3: Records of the late BA Orphans Court shall be preserved by the BC Register of Wills.

## Acts of 1852, Ch. 316

An act re burnt records in DO, passed 5-27-1852

When the DO courthouse burned, all records of the register of wills and county commissioners were destroyed and many in the county clerk's office.

- Sec. 1: A commissioner shall be appointed to take and receive testimony to establish records of the three DO offices, that were destroyed.
- Sec. 2: DO Register of Wills shall give public notice to executors, administrators, and guardians to file with the commissioner within three months accounts of the estates in their charge. Masters shall also report on the terms of the indentures.
- Sec. 4: When the accounts or returns are filed, the commissioner shall notify interested persons to show cause why they should be established and binding.
- Sec. 5: Commissioner shall examine the returns and accounts, hear testimony, and ascertain correctness. Commissioner shall report the proceedings to the orphans court which shall confirm, reject, or modify them.
- Sec. 6: If the accounts and returns are not filed, the parties interested in the estates, wards, or apprentices may apply to the commissioner to hear testimony and proceed per provisions of Sec. 5.
- Sec. 9: Commissioner may require executors, administrators, and guardians to give new bonds. If they refuse, the orphans court may revoke the letters and appointments and appoint someone else.
- Sec. 10: With nonauthenticated copies of records the commissioners shall take proof of their genuineness. If in dispute, the commissioner shall return the evidence to the orphans court for its decision.
- Sec. 12: Commissioner shall take testimony regarding a destroyed will and report to the orphans court which shall determine if the testimony is sufficient to establish the will and have it recorded.
- Sec. 13: Commissioner may receive and take testimony on any paper destroyed and appertaining to the orphans court and report it to the court.
- Sec. 14: Decisions of the orphans court may be appealed to the Court of Appeals.
- Sec. 16: Commissioner may summon witnesses.
- Sec. 18: Commissioner may issue commissions to take testimony of witnesses residing outside the county.
- Sec. 19: Commissioner may appoint a clerk to keep a record of proceedings and transcribe testimony.
- Sec. 20: Commissioner is named in this act and shall hold office for one year. Orphans court shall fill any vacancy.
- Sec. 21: Commissioner shall take an oath.

- Sec. 23: Persons having original or attested copies of wills and other records may have them recorded by the register of wills.
- Sec. 24: Governor may issue duplicate commissions to the justices of the orphans court and register of wills.
- Sec. 25: This act shall remain in effect until July 1, 1853.

### **Acts of 1853, Ch. 223**

An act re burnt records in DO, passed 5-18-1853

- Acts of 1852, Ch. 316, re re-establishment of destroyed records in DO, is continued to February 1, 1854.

### **Acts of 1853, Ch. 409**

An act re registers of wills in BC, passed 5-31-1853

- Sec. 3: Within thirty days after passage of this act the BC Register of Wills shall file a bond, approved by the orphans Court, with the Comptroller of the Treasury.
- Sec. 5: Hereafter, each register shall give bond as specified in Sec. 3.

### **Acts of 1853, Ch. 444**

An act re emoluments, passed 5-31-1853

- Sec. 1: Clerks of county circuit courts and BC courts and registers of wills, whenever the annual emoluments of the office exceed \$2500, after office expenses, shall pay the excess into the state treasury.
- Sec. 2: Clerks and registers shall account to the Comptroller of the Treasury for emoluments and expenses at least twice a year.
- Sec. 3: At the same time they shall prepare a list of clerks and deputies on their staff, stating their rates of compensation and duties.
- Sec. 4: Periodically the comptroller shall determine the number of assistant clerks and deputies and their compensation.
- Sec. 7: Acts of 1844, Ch. 302 and Acts of 1846, Ch. 253 [neither abstracted], imposing taxes on court clerks and registers of wills, are repealed.

### **Acts of 1854, Ch. 8**

An act re guardianships, passed 2-10-1854

- Orphans courts may approved one bond when a person is guardian to more than one ward, instead of one bond for each minor.

### **Acts of 1854, Ch. 46**

An act re burnt records in DO, passed 2-24-1854

- Sec. 1: Acts of 1852, Ch. 316, re re-establishment of destroyed records in DO, is continued to April 1, 1856.
- Sec. 2: DO Orphans Court shall have the authority to appoint a commissioner to carry out Acts of 1852, Ch. 316 and to fill vacancies.

### **Acts of 1854, Ch. 86**

An act re claims, passed 3-1-1854

- Sec. 1: Registers of wills shall record in a docket all claims against an estate as they are passed, showing for each the date of passage, name of creditor, type of claim, and amount. Such entries shall be considered as notices to executors and administrators.

### **Acts of 1854, Ch. 126**

An act re records in MO, passed 3-9-1854

- Sec. 1: MO Register of Wills may, if deemed necessary by the orphans court, transcribe Liber 2 and index it.

### **Acts of 1856, Ch. 103**

An act re burnt records in DO, passed 3-6-1856

- Sec. 1: Acts of 1852, Ch. 316 and Acts of 1854, Ch. 46, re re-establishment of destroyed records in DO, is continued to March 10, 1858.

### **Acts of 1856, Ch. 201**

An re records in WO, passed 3-8-1856

- Sec. 1: WO Orphans Court shall examine keys or general indexes and, if deemed necessary, may order the register of wills to transcribe them.

### **Acts of 1856, Ch. 286**

An act to amend Acts of 1853, Ch. 409, re registers of wills in BC, passed 3-10-1856

Acts of 1853, Ch. 409 makes no provision for the duration or renewal of the bonds of registers of wills in BC.

- Sec. 1: Within thirty days after passage of this act the BC Register of Wills shall file with the Comptroller of the Treasury a bond to be approved and certified by the orphans court and comptroller, unless the register has given bond in the past two years.
- Sec. 2: Hereafter the registers shall give new bonds every two years.
- Sec. 4: Certificates of approval from the court and comptroller shall be entered in the proceedings of the court.



### **Acts of 1858, Ch. 24**

An act re records in AL, passed 1-28-1858

- Sec. 1: AL Register of Wills shall transcribe Wills A.

### **Acts of 1858, Ch. 28**

An act re records in FR, passed 1-25-1858

- Sec. 1: FR Register of Wills shall transcribe any worn out indexes, transcribe and remodel the index of administration and guardian accounts, and fill in the gap in the latter index for the period December 20, 1818 to June 20, 1825.

### **Acts of 1858, Ch. 114**

An act re burnt records in DO, passed 3-3-1858

- Sec. 1: Acts of 1852, Ch. 316 and Acts of 1854, Ch. 46, re re-establishment of destroyed records in DO, is continued to March 10, 1860.

### **Acts of 1858, Ch. 264**

An act re estates in SO, passed 3-10-1858

- Sec. 1: During court recesses, the SO Register of Wills may pass an account or claim against an estate for amounts not over \$100.
- Sec. 2: On return of an inventory of personal property the register may grant a sale order.

### **Acts of 1860, Ch. 289**

An act re records in MO, passed 3-8-1860

- Sec. 1: MO Register of Wills is authorized to transcribe Liber C and index it.

### **Acts of 1861, Ch. 83**

An act to amend Sec. 253 of Art. 93, Public General Laws, re registers of wills, passed 8-5-1861

- Sec. 253: Registers of wills shall renew their bonds every two years.

### **Acts of 1861, Ch. 88**

An act re records in AL, passed 3-4-1861

- Sec. 1: AL Register of Wills shall transcribe "Deaths Liber B" and add to it a summary of returns made by executors and administrators, along with an index.

## **Acts of 1864, Ch. 14**

An act re records in AL, passed 2-5-1864

- Sec. 1: AL Register of Wills shall transcribe Claims A, along with an index, if deemed necessary by the orphans court.

## **Acts of 1864, Ch. 56**

An act re records in WA, passed 1-25-1864

- Sec. 1: WA Register of Wills shall transcribe indexes of estates and guardianships.

## **Acts of 1864, Ch. 150**

An act re records in CA, passed 2-24-1864

- Sec. 1: CA Register of Wills shall transcribe Wills JR B.

## **Acts of 1864, Ch. 157**

An act to add a section to Art. 93, Public General Laws, re wills, passed 2-19-1864

- Sec. 329: Registers of wills may receive for safekeeping the wills of living persons, index them separately, and retain them until the death of or return to the testators.

## **Acts of 1864, Ch. 174**

An act re records in CE, passed 2-23-1864

- Sec. 1: CE Register of Wills shall prepare indexes of wills, bonds, administration accounts and releases, inventories, and indentures.

## **Constitution of 1864, Art. IV**

- Sec. 43: There shall be three judges of the orphans court for each county and BC. In November 1867 the three elected for each jurisdiction shall serve two, four, and six years respectively, as determined by lot at their first meeting after the election. Thereafter, judges shall be elected for six year terms.
- Sec. 44: Vacancies shall be filled for the remainder of the term by the governor, with consent of the Senate.
- Sec. 46: Registers of wills shall be elected for six year terms. Vacancies shall be filled for the remainder of the term by the orphans courts.

## **Acts of 1865, Ch. 162**

An act to add sections to Art. 93, Public General Laws, re sales, passed 3-24-1865

- Sec. 2: When a sale of real property is made per provisions of a will and the purchaser does not comply with the terms of the sale, the executor or administrator may apply to the orphans court to enforce compliance. Upon failure to do so, the court may order a new sale or enforce compliance by attachment.
- Sec. 3: Orphans courts and courts of equity shall have concurrent jurisdiction in authorizing and directing sales of the real property of intestates where the appraised value is not over \$1500.
- Sec. 5: In order to determine the value of land the orphans courts may issue warrants to appraisers.

### **Acts of 1866, Ch. 81**

An act re sales, passed 3-7-1866

- Sec. 3: Orphans courts and courts of equity shall have concurrent jurisdiction in authorizing and directing sales of the real property of intestates where the appraised value is not over \$2500.

### **Acts of 1867, Ch. 199**

An act re records in MO, passed 3-5-1867

- Sec. 1: MO Register of Wills is authorized to transcribe two volumes of appointments of executors, administrators, and guardians for 1826-1860 and index them.

### **Constitution of 1867, Art. IV**

- Sec. 40: There shall be three judges of the orphans court for each county and BC, elected for four year terms. Vacancies shall be filled for the remainder of the term by the governor.
- Sec. 41: Registers of wills shall be elected for six year terms. Vacancies shall be filled until the next election by the orphans court.

### **Acts of 1868, Ch. 253**

An act re estates and guardianships in SO, WI, and WO, approved 3-30-1868

- Sec. 1: In cases of guardianships now pending in the orphans courts of SO and WO, that have two or more years to run and where the guardian and ward now reside in WI, the guardian may obtain a certificate of all past proceedings and have it transferred to the WI Orphans Court.
- Sec. 2: When any lands belonging to an estate lie in WI, administrator resides in WI, and personal property has been administered in SO or WO, the administrator may obtain a certificate of past proceedings and petition the WI Orphans Court for permission to sell the land.

### **Acts of 1868, Ch. 336**

An act to amend Acts of 1865, Ch. 162, re sales, approved 3-30-1868

- Sec. 4: Orphans courts may appoint a trustee to sell real property, who shall give bond.

### **Acts of 1868, Ch. 380**

An act to repeal and reenact Sec. 167 of Art. 93, Public General Laws, re guardianships, approved 3-30-1868

- Sec. 167: The orphans court may direct a guardian to sell leasehold property and invest the proceeds. The court may also direct the lease of the property. The lease shall not take effect until approved by the court. The guardian shall account for the rents.

### **Acts of 1868, Ch. 417**

An act re records in KE, approved 3-30-1868

- Sec. 1: KE Orphans Court shall examine the record of wills, 1781-1790, and if necessary direct the register of wills to transcribe it. Register shall also make an index of wills and continue to maintain it.

### **Acts of 1870, Ch. 3**

An act re records in HO, approved 2-2-1870

- Sec. 1: HO Register of Wills shall examine records of wills, administration bonds, guardian bonds, releases, and indentures and compare them with the originals.
- Sec. 2: Register shall prepare a general index of wills, bonds, guardian accounts, administration accounts, inventories, accounts of sales, and releases and continue to maintain it.

### **Acts of 1870, Ch. 152**

An re estates in WO, passed 3-31-1870

- Sec. 1: During court recesses the WO Register of Wills may pass any account or claim against an estate for amounts not over \$100 and may pass an order for the sale of personal property after the return of an inventory.

### **Acts of 1872, Ch. 420**

An act to revive, reenact, and amend part of Acts of 1852, Ch. 316, re burnt records in DO, approved 4-1-1872

- Sec. 1: Acts of 1852, Ch. 316 is hereby reenacted, except for Secs. 2-9, 15, 19-21, and 24-25.
- Sec. 2: Judges of the DO Orphans Court shall appoint a commissioner to perform the duties, who shall take an oath before the circuit court clerk. Vacancies shall be filled by the orphans court.
- Sec. 3: Commissioner shall keep a record of every case brought forth and of all papers, testimony, and proceedings. Records shall be deposited with the register of wills.
- Sec. 4: Before taking testimony, the commissioner shall give public notice.

- Sec. 5: This act shall continue in effect until June 1, 1873.

## **Acts of 1874, Ch. 381**

An act re records in AA, approved 4-11-1874

- Sec. 1: AA Register of Wills shall copy and rebind will records, dating from 1777, as needed, and compile an index to wills dating from 1777.

## **Acts of 1874, Ch. 402**

An act to repeal and reenact Sec. 38 of Art. 93, Public General Laws, re estates, approved 4-11-1874

- Sec. 39: A person entitled to be administrator may decline it in writing. An executor or administrator may resign by filing a petition with an account of receipts and disbursements, if any. Orphans court shall give public notice and, if there is no objection, shall release the individual.

## **Acts of 1874, Ch. 468**

An act to revive and extend Acts of 1872, Ch. 420, re burnt records in DO, approved 4-11-1875

- Sec. 1: Acts of 1872, Ch. 420, re burnt records in DO, is hereby revived.
- Sec. 2: This act shall remain in effect until June 1, 1875.

## **Acts of 1874, Ch. 483**

An act to repeal and reenact Art. 81, Public General Laws, re inheritance taxes, approved 4-11-1874

- Sec. 113: All estates passing from deceased persons, in trust or otherwise, shall be subject to an inheritance tax. Property going to parents, spouses, children, and lineal descendants shall be exempt. Estates valued under \$500 shall also be exempt.
- Sec. 114: Before paying a legacy or making a distribution, the executor or administrator shall pay the inheritance tax to the register of wills.
- Sec. 115: If necessary, executors and administrators, under order of the orphans courts, may sell all or part of the property to pay the tax.
- Sec. 116: Executors and administrators shall pay the tax within thirteen months after the grant of letters.
- Sec. 117: When real property is subject to the tax, the orphans court shall have it appraised.
- Sec. 120: The inventory of real property shall be separate from that of personal property.
- Sec. 123: The appraisement shall be deemed the true value of the property.
- Sec. 124: The tax shall be a lien on the property.
- Sec. 125: If the tax is not paid, the orphans court may order the executor or administrator to sell all or part of the property to pay the tax and sale costs.
- Sec. 126: When any estate is liable for an inheritance tax and it consists only of a life estate, an interest for a term of years, or a contingent, the orphans court shall determine what part of the tax

each party shall pay. The decision of the court shall be final. The taxes shall be paid within thirty days of the determination.

- Sec. 127: If necessary, executors and administrators, under order of the orphans courts, may sell all or part of property to pay the tax.
- Sec. 134: Registers of wills shall give duplicate receipts for tax payments, one going to the state treasury.
- Sec. 135: Registers of wills shall make quarterly payments to the state treasury.

### **Acts of 1876, Ch. 151**

An act re records in QA, approved 3-25-1876

- Sec. 1: QA Register of Wills shall prepare a general index of wills, bonds, releases, guardian accounts, administration accounts, inventories, and accounts of sales.
- Sec. 2: Register shall continue to maintain the index.

### **Acts of 1876, Ch. 212**

An act re records in HA, approved 3-31-1876

- Sec. 1: HA Register of Wills is authorized to continue the index or key to guardian accounts dating from 1845.
- Sec. 2: Register shall continue to maintain the record.

### **Acts of 1876, Ch. 295**

An act to repeal and reenact Sec. 136 of Art. 93, Public General Laws, re distributions, approved 4-8-1876

- Sec. 136: If there are no heirs of a person who died intestate, the estate shall be distributed to the board of county school commissioners where the letters of administration were granted.

### **Acts of 1876, Ch. 389**

An act re records in WA, passed 4-8-1876

- Sec. 1: WA Register of Wills shall transcribe Wills A1, A2, and D.

### **Acts of 1878, Ch. 18**

An act re records in MO, approved 2-14-1878

- Sec. 1: MO Register of Wills is authorized to make an index to all wills.

### **Acts of 1878, Ch. 67**

An act re records in MO, approved 3-13-1878

- Sec. 1: MO Register of Wills is authorized to transcribe Liber B and index it.

### **Acts of 1878, Ch. 215**

An act re records in SO, approved 4-1-1878

- Sec. 1: SO Register of Wills shall prepare an index to wills.

### **Acts of 1880, Ch. 134**

An act re records in AA, approved 3-31-1880

- Sec. 1: AA Register of Wills shall transcribe administration dockets, 1820-1872, and guardian dockets, 1820-1880, and make indexes for them.

### **Acts of 1880, Ch. 178**

An act re records in MO, approved 4-10-1880

- Sec. 1: MO Register of Wills is authorized to transcribe the volume of appointments of executors, administrators, and guardians for 1860-1879.

### **Acts of 1880, Ch. 213**

An act re records in WI, approved 4-10-1880

- Sec. 1: WI Register of Wills is authorized to procure an index to guardianships in which to record alphabetically the names of guardians and wards, amounts of bonds, names of sureties, and dates of bonds, accounts, receipts, and releases. Register shall also procure an index to administrations in which to record names of decedents, executors, administrators, and sureties; amounts of bonds; and dates of administration, accounts, and distribution. This act shall pertain to all previous estates and guardianships.

### **Acts of 1880, Ch. 401**

An act re records in WO, approved 4-10-1880

The general index to administrations in WO, 1866-1880, has become worn.

- Sec. 1: WO Register of Wills shall transcribe the general index to administrations from 1866-1880.

### **Acts of 1882, Ch. 371**

An act re records in HA, approved 5-3-1882

- Sec. 1: HA Register of Wills is authorized to make a general index of wills dating from 1774.
- Sec. 2: Register shall continue to maintain the record.

## **Acts of 1882, Ch. 384**

An act to repeal and reenact Sec. 171 of Art. 93, Public General Laws, re guardianships, approved 5-3-1882

- Sec. 171: Guardians may invest proceeds from the sale of real property, whether through courts of equity or orphans courts, but only as approved by the orphans courts. No part of the principal may be applied towards maintenance and education unless so directed by a court of equity. In other cases the orphans courts shall direct the application of the principal.

## **Acts of 1882, Ch. 481**

An act re sales, approved 5-3-1882

- Sec. 1: When real property is sold under the provisions of a will and the widow consents in writing to the sale, the orphans court shall order it sold free from a dower claim and allow the widow a portion of the proceeds.
- Sec. 2: The consent shall be recorded by the register of wills and a copy filed with the sale report.

## **Acts of 1884, Ch. 49**

An act to add a section to Art. 93, Public General Laws, re distributions, approved 3-7-1884

- Sec. 139A: When an administration account includes a distribution of leasehold interest in real property, the orphans court shall direct the executor or administrator to convey it by a deed to be executed, acknowledged, and recorded according to the law.

## **Acts of 1884, Ch. 165**

An act re burnt records in DO, approved 4-8-1884

- Sec. 1: DO Register shall record copies of wills made under the seal of that office prior to the burning of the courthouse in May 1852.
- Sec. 2: The copy shall be filed as are original wills.

## **Acts of 1884, Ch. 293**

An act to repeal Sec. 303 and repeal and reenact Secs. 298, 301-302, and 306-307 of Art. 93, Public General Laws, approved 4-8-1884, effective 8-1-1884

- Sec. 306: No nuncupative will shall be valid except by a military person on active duty.

## **Acts of 1884, Ch. 343**

An act re records in SM, passed 4-8-1884

- Sec. 1: SM Register of Wills shall prepare an index of wills dating from 1658.



### **Acts of 1886, Ch. 35**

An act re records in AA, approved 3-10-1886

- Sec. 1: AA Register of Wills shall transcribe the administration docket dating from 1872 and Wills RID 1, and make an index to administration accounts dating from 1777.

### **Acts of 1886, Ch. 419**

An act re records in FR, approved 4-7-1886

- Sec. 1: FR Register of Wills shall transcribe any worn out indexes and remodel, complete, and continue the indexes of wills and administration and guardian accounts

### **Acts of 1888, Ch. 76**

An act re records in CE, passed 3-14-1888

- Sec. 1: CE Register of Wills shall transcribe the index of deceased persons and prepare an index of wards.

### **Acts of 1888, Ch. 190**

An act re records in AL, approved 3-31-1888

- Sec. 1: AL Register of Wills is authorized to re-index administration and guardian bonds in the general index.

### **Acts of 1890, Ch. 359**

An act re records in QA, approved 4-3-1890

- Sec. 1: QA Register of Wills shall place in separate bundles and number the papers and proceedings relating to individual estates settled between 1850 and 1883 when a system of this type was adopted. In like manner the register shall file papers and accounts of unsettled guardianships. Register shall index both sets of papers.

### **Acts of 1890, Ch. 456**

An act re records in AA, approved 4-3-1890

- Sec. 1: AA Register of Wills shall copy and revise the index to wills dating from 1777 and make indexes for inventories and sales dating from 1777 and guardian accounts dating from 1791.

### **Acts of 1892, Ch. 137**

An act to add a section to Art. 93, Public General Laws, re orphans courts, approved 3-15-1892

- Sec. 227A: Of the three persons elected as judges of the orphans court the governor shall designate one as the chief judge. All such previous commissions are hereby ratified and confirmed.

## **Acts of 1892, Ch. 422**

An act re records in WA, passed 4-7-1892

- Sec. 1: WA Register of Wills shall transcribe and remodel the indexes of wills and administration and guardian accounts.
- Sec. 2: Register shall transcribe Wills B and C.

## **Acts of 1894, Ch. 572**

An act re records in KE, approved 4-6-1894

- Sec. 1: KE Register of Wills shall perform the following tasks:
  - replace the part of Wills 10 that was lost
  - complete indexes for the following papers - administration and guardian bonds, administration and guardian bonds, inventories, lists of debts, accounts of sale, and wills
  - prepare an index of accounts of sale and inventories for real property
  - prepare a docket for the sale of real property of intestates and index it
  - prepare an index for administration oaths for 1882-1891
  - prepare an index for orphans court proceedings

## **Acts of 1896, Ch. 205**

An act re records in QA, approved 4-2-1896

- Sec. 1: QA Register of Wills shall prepare separate indexes for administration bonds, inventories, valuations, administration accounts, and accounts of sale.

## **Acts of 1896, Ch. 246**

An act to repeal and reenact Sec. 230 of Art. 93, Public General Laws, re estates, approved 4-2-1896

- Sec. 230: Orphans courts shall take probate of wills, grant letters testamentary and letters of administration, direct the conduct of executors and administrators, secure rights of legatees, superintend the distribution of intestate estates, secure the rights of orphans, and administer justice in all matters re affairs of deceased persons. The following procedures shall be pursued for the estates of persons who have been absent for seven years and are presumed to be dead. A person presenting the will of such an individual or applying for letters of administration shall file a petition showing the time and place where the absentee was last seen or heard of, evidence of inquires about the whereabouts of the absentee, and lack of information from these inquiries. Orphans court shall order public notice and may summon and examine friends and relatives. If no evidence shows probable existence, the court may declare the absentee deceased and may

proceed to probate the will or grant letters of administration.

### **Acts of 1898, Ch. 466**

An act re records in CA, passed 4-9-1898

- Sec. 1: CA Register of Wills shall prepare an index of wills.

### **Acts of 1900, Ch. 254**

An act re records in TA, approved 4-7-1900

- Sec. 1: TA Register of Wills shall make a general index of wills, inventories, administration accounts, and distributions.

### **Acts of 1900, Ch. 667**

An act re records in DO, approved 4-10-1900

- Sec. 1: DO Register of Wills shall prepare a general index of wills, administration accounts, guardian accounts, dividends, bonds, receipts and releases, and inventories dating from 1852.

### **Acts of 1902, Ch. 143**

An act re records in TA, approved 4-8-1902

- Sec. 1: TA Register of Wills shall make an index of orders and petitions for the sale of real property dating from 1800.

### **Acts of 1904, Ch. 222**

An act to repeal and reenact Secs. 113-116 of Art. 81, re inheritance taxes, approved 4-1-1904

- Sec. 113: The inheritance tax shall be a lien on real property for four years from the death of the decedent.
- Sec. 114: The four year limitation also applies to the authority of the orphans court to order a sale of the land to pay the tax.
- Sec. 116: The inheritance tax shall also be a lien on interests in real property for four years from the death of the decedent.
- Sec. 117: The four year limitation also applies to the authority of the orphans court to order a sale of the life estate to pay the tax.
- This act shall be applied retroactively.

### **Acts of 1906, Ch. 732**

An act re records in BA, approved 4-3-1906

- Sec. 1: BA Register of Wills shall transcribe indexes and dockets and arrange and file in

chronological order all papers from 1851-1904.

### **Acts of 1908, Ch. 118**

An act to add a section to Art. 4, Public Local Laws, re estates in BC, approved 4-30-1908

- Sec. 354A: BC Register of Wills shall appoint two general appraisers to appraise personal property. Their term of office shall be the same as the register. Thereafter each new register shall appoint four appraisers to serve the same term of office as the register.

### **Acts of 1908, Ch. 125**

An act to add a section to Art. 93, Public General Laws, re estates, approved 3-30-1908

- Sec. 234: Orphans courts shall take probate of wills, grant letters testamentary and letters of administration, direct the conduct of executors and administrators, secure rights of legatees, superintend the distribution of intestate estates, secure the rights of orphans, and administer justice in all matters re affairs of deceased persons. The following procedures shall be pursued for the estates of persons who have been absent for seven years and are presumed to be dead. A person may apply for letters of administration and provide evidence of the alleged absence. If no one responds positively to the public notice within twelve weeks, the orphans court shall direct probate and letters. If at any later time it is proved that the supposed decedent is alive, the orphans court may revoke the letters. All acts done by the administrator shall remain valid. Before any distribution takes place the persons entitled shall give bond conditioned that if the supposed decedent is alive, they will refund the amounts received with interest. If security cannot be furnished, the money shall be invested by the court and interest paid to the party. The money will remain invested until security is given or the court orders it paid to the person entitled.

### **Acts of 1912, Ch. 146**

An act to add a section to Art. 93, Public General Laws, re estates, approved 4-4-1912

- Sec. 108A: Whenever any person, resident or nonresident, dies testate or intestate, leaving land in Maryland but no personal property therein, the orphans court where all or part of the land is located may grant letters on the estate and direct notice be given to resident and nonresident creditors to file their claims. The provisions of Secs. 108-113, re sale of real property to satisfy debts, shall apply in this instance.

### **Acts of 1912, Ch. 746**

An act re records in CE, passed 4-11-1912

- Sec. 1: CE Register of Wills shall transcribe the indexes of wills, administration and guardian accounts and distributions, and inventories, sales, and lists of debts.

### **Acts of 1914, Ch. 269**

An act re records in HA, approved 4-2-1914

- Sec. 1: Three persons are named in this act as commissioners.
- Sec. 2: The commissioners shall devise a system of filing and classifying papers in office of the HA Register of Wills and shall set apart unrecorded papers which involve real estate and have them properly recorded and indexed.

### **Acts of 1914, Ch. 624**

An act to repeal and reenact Secs. 109-110 of Art. 93, Public General Laws, approved 4-13-1914

- Sec. 109: No distribution among creditors and persons entitled to the estate shall be made unless the administrator has given public notice six months beforehand for persons having claims against the deceased to exhibit them. [Previously this provision was optional.]
- Sec. 110: Administrators shall report the fact of giving notice, to be recorded.

### **Acts of 1916, Ch. 669**

An act to add a section to Art. 93, Public General Laws, approved 4-18-1916, effective 6-1-1916

- Sec. 213A: After the appraisalment of property and before filing the inventory with the orphans court, the appraisers shall send a copy to the local supervisor of assessments. For real property it shall be sent to the locality where the land is located, and for personal property where the letters were granted. The supervisors shall note on the inventories whether the values are proper and send them to the State Tax Commission. If the appraisements are deemed erroneous, the commission shall hold a hearing. Any changes shall be binding on the appraisers. Appraisers appointed in or for BC shall be exempt from the provision of this act, but the Tax Commission may investigate appraisements and conduct hearings if deemed proper.

### **Acts of 1918, Ch. 176**

An act re records in QA, approved 4-10-1918, effective 6-1-1918

- Sec. 1: QA Register of Wills shall prepare an index of releases for 1890-1918 and index of guardian accounts for 1890-1918.

### **Acts of 1918, Ch. 450**

An act re records in MO, approved 4-10-1918

- Sec. 1: MO Register of Wills shall transcribe the index of wills.

### **Acts of 1922, Ch. 227**

An act to add Art. XVII to the Constitution, re elections, approved 4-13-1922, ratified 11-1922

- Sec. 1: All state officers, except judges of the circuit courts, BC Supreme Bench, and Court of

Appeals from BC, and all county officers elected by voters shall hold office for four years.

- Sec. 2: Elections shall be held in November 1926 and every four years thereafter.
- Sec. 3: State and county officers elected in November 1923 for terms fixed by law at two years shall hold office for three years, as shall those whose terms are fixed at four years and six years.
- Sec. 4: All officers to be appointed by the governor in 1924 for terms fixed at two or four years shall hold office for three years; for terms fixed at six years years for five years. Thereafter, terms of office shall be as heretofore fixed by law, unless changed by legislation. All officers appointed for terms of two, four, or six years by the county commissioners after the election of November 1923 shall hold office for three years. Thereafter, appointments shall be for terms of four years, unless changed by law.
- This act shall be submitted to voters at the next general election.

### **Acts of 1924, Ch. 356**

An act to repeal and reenact Sec. 354A of Art. 4, Public Local Laws, re estates in BC, approved 4-9-1924, effective 6-1-1924

- Sec. 354A: BC Register of Wills shall appoint five general appraisers to appraise personal property. Their term of office shall be the same as the register.

### **Acts of 1924, Ch. 456**

An act to add a section to Art. 93, Public General Laws, re guardianships, approved 4-9-1924, effective 6-1-1924

- Sec. 167A: Orphans courts may order guardians to sell real property, ground rents, or interest in land, provided the appraised value is not over \$5000. The sales must be ratified and confirmed by the orphans courts after public notice, as is the practice in sales of land under equity decrees.

### **Acts of 1929, Ch. 74**

An act to add sections to Art. 65, Public General Laws, re guardianships, approved 4-2-1929, effective 6-1-1929

- Sec. 56B: Any federal requirement for the appointment of a guardian prior to the payment of veterans benefits to a minor shall be met as follows.
- Sec. 56D: A petition for appointment of a guardian may be filed in the circuit court of the county or BC where the ward resides. The petition shall include the name, age, and residence of the ward, names and addresses of known and nearest relatives, fact of entitlement to veterans benefits and amount, and name and address of the person or institution having custody of the ward.
- Sec. 56E: With the petition shall be a certificate from the federal veterans bureau showing the need for the appointment of a guardian.
- Sec. 56H: The guardian appointed shall give bond
- Sec. 56I: Annually the guardian shall file an account of receipts and disbursements with the court.

**Acts of 1929, Ch. 275**

An act to add Art. 62A, Public General Laws, re estate taxes, approved 4-2-1929

- Sec. 2: A state estate tax shall be imposed on the transfer of the estate of every decedent.
- Sec. 4: An executor or administrator shall pay it to the register of wills and file an affidavit showing the amount of the federal estate tax, proportion of non-taxable property, amount of state taxes, amount of additional taxes allowed in computing the federal estate tax, and amount of the state estate tax. Registers shall account for the moneys monthly to the Comptroller of the Treasury.
- Sec. 5: Any subsequent increase or decrease in the federal estate tax shall result in the same for the state estate tax.
- Sec. 10: This act shall affect estates of persons dying after September 30, 1928.

**Acts of 1931, Ch. 256**

An act to repeal and reenact Sec. 56D of Art. 65, Public General Laws, re guardianships, approved 4-17-1931, effective 6-1-1931

- Sec. 56D: A petition for appointment of a guardian may be filed in the circuit court or orphans court of the county or BC where the ward resides. The petition shall include the name, age, and residence of the ward, names and addresses of known and nearest relatives, fact of entitlement to veterans benefits and amount, and name and address of the person or institution having custody of the ward.

**Acts of 1933, Ch. 301**

An act to repeal and reenact Sec. 160 of Art. 24, Public Local Laws, re orphans court in WO, approved 4-21-1933, effective 6-1-1933

- Sec. 160: Not more than one judge of the WO Orphans Court shall be a resident of any county commissioner district.

**Acts of 1933, Ch. 350**

An act to repeal and reenact Sec. 4 of Art. 62A, Public General Laws, re estate taxes, approved 4-21-1933, effective 6-1-1933

- Sec. 4: An executor or administrator shall pay the state estate tax to the Comptroller of the Treasury and file with the register of wills an affidavit showing the amount of the federal estate tax, proportion of non-taxable property, amount of state taxes, amount of additional taxes allowed in computing the federal estate tax, and amount of the state estate tax.

**Acts of 1935, Ch. 90**

An act to add a section to Art. 81, Public General Laws, re inheritance taxes, approved 3-16-1935

- Sec. 104A: Estates passing to lineal descendants shall be subject to an inheritance tax under the same conditions as provided for in Sec. 105.

### **Acts of 1939, Ch. 512**

An act to repeal and reenact Sec. 173 of Art. 93, Public General Laws, re guardianships, approved 5-24-1939

- Sec. 173: Orphans courts may order guardians to sell real property, ground rents, or interest in land of wards, provided the appraised value is not over \$5000. The sales must be ratified and confirmed by the orphans courts after public notice, as is the practice in sales of land under equity decrees. Proceedings shall be by petition to have the property appraised and a court order to sell.

### **Acts of 1939, Ch. 549**

An act re records in FR, approved 5-17-1939, effective 6-1-1939

- Sec. 1: FR Register of Wills shall deliver to the Sisters of Charity of St. Joseph in Emmitsburg the original will of Elizabeth Ann Seton.
- Sec. 2: Register shall place a certified copy where the original is now filed.

### **Acts of 1955, Ch. 150**

An act to add a section to Art. 93, Annotated Code, re estates, approved 3-29-1955, effective 6-1-1955

- Sec. 1A: Before an orphans court passes the first administration account of a decedent who had owned a fee simple absolute interest in real property, it shall require the executor or administrator to file a certificate from the supervisor of assessments showing that the property has been transferred on the assessment records.

### **Acts of 1962, Ch. 46**

An act to repeal and reenact Secs. 319(a) and 321 of Art. 93, Annotated Code, approved 3-34-1962, effective 6-1-1962

- Sec. 319(a): Orphans courts and courts of equity shall have concurrent jurisdiction in authorizing and directing the sales of real property of intestates where the appraised value is not over \$15,000.
- Sec. 321: Orphans courts may use the appraisement for inheritance purposes for the application of Sec. 319(a).



## FERRIES

### Acts of Nov. 1781, Ch. 22

An act re public ferries, passed 1-22-1782

- Sec. 1: At the March court term the county courts may grant licenses to keep public ferries at places now used as such. The licenses must be renewed annually.
- Sec. 2: At the same time the courts shall set ferriage prices, direct the number and types of boats to be kept, and establish the number of employees.
- Sec. 3: If the proprietor of any place now used as a public ferry that the court agrees to continue neglects to obtain a license or to rent the facility to someone approved by the court, the court shall have the sheriff summon a jury to estimate the annual value of the land needed for use of the ferry. The land shall not exceed three acres and shall exclude the dwelling house, garden, orchard, or meadow. The sheriff shall return the inquisition along with a certificate of survey to the court which shall have it recorded and may contract for the construction of necessary buildings for a ferry. The land and buildings shall become county property and be rented annually to a person proper to be licensed as a ferry keeper. The court shall pay annually to the landowner the annual value or rent established by the jury.
- Sec. 4: If a ferry keeper dies between court terms, any two justices may permit someone else to keep it until the the next term.
- Sec. 5: Following current practice the county courts may agree with persons to keep ferries, provided they give bond and abide by the set ferriage prices.

### Acts of 1791, Ch. 65

An act supplemental to Acts of Nov. 1781, Ch. 22, re public ferries, passed 12-27-1791

- Sec. 2: County courts may contract with a person, at an agreed price, to keep a public ferry, with the price being paid by the county. The individual shall give bond.
- Sec. 3: This act does not authorize the county courts to operate a ferry at county expense where one was not previously kept and supported.

### Acts of 1799, Ch. 83

An act supplemental to Acts of Nov. 1781, Ch. 22, re ferries, passed 1-3-1800

- Sec. 1: Where individuals have set up new ferries since passage of the original act, which are beneficial, the county courts may establish and regulate them agreeable to Acts of Nov. 1781, Ch. 22 and its supplements.
- Sec. 3: As transportation needs change the courts may establish and regulate new ferries at places deemed useful.
- Sec. 5: If the proprietor of any place now used as a public ferry, or where one may be established, neglects to obtain a license or to rent the facility to someone approved by the court, the court shall have the sheriff summon a jury to determine how much land is needed for the ferry and set its value. The land shall not exceed two acres and shall exclude the dwelling house, garden,

orchard, or meadow. The sheriff shall return the inquisition along with a certificate of survey to the court which may ratify or modify the return. The land and buildings shall become county property and the landowner shall be compensated. A copy of the proceedings shall be sent to the levy court which shall pay the landowner. County court shall have buildings erected and rented out annually. A minor or other person with a legal disability, or the legal representative, may within three years after removal of the disability repay the levy court the amount of compensation and the value of the improvements made at county expense and then the property shall revert to the ownership of that person.

- Sec. 6: Sec. 3 of Acts of Nov. 1781, Ch. 22, re condemnations, is repealed.

### **Acts of 1822, Ch. 148**

An act supplemental to Acts of 1791, Ch. 65, re ferries in SO and WO, passed 2-15-1823

- Levy courts of SO and WO shall exercise the powers given the county court by Acts of 1791, Ch. 65, re contracts to keep public ferries at county expense.

### **Acts of 1824, Ch. 109**

An act supplemental to Acts of 1791, Ch. 65, re ferries in AA, passed 2-16-1825

- AA Levy Court shall exercise the powers given the county court by Acts of 1791, Ch. 65, re contracts to keep public ferries at county expense.

### **Acts of 1825, Ch. 5**

An act supplemental to Acts of 1791, Ch. 65, re ferries in DO, passed 1-22-1826

- Sec. 1: DO Levy Court shall exercise the powers given the county court by Acts of 1791, Ch. 65, re contracts to keep public ferries at county expense.
- Sec. 2: Levy court may sell the ferries or make any other contracts for them. The person appointed to take charge of a ferry shall give bond, to be approved by the levy court and recorded by the county court clerk.
- Sec. 3: Levy court shall meet in April to execute this act.

### **Acts of 1832, Ch. 284**

An act re ferries in SO, passed 3-8-1833

- Sec. 1: If the proprietor of any place now used as a public ferry in SO, which the levy court wants to continue as a public facility, refuses to rent the house and land to the person designated by the levy court or is under a legal disability, the levy court shall appoint three commissioners to condemn and estimate the value of the land and improvements. They shall return their proceedings and a certificate of survey to the levy court, which shall be recorded. Levy court may agree with someone to erect or repair necessary buildings. The land and buildings shall become county property. Levy court shall pay the landowner the value estimated by the commissioners.

- Sec. 2: An owner aggrieved with the valuation shall so notify the commissioners within one month after their return. They shall command the sheriff to summon a jury to establish the value. This inquisition shall be final and conclusive.
- Sec. 4: Commissioners shall file a copy of their proceedings, including a description of the land and improvements, with the county court clerk for recording.

### **Acts of 1833, Ch. 151**

An act supplemental to Acts of 1832, Ch. 284, re ferries in SO, passed 3-7-1834

- Sec. 1: SO Levy Court may purchase or contract for the building of ferry boats for the public ferries.
- Sec. 2: Ferry keepers appointed and licensed by the levy court shall give bond for the safekeeping of those boats.

## HOUSING

### **Acts of 1937, Ch. 517**

An act to add Art. 44A, Public General Laws, re housing authorities, approved 5-28-1937, effective 6-1-1937

- Sec. 4: In every incorporated city having a population over 1000 there is hereby created a housing authority, provided the governing body of the municipality declares a need for it, i.e. existence of unsanitary and unsafe inhabited dwellings and shortage of safe and sanitary dwellings available to low income persons.
- Sec. 5: Each mayor shall appoint five commissioners to the housing authority for staggered five year terms, one being replaced each year. The mayor shall select the first chair, after that the commissioners themselves.
- Sec. 8: The housing authority may acquire, lease, and operate housing projects and provide for their maintenance and construction. The authority may establish and revise rents, acquire property through eminent domain, and dispose of real property and personal property. The authority may investigate housing conditions and means of improving them. No housing project in BC shall be carried out without approval of the board of estimates.
- Sec. 14: The housing authority shall have the power to issue bonds.
- Sec. 20: The housing authority shall have the power to borrow money or accept financial assistance from the U.S. government and take over, lease, or manage any federal housing project.
- Sec. 22: Annually the authority shall file with the city clerk a report of its activities and make recommendations for additional legislation. In each county there is hereby created a housing authority, provided the county commissioners declare a need for it. It shall have the same functions and powers as provided in this act for city authorities. The area of operation in a county shall exclude incorporated cities unless their governing bodies consent to inclusion in the county program.

## INCOME TAX

### **Acts of Dec. 1841, Ch. 325**

An act re income taxes, passed 3-10-1842

- Sec. 1: A tax shall be imposed on salaries, emoluments, incomes, and profits of individuals, companies, and professions, except for the salaries of judges and clergymen and income from property already assessed.
- Sec. 2: Annual incomes or values under \$500 shall be exempt.
- Sec. 3: In May the governing bodies of the counties and BC shall appoint an assessor in each assessment district. Treasurer of the Western Shore shall furnish instructions to the assessors.
- Sec. 4: Assessors shall assess various incomes by information under oath from individuals.
- Sec. 6: Assessors may require persons to furnish particularized statements.
- Sec. 7: Assessors shall file returns with the county and BC governing authorities in August. The certificates shall be arranged alphabetically by name and include for each person the residence, amounts held or received by or secured to, and assessment district.
- Sec. 8: Taxpayers may appeal the assessment to the county or BC governing body per Secs. 24-25 of Acts of Mar. 1841, Ch. 23. In September the governing bodies shall hear appeals and furnish the Treasurer of the Western Shore with corrected assessors returns, including the amounts assessed in each category.
- Sec. 9: In September the governing bodies shall appoint tax collectors who shall give bond.
- Sec. 11: Collectors shall also perform assessment duties, if incomes were missed.
- Sec. 12: State treasurer shall withhold the taxes from the salaries and emoluments of officers paid from the state treasury and give receipts that will serve as evidence of payments for the tax collectors. Every company and association having persons subject to the income tax shall withhold it and pay it to the tax collector of the district where the person resides.
- Sec. 13: One-fourth of the tax shall be collected by December 1 and the rest by March 1.
- Sec. 14: Hereafter, beginning in 1843, the county and BC governing bodies at the time of laying the annual levy shall impose the income tax which shall be collected and paid to the state treasury per provisions of Secs. 52-55 of Acts of March 1843, Ch. 23.
- Sec. 17: Fines and forfeitures imposed by this act shall be recoverable by indictment in the county courts or BC Court.

### **Acts of 1842, Ch. 294**

An act supplemental to Acts of Dec. 1841, Ch. 325, re income taxes, passed 3-10-1843

- Sec. 1: Annual incomes or values under \$300 shall be exempt.
- Sec. 2: Ground rents shall be assessed as income and not subject to the \$300 exemption.
- Sec. 4: Treasurer of the Western Shore shall furnish the assessors with forms for returns and certificates, thus canceling the need for instructions.
- Sec. 7: One-fourth of the tax shall be collected by December 1 and the rest by June 1.

### **Acts of 1843, Ch. 307**

An act supplemental to Acts of Dec. 1841, Ch. 325, re income taxes, passed 3-8-1844

- Sec. 1: If the county or BC governing bodies have not appointed assessors or assessors have not qualified by May 1, 1844, the governor shall appoint them. These assessors shall make their returns within two months.
- Sec. 2: If the assessors do not qualify within thirty days, the governor shall make new appointments.
- Sec. 3: By the first Monday in June 1844 the county and BC governing bodies must appoint tax collectors.
- Sec. 4: If the collectors are not appointed or do not qualify by the first Monday in July 1844, the governor shall make the appointments.

### **Acts of 1844, Ch. 251**

An act supplemental to Acts of Dec. 1841, Ch. 325, re ground rents, passed 3-7-1845

- Sec. 1: Sec. 2 of Acts of 1842, Ch. 294, re ground rents, is repealed.

### **Acts of 1847, Ch. 252**

An act to repeal income tax laws, passed 3-10-1848

- Sec. 1: Acts of Dec. 1841, Ch. 325 and its supplements are repealed.

## INSOLVENCY

[Until 1806 many acts, not abstracted, were passed for the relief of specific individual debtors]

### **Acts of 1774, Ch. 28**

An act re insolvent debtors, passed 4-19-1774, effective 10-1-1774

- Sec. 1: Any person committed or charged in execution for want of special bail and then confined in jail for at least twenty days may petition any three justices of the peace in the county for a discharge. At a hearing the justices shall determine the amount of debts owed by examining the debtor and creditors. If the amount is less than £200 sterling, the prisoner may deliver to the sheriff a schedule of all real and personal property. A duplicate schedule shall be received by the justices who shall file it with the court clerk to maintain for the creditors.
- Sec. 2: After giving twenty days notice, the sheriff shall sell the property. The proceeds shall be used to pay the creditors according to the order and priority of their judgments, liens, and other debt demands.
- Sec. 3: A debtor shall keep necessary wearing apparel and trade utensils, not exceeding £5 current money in value.
- Sec. 4: After the schedule of property is filed by the justices, they shall order the debtor released from jail.

### **Acts of 1805, Ch. 110**

An act for the relief of sundry insolvent debtors [last such act], passed 1-23-1806

- Sec. 1: Individuals named in this act have petitioned the General Assembly about their inability to pay debts and have asked for discharge from them upon delivery of their property for the use of creditors.
- Sec. 2: Each debtor shall petition the county court with an offer to deliver up all property, except necessary wearing apparel and bedding for the individual and family, for use of the creditors, with a schedule of property and list of creditors. Court shall notify creditors directly or by advertisement. Upon the recommendation of a majority of the largest creditors, the court shall appoint a trustee for the benefit of the creditors. If the creditors do not make a recommendation or do not attend the hearing, the court shall appoint a trustee.
- Sec. 3: No debtor shall benefit from this act unless the individual has been a state resident for two years and obtains the written assent of creditors representing two-thirds of the total debt.
- Sec. 4: The trustee shall give bond, to be recorded by the county court clerk.
- Sec. 5: The debtor shall execute a deed, to be recorded, to the trustee for all real property, personal property, debts, rights, and claims and deliver the properties to the trustee. Then the court may order the debtor discharged from all debts, covenants, contracts, promises, and agreements due in an individual or partnership capacity. Any property acquired by gift, bequest, devise, or distribution of an estate shall be liable for the payment of debts.
- Sec. 7: Court may direct the trustee to sell the property. The proceeds after satisfying judgments, encumbrances, and liens shall be divided among the creditors agreeable to their claims.

- Sec. 8: The trustee may sue for recovery of any property or debt assigned by the debtor.
- Sec. 9: If found guilty of fraud or deceit within two years after filing the petition with the court, a debtor shall be precluded from any benefit of this act.
- Sec. 10: Court shall hear and determine complaints against the trustee.
- Sec. 11: If the debtor is in prison at the time of the petition, the court may have the person released and require bond for subsequent court appearances if necessary.
- Sec. 12: Court may limit and appoint the time for creditors to being in and declare their claims and may examine the creditors and debtor concerning them.
- Sec. 14: All proceedings under this act shall be recorded by the county court clerk.
- Sec. 16: None of the debtors named in this act shall benefit from this act if the application to the county court is not filed by September 1, 1806. This provision shall also apply to debtors who take advantage of Sec. 21 and fail to execute a deed to the trustee within one month after giving bond.
- Sec. 21: County courts may extend the benefits of this act to all persons who apply by January 1, 1810, provided the debtors give two months public notice.

### **Acts of 1806, Ch. 98**

An act supplemental to Acts of 1805, Ch. 110, re insolvent debtors, passed 1-4-1807

- Sec. 2: The two year residency requirement shall be extended to debtors applying under the provisions of Sec. 21 of Acts of 1805, Ch. 110.

### **Acts of 1807, Ch. 150**

An act supplemental to Acts of 1805, Ch. 110, re insolvent debtors, passed 1-20-1808

- Sec. 2: A debtor imprisoned at the time of petitioning the county court per provisions of Sec. 21 of Acts of 1805, Ch. 110 may be released and give bond for appearance, if required by the court.

### **Acts of 1808, Ch. 71**

An act supplemental to Acts of 1805, Ch. 110, re insolvent debtors, passed 12-22-1808

- Sec. 2: An imprisoned debtor applying under the provisions of Acts of 1807, Ch. 150 for the benefits of Acts of 1805, Ch. 110 shall not be required to give notice to creditors beforehand or obtain the assent of two-thirds of the creditors.
- Sec. 3: Hereafter the county court may appoint the trustee and when the bond is filed all property and claims due the debtor shall automatically be vested with the trustee.

### **Acts of 1812, Ch. 77**

An act supplemental to Acts of 1805, Ch. 110, re insolvent debtors, passed 12-10-1812

- Sec. 2: Creditors assenting to a debtor benefiting from insolvency laws shall make affidavits that the debtor is indebted as claimed and that no security or satisfaction has been received.



- Sec. 4: No person shall have the benefit of insolvency laws oftener than once in two years.
- Sec. 5: If a debtor can prove that creditors are unjustly withholding their assent, the county court may order the debtor to have full benefit of the insolvency laws anyway.
- Sec. 6: The appointment of a trustee shall operate as an assignment of all property without the necessity of a deed.

### **Acts of 1816, Ch. 221**

An act re insolvent debtors in BC and BA, passed 2-3-1817

- Sec. 1: Governor and council shall three Commissioners of Insolvent Debtors for BC and BA.
- Sec. 2: Hereafter the BA Court shall refer to the commissioners all applications for the benefit of insolvency laws, along with the schedules of property and other papers. Commissioners shall appoint a provisional trustee to take possession of the property. Commissioners shall take bond from the debtor for the appearance to answer interrogatories or allegations from creditors. Then the commissioners shall report to the court that the trustee has possession of the property, and the court shall discharge the debtor.
- Sec. 3: Within ten days thereafter the commissioners shall have notice given of such discharge, of the time fixed by the court for the final hearing, and of the time and place where creditors shall attend before the commissioners to nominate a permanent trustee whom the commissioners shall appoint to provide information to report to the court.
- Sec. 5: Commissioners shall inquire into the circumstances of the application and have the power to compel the debtor to answer on oath all interrogatories. After the debtor has complied with the conditions of the insolvency laws, the commissioners shall report this to the court and return the schedule and all proceeding to the court clerk for recording. Then the court shall grant a full discharge without requiring the assent of the creditors, after hearing any allegations against the debtor by the creditors. Creditors shall retain the right to file allegations for two years after the discharge.

### **Acts of 1817, Ch. 183**

An act supplemental to Acts of 1805, Ch. 110, re insolvent debtors, passed 2-13-1818

- Sec. 1: During the recess of the county court, an imprisoned debtor may apply to any orphans court for discharge from confinement. The discharge may be granted when the petitioner gives bond for appearance before the county court.
- Sec. 2: Orphans courts may exercise all the powers given the county courts under Acts of 1805, Ch. 110 and its supplements.
- Sec. 3: Proceedings of the orphans court shall be filed with the county court clerk within thirty days, and the county court shall proceed thereon.
- Sec. 4: Acts of 1774, Ch. 28 is repealed.

### **Acts of 1820, Ch. 182**

An act supplemental to Acts of 1816, Ch. 221, re insolvent debtors in BC and BA, passed 2-15-1821

- Sec. 1: At any time after an application is made, the Commissioners of Insolvent Debtors for BC and BA may appoint a permanent trustee whenever a majority of the creditors in value nominate a person in writing.

### **Acts of 1827, Ch. 70**

An act supplemental to Acts of 1805, Ch. 110, re insolvent debtors, passed 2-14-1828

- Sec. 1: After application by an imprisoned debtor, the county court or orphans court shall appoint a trustee and discharge the debtor when the trustee gives bond, applicant executes a deed to the trustee, and trustee certifies possession of the property listed in the schedule.
- Sec. 3: Trustees may sell property at public auction whether or not the insolvency petition is prosecuted to a final hearing.
- Sec. 5: The bond of the trustees shall be liable for default.
- Sec. 6: If at the time of the final hearing no interrogatories or allegations are filed or if so are answered satisfactorily or decided in favor of the applicant, the county court shall rule for a final discharge without assent of the creditors.
- Sec. 9: This act shall not apply in BC and BA.

### **Acts of 1829, Ch. 208**

An act supplemental to Acts of 1816, Ch. 221, re insolvent debtors in BC and BA, passed 2-25-1830

- Sec. 1: When the Commissioners of Insolvent Debtors for BC and BA make an unfavorable report to the BA Court, the petitioner may request the court to examine the case and if fraud is alleged may obtain a jury trial.
- Sec. 2: The appointment of a provisional trustee and the filing of a bond shall automatically vest in that person all property of the debtor without the necessity of a deed.

### **Acts of 1830, Ch. 130**

An act supplemental to Acts of 1805, Ch. 110, re insolvent debtors, passed 2-19-1831

- Sec. 1: Hereafter it will not be necessary for an applicant to produce any evidence of confinement in jail.

### **Acts of 1830, Ch. 167**

An act re insolvency records in BC and BA, passed 2-22-1831

- Sec. 1: Hereafter the BA Court clerk shall not record the full proceedings in insolvency cases unless requested in writing by an interested person.
- Sec. 2: Instead the clerk shall make docket entries.
- Sec. 3: Clerk shall record the bonds of the permanent trustees.

### **Acts of 1831, Ch. 316**

## An act re insolvent debtors in BC and BA, passed 3-14-1832

- Sec. 1: One commissioner of insolvent debtors for BC and BA may act alone except in appointing permanent trustees, approving their bonds, and making final reports.
- Sec. 3: The final appearance of any insolvent debtor, applying after April 1, 1832, shall take place before the commissioners instead of the BA Court.
- Sec. 4: After due consideration, the commissioners may grant a final discharge or refuse to do so. The discharge or unfavorable decision shall be certified by the person they appoint as clerk. Then the commissioners shall report and return to the court their proceedings and papers, but keeping a record of the final discharge.

## Acts of 1832, Ch. 203

### An act supplemental to Acts of 1828, Ch. 161, re civil cases in BC and BA, passed 3-15-1833

- Sec. 3: Upon petition of a permanent trustee stating sufficient and reasonable grounds for discontinuing in that role or upon petition of a creditor setting forth such grounds, the BA Court may discharge the trustee and appoint a new one who shall give bond.

## Acts of 1834, Ch. 293

### An act supplemental to Acts of 1816, Ch. 221, re insolvent debtors in BC and BA, passed 2-13-1835

- Sec. 5: Commissioners of Insolvent Debtors for BC and BA shall have the power to issue subpoenas for witnesses.
- Sec. 9: When a debtor entitled to apply for benefit of the insolvency laws shall upon the process of execution issued on a judgment be imprisoned for sixty days, any of the creditors may apply to the commissioners to have the debtor appear to show cause why a trustee should not be appointed. After a hearing, the commissioners may appoint a trustee.

## Acts of 1835, Ch. 235

### An act supplemental to Acts of 1828, Ch. 161, re insolvency cases in BC, passed 3-22-1836

- Sec. 3: BA Court may require trustees of insolvents in BC to make reports of funds and effects annually or oftener, effectuate distribution among creditors as speedily as possible, and appoint a person to audit the accounts and claims of creditors.

## Acts of 1839, Ch. 3

### An act supplemental to Acts of 1805, Ch. 110, re insolvent debtors, passed 1-16-1840

- County courts shall grant all persons the benefit of insolvency acts provided they comply with the provisions of the acts, except that the two year residence requirement is reduced to six months. The application may be made to the orphans court.
- This act shall not apply in BC and BA.

## **Acts of 1849, Ch. 148**

An act supplemental to Acts of 1805, Ch. 110, re insolvent debtors, passed 2-23-1850

- Orphans courts may grant discharges to applicants during the session of the county court in the same manner as now done during the court recess.

## **Acts of 1854, Ch. 193**

An act re insolvent debtors, passed 3-10-1854

- Sec. 1: An insolvent person may petition the county circuit court or BC Court of Common Pleas, offering to deliver up all real property and personal property for the benefit of creditors and exhibiting a schedule of property and list of debts. This legal action can be taken no more than once in two years.
- Sec. 2: Court shall appoint a trustee for the benefit of the creditors, who shall give bond. The debtor shall convey all property to the trustee.
- Sec. 3: After three months public notice, the insolvent shall appear in court to answer interrogatories and allegations from creditors.
- Sec. 4: If none are made or they are answered satisfactorily or determined in favor of the insolvent, the court shall discharge the person from all debts and contracts.
- Sec. 16: Under rules prescribed by the courts, county circuit court clerks may receive petitions, appoint trustees, take and approve bonds, acknowledge the deed to the trustee, fix a court date, and order notice to be given.
- Sec. 17: BC Court of Common Pleas may appoint a commissioner to have the powers outlined in Sec. 16 and to receive answers to interrogatories and report them to the court.
- Sec. 19: Any creditor may have an issue made and tried by a jury and may file allegations of fraud within two years of the discharge and have it tried by a jury.
- Sec. 20: Court decisions may be appealed to the Court of Appeals.
- Sec. 22: Property acquired after the release by gift, descent, devise, or distribution of an estate shall be given the trustee.
- Sec. 23: All prior insolvency laws are repealed.

## **Acts of 1867, Ch. 401**

An act to establish another BC court per Sec. 41 of Art. 4 of the Constitution, passed 3-22-1867

- Sec. 1: The BC Court is established.
- Sec. 2: BC Court shall have concurrent jurisdiction with the BC Court of Common Pleas in cases of insolvency.
- Sec. 8: The judge and clerk shall be elected on the first Wednesday in May 1867.

## **Acts of 1868, Ch. 471**

An act to repeal and reenact Art. 26 and to repeal Secs. 22 and 99-103 of Art. 16 and Secs. 33-43 of Art.

## 88, Public General Laws, re corporations, approved 3-30-1868

- Sec. 185: When declared insolvent by legal means, a corporation shall be deemed to have surrendered its corporate rights, privileges, and franchises. It may be adjudged dissolved after an equity hearing upon a bill filed for that purpose in a county circuit court or BC Circuit Court, based on where the principal office and place of operation is located or where the charter was recorded. Such a bill may be filed by a stockholder, shareholder, creditor, Attorney General, or states attorney. This section shall not apply to railroad companies.
- Sec. 186: Corporate officers may call a meeting of stockholders and shareholders to vote on dissolution. If a majority agree, a bill for dissolution shall be filed with the county circuit court or BC Circuit Court, based on where the principal office and place of operation is located or where the charter was recorded.
- Sec. 187: Such a bill shall outline the reasons for dissolution and include an inventory of assets and related books, securities, and vouchers; account of capital stock, list of stockholders, their residences, number of shares held by each, amount paid on each share, and amount still due; and list of encumbrances on property along with a list of creditors, their residences, and amount due each.
- Sec. 188: Court shall pass an order requiring interested persons to show cause, if any, why the corporation should not be dissolved.
- Sec. 189: If the court agrees that the corporation is insolvent or that dissolution would be beneficial, it shall decree dissolution and appoint one or more receivers of the company estate and assets.
- Sec. 190: Receivers shall be trustees for the benefit of creditors and stockholders and shall wind up the affairs of the corporation under the direction of the court.

## Acts of 1880, Ch. 172

An act to repeal and reenact Secs. 1-3, 12-14, and 16-18 of and to add sections to Art. 48, Public General Laws, re insolvents, approved 4-14-1880

- Sec. 1: An insolvent person may petition the county circuit court or BC Court of Common Pleas, offering to deliver up all real property and personal property for the benefit of creditors and exhibiting a schedule of property and list of debts. The latter shall include the names and addresses of debtors and creditors. This legal action can be taken no more than once in two years.
- Sec. 2: Court shall appoint a preliminary trustee for the benefit of the creditors, who shall give bond. The insolvent shall convey all property to the trustee. Trustee shall give notice to each creditor of the pending insolvency proceeding and require them to appear five to ten days later to choose a permanent trustee. Creditors shall also be generally notified by public notices. A court clerk shall preside over the meeting. Creditors shall prove their claims in accordance with court rules and elect a permanent trustee subject to the approval of the court. If creditors fail to attend or no one receives a majority or the person is deemed unsuitable, the court shall appoint the permanent trustee who shall give bond. The preliminary trustee, if different from the permanent one, shall execute a deed for the property of the insolvent. At the meeting the debtor shall answer interrogatories of the creditors.

- Sec. 3: Court may order the insolvent to appear at any time to answer interrogatories or allegations as proposed by creditors, endorsers, or sureties.
- Sec. 12: Court shall prescribe the penalty of the bond of a trustee, may order a new bond or sureties, or may remove a trustee for just cause. Court shall prescribe by its rules for the method and forms for proof of claims against insolvents.
- Sec. 16: County circuit court clerks may receive petitions, appoint preliminary trustees, take and approve bonds, acknowledge the deed to the trustee, fix a court date, and order notice to be given creditors.
- Sec. 17: Clerk of the BC Court of Common Pleas may appoint a deputy clerk to have the powers outlined in Sec. 16 and to receive answers to interrogatories and report them to the court.
- Sec. 23: Actions deemed to be acts of insolvency shall include departure from the state with the intent to defraud creditors, concealment to avoid service of process for recovery of debts, removal of property to prevent it from being taken under legal process, transfer of property with intent to delay, hinder, or defraud creditors, or when being insolvent or contemplating insolvency performs one or more of the following actions - executes a conveyance giving preference, creates a lien giving preferences, confesses a judgment or lets one be entered by contrivance, stops payment of negotiable paper and fails to resume payment in twenty days, or an a banker fails to pay a depositor within twenty days. Petitions alleging any of these actions must be filed within sixty days after the act is committed.
- Sec. 24: A petition alleging any of these acts may be filed by one or more creditors, the aggregate of whose debts against the insolvent must be a minimum of \$250. The petition shall state the facts on which the application is based and pray for process against the debtor and an adjudication of insolvency. The court shall summon the debtor to appear in five to ten days to show cause why adjudication should not be made. Upon any issue of fact that may arise either party may request a jury trial. Pending the determination of the application, the court may issue an injunction to restrain the debtor from disposing of property. If the allegations are sustained, the court shall adjudge the debtor insolvent and appoint a preliminary trustee. Thereafter, proceedings shall be the same as herein before provided. The debtor shall execute the schedule and list of debts.
- Sec. 26: If any real property or personal property of the insolvent is decreed to be sold by virtue of an equity decree or advertised to be sold by virtue of powers contained in a mortgage or bill of sale, the filing of a petition by or against an insolvent shall not disturb the right of the person making the sale, unless otherwise ordered by the court handling the insolvency.
- Sec. 27: Court clerks shall maintain an insolvency record in which to record matters concerning real property. Sales of real property and leasehold estates shall occur in the county or city where located.

## **Acts of 1884, Ch. 295**

An act to add sections to Art. 48, Public General Laws, re insolvent partnerships, approved 4-8-1884

- Sec. 29: Provisions of this article shall apply to partnerships doing business in Maryland. Petitions by or against a partnership shall be filed where the business is conducted. If business is conducted in several places, the court in which the petition is first filed shall have jurisdiction.

All joint stock and property of the partnership and separate estate of each partner shall be vested in and conveyed to the preliminary and permanent trustees. The trustee shall keep separate accounts of the assets of the partnerships and each partner. Net proceeds of the joint stock shall be used to pay creditors of the partnership, and net proceeds of the estate of each partner to pay creditors of that person. Any remaining balance of the estate of a partner shall be used to pay creditors of the partnership. Any remaining balance of the joint stock shall be divided to pay creditors of the individual partners. A discharge shall be granted or refused to each partner as if acting alone. Other proceedings shall be the same as for an individual. When limited partnerships are subject to insolvency proceedings, the separate estates and debts of the special partners shall not be subject to such proceedings.

- Sec. 30: When a person proceeded against in insolvency departs from the state or conceals oneself, the court shall have the same power to affect the individual or estate as now given in equity cases against nonresidents. When a partner in an insolvent partnership is so absent, such proceedings shall be stayed only for the separate estate and debts of that individual.
- Sec. 31: When a person adjudged insolvent fails to prepare a schedule of property and list of debts within ten days, the preliminary trustee shall make and file a list of creditors as best as can be determined and amend it as needed.

### **Acts of 1886, Ch. 298**

An act to repeal and reenact Secs. 23-24 of Art. 48, Public General Laws, re insolvents, approved 4-7-1886

- Sec. 23: Actions deemed to be acts of insolvency shall include departure from the state with the intent to defraud creditors, concealment to avoid service of process for recovery of debts, removal of property to prevent it from being taken under legal process, transfer of property with intent to delay, hinder, or defraud creditors, or when being insolvent or contemplating insolvency performs one or more of the following actions - executes a conveyance giving preference, creates a lien giving preferences, confesses a judgment or lets one be entered by contrivance, stops payment of negotiable paper and fails to resume payment in twenty days, or an a banker fails to pay a depositor within twenty days. Petitions alleging any of these actions must be filed within four months after the act is committed.
- Sec. 24: A petition alleging any of these acts may be filed by one or more creditors, the aggregate of whose debts against the insolvent must be a minimum of \$250. The petition shall state the facts on which the application is based and pray for process against the debtor and an adjudication of insolvency. The court shall summon the debtor to appear in five to ten days to show cause why adjudication should not be made. Upon any issue of fact that may arise either party may request a jury trial. Pending the determination of the application, the court may issue an injunction to restrain the debtor from disposing of property. If the allegations are sustained, the court shall adjudge the debtor insolvent and appoint a preliminary trustee. Thereafter, proceedings shall be the same as herein before provided. The debtor shall execute the schedule and list of debts.

### **Acts of 1894, Ch. 93**

An act to repeal and reenact Sec. 18 of Art. 47, Public General Laws, re insolvents, approved 3-15-1894

- Sec. 18: County circuit court clerks may receive petitions, appoint preliminary trustees, take and approve bonds, acknowledge the deed to the trustee, fix a court date, and order notice to be given creditors. No clerk shall appoint a preliminary trustee for an applicant against whom there is pending a petition filed by creditors under Sec. 23. Clerk shall instead submit the application and petitions to a judge.



## JURIES

### Acts of 1797, Ch. 87

An act re juries, passed 1-20-1798

- Sec. 8: Sheriffs shall return to the county courts a panel of forty-eight jurors from which the county clerk shall select by lot twenty-three as grand jurors. The rest shall serve as petit jurors.

### Acts of 1839, Ch. 106

An act supplemental to Acts of 1816, Ch. 193, re criminal cases in BC, passed 3-11-1840

- Sec. 1: BA sheriff shall summon forty-eight jurors in BC. By ballot the clerk of the BC Court shall draw twenty-three names as grand jurors, with the rest as petit jurors. No person shall serve more than once a year. A juror must be at least twenty-five years old.

### Acts of 1860, Ch. 308

An act to amend sections in Art. 4, Public Local Laws, re juries in BC, passed 3-9-1860

- Sec. 1: BC judges shall meet annually in March to select a jury pool of 750 names.
- Sec. 2: Annually in January the BC tax collector shall file with the clerk of the BC Superior Court a list of taxable male inhabitants, showing names and residences.
- Sec. 3: Judges shall have the names placed on ballots and have the BC sheriff or deputy draw names. The names shall be recorded in the order drawn.
- Sec. 4: The first twenty-three names shall constitute the grand jury for the BC Criminal Court.
- Sec. 5: The next twenty-five names shall constitute the petit jury for the BC Superior Court for three weeks duty.
- Sec. 6: The next twenty-five names shall constitute the petit jury for the BC Court of Common Pleas for three weeks duty.
- Sec. 7: The next twenty-five names shall constitute the petit jury for the BC Criminal Court for three weeks duty.
- Sec. 8: Judges shall have the names of the jury panels and others drawn recorded in five jury books in the order drawn.
- Sec. 9: The jury books shall be deposited with the BC Superior Court clerk, BC Court of Common Pleas clerk, BC Criminal Court clerk, BC sheriff, and judges.
- Sec. 10: Jurors who are legally disabled or excused shall be so noted in the jury books by the sheriff.
- Sec. 12: If at any trial tales de circumstantibus shall be ordered, the sheriff shall summon jurors from the names next set down in the jury books.
- Sec. 13: If all names in the jury books are exhausted, the sheriff shall summon jurors from the regular jury panels who are not engaged as part of any special panel.
- Sec. 14: Every three weeks during a court term and before commencement of each term, the judges shall strike from the jury lists those who have served. These persons shall not be liable for jury service for two years. Judges shall add more names to bring the total to 750 and then proceed

as specified above. Jury books shall be corrected.

- Sec. 15: Special juries shall also be summoned from the names in the jury books.

### **Acts of 1867, Ch. 329**

An act re juries, passed 3-21-1867

- Sec. 1: Before the first regular court term after passage of this act each clerk of the county commissioners shall prepare and file with the circuit court clerk a list of white male taxable residents whose names appear on the county tax records and who are known to be between the ages of twenty-five and sixty-five.
- Sec. 2: Before each court term requiring juries and in the presence of members of the bar the circuit court judges shall select from the list and from the last poll books the following number of names: 500 in AL, BA, CR, FR, and WA; 200 in AA, CE, DO, HA, MO, PG, SO, and WO; and 150 in CV, CA, CH, HO, KE, QA, SM, and TA. The lists shall be filed with and preserved by the court clerks.
- Sec. 3: The judges shall have the names placed on ballots and put in a box. The clerk or a deputy shall draw out forty-eight ballots and record each name in the order drawn. Judges shall have the sheriffs summon the jurors. Sheriffs shall report deaths, disabilities, or absences and the judges shall have more names drawn and summoned. Sheriffs shall return the jury pool at the opening of the court session.
- Sec. 4: Clerks shall keep the ballot boxes in court and if more jurors are required, the judges shall have more names drawn or summoned from the community at large as heretofore practiced.
- Sec. 5: The first twenty-three names drawn shall constitute the grand jury and the rest the petit jury.
- Sec. 6: Court shall have the power to coerce the attendance of jurors and punish them by fine or imprisonment.
- Sec. 7: Ballot boxes shall be emptied before drawing a new panel of jurors per Secs. 1-2.

### **Acts of 1868, Ch. 316**

An act to repeal and reenact Sec. 2 of Acts of 1867, Ch. 329, re juries, approved 3-30-1868

- Sec. 2: Before each court term requiring juries and in the presence of members of the bar the circuit court judges shall select from the list and from the last poll books the following number of names: 500 in BA; 200 in AL, AA, CR, CE, DO, FR, HA, MO, PG, SO, WA, and WO; and 150 in CV, CA, CH, HO, KE, QA, SM, and TA. The lists shall be filed with and preserved by the court clerks.

### **Acts of 1870, Ch. 220**

An act to repeal and reenact Sec. 2 of Acts of 1868, Ch. 316 and Sec. 3 of Acts of 1867, Ch. 329, re juries, approved 4-7-1870

- Sec. 2: Before each court term requiring juries and in the presence of members of the bar the

circuit court judges shall select from the list and from the last poll books the following number of names: 200 in AL, AA, BA, CR, CE, DO, FR, HA, MO, PG, and WA and 150 in CV, CA, CH, HO, KE, QA, SM, SO, TA, and WO. The lists shall be filed with and preserved by the court clerks.

- Sec. 3: The judges shall have the names placed on ballots and put in a box. The clerk or a deputy shall draw out forty-eight ballots and record each name in the order drawn. Judges shall have the sheriff summon the jurors. Sheriff shall report deaths, disabilities, or absences and the judges shall have more names drawn and summoned. Sheriff shall return the jury pool at the opening of the court session. In BA the ballot box shall be divided into compartments to correspond with the number of election districts and a specified number shall be drawn from each.

### **Acts of 1870, Ch. 410**

An act to repeal and reenact Sec. 1 of Acts of 1867, Ch. 329, re juries, approved 4-4-1870

- Sec. 1: Before the first regular court term after passage of this act each clerk of the county commissioners shall prepare and file with the circuit court clerk a list of white male taxable residents whose names appear on the county tax records and who are known to be age twenty-five or older.

### **Acts of 1878, Ch. 369**

An act to repeal and reenact Sec. 5 of Acts of 1867, Ch. 329, re juries, approved 4-1-1878

- Sec. 5: From the forty-eight names drawn and summoned the circuit court shall select one as foreman of the grand jury. The court clerk shall place the other names in a box and the first twenty-two drawn shall compose the rest of the grand jury, and the remainder the petit jury.

### **Acts of 1882, Ch. 67**

An act to repeal and reenact Secs. 601, 603-607, and 614 of and to add sections to Art. 4, Public Local Laws, re juries in BC, approved 3-15-1882

- Sec. 601: BC judges shall meet annually in April to select a jury pool of 750 names. They shall record the names and deposit the record with the BC Superior Court clerk.
- Sec. 603: BC Supreme Bench shall meet before the beginning of each term of the BC Criminal Court and select from the list twenty-three names as the grand jury. The sheriff shall summon them. If any are legally disqualified or excused, the judges shall select new names, omitting those drawn as petit jurors. BC Criminal Court judge shall designate the foreman.
- Sec. 604: After selection of the grand jury, the judges shall have the remaining names put on ballots. The sheriff or a deputy shall draw all names one by one.
- Sec. 605: The first twenty-five names shall constitute the petit jury for the BC Superior Court for three weeks duty.
- Sec. 606: The next twenty-five names shall constitute the petit jury for the BC Court for three weeks duty.

- Sec. 607: The next twenty-five names shall constitute the petit jury for the BC Court of Common Pleas for three weeks duty.
- Sec. 607A: The next twenty-five names shall constitute the petit jury for the BC Criminal Court for three weeks duty.
- Sec. 614: Every three weeks during a court term and before commencement of each term, the judges shall strike from the jury lists those who have served. These persons shall not be liable for jury service for two years. Judges shall add more names to bring the total to 750 and then proceed as specified above. Jury books shall be corrected.

### **Acts of 1882, Ch. 496**

An act to repeal and reenact Sec. 3 of Acts of 1870, Ch. 220, re juries, approved 5-3-1882

- Sec. 3: The judges shall have the names placed on ballots and put in a box. The circuit court clerk or a deputy shall draw out forty-eight ballots and record each name in the order drawn. Judges shall have the sheriff summon the jurors. Sheriff shall report deaths, disabilities, or absences and the judges shall have more names drawn and summoned. Sheriff shall return the jury pool at the opening of the court session. In BA and FR the ballot box shall be divided into compartments to correspond with the number of election districts and a specified number shall be drawn from each. This section shall not apply in PG.

### **Acts of 1884, Ch. 450**

An act to repeal and reenact Secs. 602, 614-610, 612, and 614-314A of Art. 4, Public Local Laws, re juries in BC, approved 4-8-1884

- Sec. 602: Annually in January the BC tax collector shall file with the clerk of the BC Superior Court a list of taxable male inhabitants, showing names and residences.
- Sec. 604: After selection of the grand jury, the judges shall have the remaining names put on ballots. The sheriff or a deputy shall draw 400 names one by one.
- Sec. 608: Judges shall record the names of the jury panels and others drawn in two additional books in the order drawn.
- Sec. 609: The jury books shall be deposited with the BC Superior Court clerk, sheriff, and judges. The sheriff shall summon the jurors. The additional jurors shall be a reserve for replacing disqualified and excused jurors for the regular panels. The other ones shall be discharged, but may be resummoned. The BC Supreme Court judge shall determine if any reserved persons are disqualified or excused.
- Sec. 610: If full panels cannot be obtained from jurors drawn or on reserve, the sheriff shall summon the necessary numbers from the names next on the list.
- Sec. 612: If at any trial tales de circumstantibus shall be ordered, the sheriff shall summon jurors from the names next set down in the jury books. Or, the judge may have the sheriff summon jurors from the regular jury panels, except for the BC Criminal Court, who are not engaged in any special panel. If the whole list of 400 names is exhausted, the judge shall have the sheriff or a deputy draw new names, add them to the list, and have them summoned.

**Acts of 1890, Ch. 62**

An act to repeal and reenact Sec. 10 of Art. 51, Public General Laws, re juries, approved 2-26-1890

- Sec. 10: From the forty-eight names drawn and summoned the court shall select one as foreman of the grand jury. The circuit court clerk shall place the other names in a box and the first twenty-two drawn shall compose the rest of the grand jury, and the remainder the petit jury. When the foreman position becomes vacant, the court shall appoint someone from the grand jury. This section shall not apply in PG.

**Acts of 1890, Ch. 533**

An act to repeal and reenact Sec. 8 of Art. 51, Public General Laws, re juries, approved 4-8-1890

- Sec. 8: The judges shall have the names placed on ballots and put in a box. The clerk or a deputy shall draw out forty-eight ballots and record each name in the order drawn. Judges shall have the sheriff summon the jurors. Sheriff shall report deaths, disabilities, or absences and the judges shall have more names drawn and summoned. Sheriff shall return the jury pool at the opening of the court session. In BA, FR, and MO the ballot box shall be divided into compartments to correspond with the number of election districts and a specified number shall be drawn from each. This section shall not apply in DO, PG, and WI or other counties where special provision is made by local law.

**Acts of 1892, Ch. 153**

An act to repeal and reenact Sec. 10 of Art. 51, Public General Laws, re juries, approved 3-18-1892

- Sec. 10: From the forty-eight names drawn and summoned the circuit court shall select one as foreman of the grand jury. The court clerk shall place the other names in a box and the first twenty-two drawn shall compose the rest of the grand jury, and the remainder the petit jury. When the foreman position becomes vacant, the court shall appoint someone from the grand jury. If any person drawn for the grand jury cannot serve, the vacancy shall filled from the petit jury pool which may then be filled per Sec. 8. This section shall not apply in PG except for the appointment of a new foreman of the grand jury.

**Acts of 1894, Ch. 299**

An act to repeal and reenact Sec. 8 of Art. 51, Public General Laws, re juries, approved 4-6-1894

- Sec. 8: The judges shall have the names placed on ballots and put in a box. The clerk or a deputy shall draw out forty-eight ballots and record each name in the order drawn. Judges shall have the sheriff summon the jurors. Sheriff shall report deaths, disabilities, or absences and the judges shall have more names drawn and summoned. Sheriff shall return the jury pool at the opening of the court session. In BA, CR, FR, and MO the ballot box shall be divided into compartments to correspond with the number of election districts and a specified number shall be drawn from each. This section shall not apply in DO, PG, and WI or other counties where special provision is

made by local law.

### **Acts of 1896, Ch. 20**

An act to add a section to and to repeal Secs. 587-590 of Art. 4, Public Local Laws, re juries in BC, approved 3-6-1896

- Sec. 591A: In addition to the 400 names drawn per Sec. 586 [old Sec. 604], the BC judges shall have 100 additional names drawn or such other number deemed necessary. Both groups of names shall under regulations prescribed by the BC Supreme Bench serve from time to time as jurors in the common law courts. The BC Supreme Bench shall have the power to prescribe by rule for the mode, time, and place for drawing jurors names, organization thereof, and distribution among the common law courts and to regulate the length of time for which jurors shall serve.
- Secs. 587-590 [old Secs. 605-607A] of Art. 4, Public Local Laws, re jury service for the common laws courts and criminal court, are repealed.

### **Acts of 1896, Ch. 329**

An act re juries in SM, approved 4-2-1896

- Sec. 1: Annually in September the clerk of the SM Board of County Commissioners shall prepare and file with the circuit court clerk a list of male resident taxables between the ages of twenty-five and seventy.
- Sec. 2: Before each court term and in the presence of members of the bar, the judges shall select 150 names from the list of taxables and the latest poll books. The names shall be apportioned among the election districts according to the number of voters and male taxpayers. The list of names shall be filed with and preserved by the circuit court clerk.
- Sec. 3: The names shall be placed on ballots and put in ballot boxes, one for each election district. The court clerk shall draw forty-eight names, proportioned according to voting and taxable male population in the districts.

## JUVENILES

### **Acts of 1902, Ch. 611**

An act to add sections to Art. 4, Public Local Laws, re juveniles in BC, approved 4-11-1902

- Sec. 623A: Governor shall appoint an additional justice of the peace at large for BC, to be called the magistrate for juvenile causes. The magistrate shall have exclusive jurisdiction over cases of trial, commitment for trial, or commitment to a reformatory or other institution of all minors under age sixteen in cases where jurisdiction is given by law to any justice of the peace in BC. Board of police commissioners shall fill temporary absences by designating a police justice.
- Sec. 886A: BC Supreme Bench shall have the authority to appoint probation officers for minors. When a child under age sixteen is arrested or charged with a serious crime or application is made for commitment to a reformatory or other institution, a probation officer shall conduct an investigation as required by the court or magistrate, represent the interests of the child at the hearing, and before and after the trial have control and custody of the child, subject to the order of the court or magistrate.
- Sec. 886B: Court or magistrate may suspend proceedings and place a child under the care of a probation officer.

### **Acts of 1904, Ch. 521**

An act to repeal and reenact Sec. 623A of Art. 4, Public Local Laws, re juvenile magistrates in BC, approved 4-8-1904

- Sec. 623A: Governor shall appoint an additional justice of the peace at large for BC, to be called the magistrate for juvenile causes. The magistrate shall have exclusive jurisdiction over cases of trial, commitment for trial, or commitment to a reformatory or other institution of all minors under age sixteen in cases where jurisdiction is given by law to any justice of the peace in BC. Governor shall file temporary absences by designating a police justice.

### **Acts of 1910, Ch. 41**

An act to repeal and reenact Sec. 623A of Art. 4, Public Local Laws, re juvenile magistrates in BC, approved 4-1-1910

- Sec. 623A: Governor shall appoint an additional justice of the peace at large for BC, to be called the magistrate for juvenile causes. The magistrate shall have exclusive jurisdiction over cases of trial, commitment for trial, or commitment to a reformatory or other institution of all minors under age sixteen in cases where jurisdiction is given by law to any justice of the peace in BC. Governor shall file temporary absences by designating a police justice. Magistrate shall hold court in the courthouse and may employ a clerk.

### **Acts of 1914, Ch. 171**

An act re juveniles in BA, approved 4-4-1914

- Sec. 1: Dependent, neglected, and delinquent males under age twenty and females under age eighteen are covered by this act.
- Sec. 2: Judges of the BA Circuit Court, sitting as a court of equity, shall have the authority to deal with these children when brought before the court.
- Sec. 3: Any county resident or agent of a society incorporated for the care of children may file a petition setting forth that a child is dependent, neglected, or delinquent and should be removed from the parents or custodians and placed under the jurisdiction of the court. Circuit court clerk shall enter the proceedings in a juvenile docket wherein the petitioner shall be the plaintiff and the child and parents or custodians defendants.
- Sec. 6: The court shall appoint one or more probation officers who shall investigate the juvenile cases brought into court, represent the interests of the child during the hearings, and take charge of the child before and after the trial as directed by the court. The officers may also file petitions per Sec. 3.
- Sec. 7: The court shall decide the best place for the juvenile to live until of age.
- Sec. 8: The probation officer or representative of an institution for children may be appointed guardian who shall visit the child at least once every three months and report to the court on conditions and progress.
- Sec. 9: The court when handling above cases shall be called the BA Juvenile Court and its jurisdiction shall include criminal offenses committed by minors that are now heard by justices of the peace.

## **Acts of 1916, Ch. 326**

An act re jurisdiction, approved 4-18-1916, effective 6-1-1916

- Sec. 1: Dependent, neglected, and delinquent males under age twenty and females under age eighteen are covered by this act.
- Sec. 2: County circuit courts may designate a judge to sit in juvenile causes. They shall have plenary jurisdiction to hear and determine all cases of dependent, neglected, or delinquent children and to provide for their custody, control, and maintenance until age twenty-one. Judges may conduct these hearings as now done in cases of minors brought before them by habeas corpus.
- Sec. 3: Any county resident or agent of a society incorporated for the care of children may file a petition setting forth that a child is dependent, neglected, or delinquent and should be removed from the parents or custodians and placed under the jurisdiction of the court. Circuit court clerks shall file and preserve the petition and other papers and enter the proceedings in a juvenile docket wherein the petitioner shall be the plaintiff and the child and parents or custodians defendants.
- Sec. 6: Each county circuit court shall appoint one or more probation officers. Two or more adjacent counties may appoint a joint probation officer. The officers shall investigate the juvenile cases brought into court, represent the interests of the child during the hearings, furnish the court with information, and take charge of the child before and after the trial as directed by the court. The officers may also file petitions per Sec. 3.
- Sec. 7: A minor charged under this act with a criminal offense for which a jury trial is possible may demand a jury trial.



- Sec. 9: Institutions in which the court places children shall report on conditions and progress to the courts.
- Sec. 12: No justice of the peace in the counties shall commit a child under the age of fourteen to a jail or police station.
- Sec. 14: This act shall not affect the jurisdiction of the justices of the peace in the counties where no judge is assigned to hear juvenile causes.
- Sec. 17: This act shall not apply in BC.

### **Acts of 1916, Ch. 674**

An act re jurisdiction, approved 4-18-1916, effective 6-1-1916

- Sec. 2: Any state resident having knowledge of a child without proper care or guardianship and not an inmate of a state or incorporated institution and knowledge of the person(s) responsible for or contributing to the conditions may file with the county circuit court, BC Criminal Court, or BC juvenile magistrate a petition setting forth the facts. The judge or magistrate may request a probation officer or states attorney to file such a petition.
- Sec. 4: A jury trial may be requested.
- Sec. 10: BC juvenile magistrate shall have jurisdiction in cases of preliminary hearings of persons charged under this act and concurrent jurisdiction with the BC Criminal Court upon waiver of a jury trial by the accused. Upon conviction or submission for sentence the magistrate may pass sentence or order bond taken.

### **Acts of 1931, Ch. 323**

An act to repeal Secs. 47-62 of Art. 26, Public General Laws, and Secs. 64 and 72 of and to add sections to Art. 52, Public General Laws, re county juvenile magistrates and jurisdiction, approved 4-17-1931, effective 6-1-1931

- Sec. 64, Art. 26: Any state resident having knowledge of a child without proper care or guardianship and not an inmate of a state or incorporated institution and knowledge of the person (s) responsible for or contributing to the conditions may file with the county circuit court, BC Criminal Court, BC juvenile magistrate, or county juvenile magistrate a petition setting forth the facts. The judge or magistrate may request a probation officer or states attorney to file such a petition.
- Sec. 72, Art. 26: BC and county juvenile magistrates shall have jurisdiction in cases of preliminary hearings of persons charged under this act and concurrent jurisdiction with the BC Criminal Court or county circuit court upon waiver of a jury trial by the accused. Upon conviction or submission for sentence the magistrate may pass sentence or order bond taken.
- Sec. 81, Art. 52: Governor with consent of the Senate shall appoint an additional justice of the peace in each county to be known as the magistrate for juvenile causes. They shall have the power of criminal jurisdiction as do other justices and police magistrates; exclusive jurisdiction in cases of trial, commitment for trial, commitment to any juvenile institute of any minor under age sixteen; authority to enforce obedience to orders; authority to suspend proceedings or

sentence and place a minor on probation; and maintain records of cases brought before them. All records dealing with minors under age sixteen shall be kept from public inspection except by parents and representatives of the minor and by court order.

- Sec. 83, Art. 52: Any county resident or agent of a society incorporated for the care of children may file a petition with the county juvenile magistrate, setting forth that a child is dependent, neglected, or delinquent and should be removed from the parents or custodians and placed under the jurisdiction of the magistrate. The magistrates shall file and preserve the petition and other papers and enter the proceedings in a juvenile docket wherein the petitioner shall be the plaintiff and the child and parents or custodians defendants.
- Sec. 85, Art. 52: Governor shall appoint a juvenile court committee in each county. Two members shall serve until June 1, 1933 and three until June 1, 1935. Successors shall be appointed for four year terms. Governor shall fill vacancies. Committees shall recommend juvenile magistrates to the governor, recommend probation officers to the magistrates, and confer with the magistrates.
- Sec. 86, Art. 52: Juvenile magistrates shall appoint probation officers.
- Sec. 87, Art. 52: Probation officers shall be known as the probation officers for delinquent and dependent children and shall be under the supervision of the magistrates. They shall conduct investigations and report them to the magistrates and may bring in minors who violate probation.
- Sec. 90, Art. 52: Secs. 81-89 shall not apply in AL, BC, BA, and WA.

### **Acts of 1931, Ch. 542**

An act to add sections to Art. 4, Public Local Laws, re juvenile records in BC, approved 4-17-1931, effective 6-1-1931

- sec. 886K: BC juvenile magistrate shall maintain complete records of cases. Those dealing with minors under age sixteen shall be withheld from public inspection.

### **Acts of 1943, Ch. 818**

An act to add sections to Art. 4, Public Local Laws, re juveniles in BC, approved 5-6-1943, effective 6-1-1943

- Sec. 420A: BC Circuit Court shall have jurisdiction in juvenile causes. BC Supreme Bench shall assign a judge to exercise such jurisdiction, who need not be subject to rotation.
- Sec. 420B: Child shall mean a person under age sixteen.
- Sec. 420C: The juvenile judge shall have the following jurisdiction
  - original, exclusive jurisdiction concerning any child who is dependent, delinquent, neglected, or feeble-minded
  - original jurisdiction to determine the paternity of such children in disputed cases
  - original, exclusive jurisdiction to try, subject to the right of trial by jury unless waived, any parent, guardian, or other adult for contributing to conditions bringing a child before the court
- Sec. 420D: If a child is charged with an act that would be a felony or misdemeanor if committed by an adult, the judge after an investigation may order the child tried as an adult. If the judge

retains jurisdiction, the hearing shall be conducted without a jury unless requested otherwise by a parent or guardian.

- Sec. 420F: BC Supreme Bench may appoint a master. Juvenile judge may direct the master to conduct the first hearing and submit all papers, findings, and recommendations. Then the judge shall hold a hearing, if requested by interested parties. Otherwise the findings and recommendations of the master, if and when confirmed by the judge, shall become the judgment of the court.
- Sec. 420G: No staff assigned to the juvenile court shall considered a deputy or employee of the clerk of the BC Circuit Court.
- Sec. 420J: Hearings shall be conducted in an informal manner. Stenographic notes or other transcripts shall not be required unless ordered by the judge. The general public shall be excluded from hearings and only persons with a direct interest shall be admitted.
- Sec. 420K: The judge may order a child placed on probation, put in a public or private institution, or committed to the state Department of Public Welfare for placement. The department shall report semi-annually to the judge on each committed child, showing the care and treatment given and planned and the reasons thereof. Proceedings and evidence with reference to a child given before the judge shall not be admissible as evidence against the child in any case in any other court.
- Sec. 420N: The judge may order a child examined by a physician, psychiatrist, or psychologist.
- Sec. 420O: BC Supreme Bench may adopt rules regarding juvenile procedures.
- Sec. 420P: Cases pending before the juvenile master shall be transferred to the BC Circuit Court.
- Sec. 420Q: Appeals may be taken to the Court of Appeals.
- Office of juvenile magistrate is abolished. All records shall be transferred to the BC Circuit Court.

## LAND COMMISSIONS

### **Acts of 1699, Ch. 18**

An act re land boundaries

- Sec. 2: County courts may grant a warrant of resurvey and impanel a jury, if required, where the reason for the resurvey is only to ascertain the boundaries. The certificate and plat shall returned to the county examiner and, after approval, sent to the court clerk for recording.
- Sec. 3: Governor shall appoint an examiner for each county who shall record the certificates and plats in a separate book.
- [Law expired 4-15-1707]

### **Acts of 1715, Ch. 45**

An act re land boundaries, effective 6-1-1716

- Sec. 1: The present course of action to remedy lost and wrong land boundaries involves a jury trial in the Provincial Court.
- Sec. 2: Governor and council shall appoint five persons in each county to meet periodically and summarily hear and determine differences and controversies concerning the metes and bounds of land.
- Sec. 3: Commissioners shall give public notice of the meetings at the courthouse.
- Sec. 4: Upon a petition or complaint the commissioners may summon the party mentioned, witnesses, and surveyor.
- Sec. 6: Commissioners may order the survey of the disputed and adjoining lands. The surveyor shall prepare three plats and certificates, two for the parties and one to be recorded by the commissioners. The record book shall be filed with the court clerk. Commissioners shall put the complainant or defendant in possession of the boundaries so determined and assess and award costs and damages.
- Sec. 13: Appeals shall be directed to the governor for a special commission to review the decision and to confirm it or pass further determination and decree. No further appeal shall be allowed to the courts unless the pretensions amount to £300 sterling or more. Then the appeal shall be taken to the Court of Appeals.

### **Acts of 1723, Ch. 8**

An act re land boundaries, passed 9-28-1723

- Sec. 2: Hereafter a landowner may petition the county court for a commission to examine evidences and to prove or perpetuate land boundaries. The court shall commission four persons to issue summons to persons with knowledge of the boundaries. These evidences shall be returned to the court for recording.
- Sec. 4: Commissioners shall give public notice of such examinations of witness and return a certificate thereof to the court.

## **Acts of 1786, Ch. 33**

An act re land boundaries, passed 1-20-1787

- Sec. 2: Any landowner, having given two months public notice, may petition the county court for a commission to mark and bound the boundaries. The court may issue a commission to three or five persons, agreed on by all parties if possible.
- Sec. 3: Commissioners shall give thirty days public notice of their meeting.
- Sec. 4: Summons for witnesses may issue out of the court or commissioners. Commissioners may have the land and adjoining tracts surveyed by the county surveyor or someone they appoint. The certificate shall be returned to the court and recorded in the land commission records.
- Sec. 5: The certificate of survey shall become conclusive evidence of the boundaries, if no suit is filed against it within five years or if a jury in such a suit confirms the decisions of the commissioners. Minors, married women, insane persons, prisoners, and persons out of the country shall have five years after removal of the legal disability to file a suit.
- Sec. 6: If the interested parties have settled and fixed their boundaries by agreement or arbitration, the commissioners cannot alter the lines so agreed upon. When such an agreement is reached, the parties may have the certificate and plat recorded in the land commission records.
- Sec. 8: When several persons hold separate parts of one tract, they or any one may have a commission to mark and bound the whole tract and their parts. A person holding a younger survey shall be entitled to a commission on an adjoining and interfering elder survey provided nine months notice is given to the person holding the elder survey.
- Sec. 9: When land is found deficient in the quantity for which it was granted or is partly taken away by an elder survey, the commissuiberers on request of the party may have any adjoining vacant land, not exceeding the amount of the deficiency, to be surveyed for that party. The certificate and plat shall be recorded in the land commission records and patent records of the Land Office.
- Sec. 10: When any vacant land, not applied per Sec. 9, shall be discovered, the commissioners if requested may award preemption to the owner(s) of adjoining lands, up to fifty acres per owner, unless the tract already owned exceeds 1000 acres. Then the commissioners may allow five acres per every 100 acres. A person getting such a preemption shall have six months to procure a warrant from the Land Office.

## **Acts of 1786, Ch. 45**

An act re intestate estates, passed 1-20-1787, effective 1-1-1788

- Sec. 1: When parties entitled to an intestate estate cannot agree upon a division or any party is a minor, they may apply to the county court which shall issue a commission to five persons to determine whether the estate can be divided and ascertain the value of the estate. If the estate can be divided, the commissioners shall partition it equally among all parties according to their legal portions. If the estate is not divisible, the commissioners shall file the decision, reasons for it, and value of the property with the court. If the decision is confirmed by the court, the eldest son, child, or person entitled, if of age, shall have the option to take the whole estate and pay the other heirs their portions in money. If this person refuses the option, it shall pass to the next entitled

and so on. If all refuse, the estate shall be sold under the direction of the commissioners and the proceeds divided among the heirs. If all entitled persons are minors, the estate shall not be sold until the eldest comes of age. In the meantime the profits of the estate shall be divided among the heirs. If the estate can be divided and consists of real property, the commissioners shall have it surveyed and shall allot the parties their shares. The commissioners shall return this partition and their proceedings to the court for ratification or rejection. If ratified and no appeal is filed, the partition shall be recorded. If the partition is rejected, the commissioners shall make a new one and file it with the court for ratification or rejection. Decision of the court may be appealed to the Chancery Court. If the land or other estate lies in different counties, the application may be filed with the Chancery Court or each county court.

### **Acts of 1793, Ch. 70**

An act supplemental to Acts of 1786, Ch. 33, re land boundaries, passed 1794

- Sec. 1: Commissioners shall have the authority to summon interested parties and witnesses and take depositions which shall be returned to the county court and recorded.
- Sec. 4: When a tract held by several persons lies in two counties, the whole tract and the part owned by the petitioner may be surveyed. When a tract lies in two states, the commission will affect only the part in Maryland.

### **Acts of 1799, Ch. 49**

An act supplemental to 1786, Ch. 45, re estates, passed 1-3-1800

- Sec. 3: After sales are ratified and all purchase money paid, the commissioners shall execute a deed, reciting therein the commission and proceedings.
- Sec. 4: When the estate is sold on credit, bonds shall be taken.
- Sec. 5: Commissioners shall have the widow's dower laid off, whether the estate is divided or sold.
- Sec. 6: The widow may give her consent in writing to the sale of the entire estate and receive between one-seventh and one-tenth of the proceeds.

### **Acts of 1808, Ch. 46**

An act supplemental to Acts of 1786, Ch. 33, re land boundaries, passed 12-23-1808

- Sec. 2: County courts may grant commissions when the land is held by leases for life or years and when the unexpired term of the last lease is twenty-one years or more, provided the leases have been recorded.

### **Acts of 1814, Ch. 109**

An act supplemental to 1786, Ch. 45, re estates, passed 1-27-1815

- Sec. 1: If the land of the intestate lies in different counties, all in one judicial district, the

application may be made to the county court where the greatest part of the property lies.

- Sec. 2: If the land lies in different counties in different judicial districts and the properties adjoin, the application may be made to the county court where the greatest part of the property lies.
- Sec. 3: If the land lies in different counties in different judicial districts and consists of detached parcels, the application shall be made to the respective county courts.
- Sec. 4: When real property is devised to two or more persons as joint tenants or tenants in common, any one or more of the parties may apply to the county court which shall appoint five persons as a commission to make a partition among the devisees.

## **Acts of 1820, Ch. 191**

An act re estates, passed 2-14-1821

- Sec. 8: When persons entitled to the estate of an intestate cannot agree on a division or anyone is a minor, application may be made to the county court which shall issue a commission to five persons to determine the divisibility of the estate and its value. If the estate is divisible, the commissioners shall partition it among the parties according to their proportions. If the estate is not divisible equally among all parties, the commissioners may divide into as many parts as it is susceptible of and ascertain the value of each part.
- Sec. 9: If the estate is not divisible, the commissioners shall file their decision, reasons for it, and value of the estate to the court. If the court confirms the decision, the eldest son, child, or person of age shall be given the option to take the estate and pay money to the other heirs. Upon refusal by that eldest person, the option shall pass successively to the other heirs. If all parties refuse, the commissioners shall sell the estate. Court must ratify the sale. If all parties are minors, the estate shall not be sold until the eldest one comes of age. In the meantime the profits of the estate shall be divided among the heirs.
- Sec. 10: If the estate is divisible among all parties, the commissioners shall have it surveyed and allot the portions. If the estate is not divisible equally among all parties, the commissioners may divide into as many parts as it is susceptible of. If the court confirms this decision, the commissioners shall have the land surveyed and the right of selection shall be as given in Sec. 9.
- Sec. 11: The part or parts refused by entitled persons shall be sold by the commissioners and the proceeds divided among the heirs.
- Sec. 12: After making the partition, the commissioners shall return their proceedings to the county court for ratification or rejection. If ratified and no appeal is made, the partition shall be recorded. If the partition is rejected, a new one shall be made and returned to the court. Decisions of the court may be appealed to the Court of Appeals.
- Sec. 13: When lands lie in more than one county, the application may be filed with the Chancery Court.
- Sec. 14: Before any proceedings, the commissioners shall give public notice.
- Sec. 18: Purchasers of an estate on credit shall give bond.
- Sec. 19: A person electing to take the whole estate shall give bond for paying the other heirs.
- Sec. 21: Persons electing to take part of the estate shall do the same.
- Sec. 22: At the discretion of the court, bonds may be given to the state instead of representatives of the intestate. Those bonds ordered by the county court shall be recorded there. Those ordered

by the Chancery Court with the Court of Appeals of the Western Shore.

- Sec. 24: After a sale is ratified and purchase money paid, the commissioners shall execute a deed.
- Sec. 27: Commissioners shall have the widow's dower laid off, whether the estate is divided or sold.
- Sec. 28: The widow may give her consent in writing to the sale of the entire estate and receive between one-seventh and one-tenth of the proceeds.
- Sec. 29: If any heirs have sold their rights to the estate, the purchasers may join in the application for a commission.
- Sec. 32: When the person opting to take the whole or part of the estate has paid valuations to the other heirs, the commissioners shall execute a deed.
- Sec. 33: If the eldest son is a minor, the eldest daughter if age twenty-one or older may exercise an option to take all or part of the estate.
- Sec. 44: If the land of the intestate lies in different counties, all in one judicial district, the application may be made to the county court where the greatest part of the property lies.
- Sec. 45: If the land lies in different counties in different judicial districts and the properties adjoin, the application may be made to the county court where the greatest part of the property lies.
- Sec. 46: If the land lies in different counties in different judicial districts and consists of detached parcels, the application shall be made to the respective county courts.
- Sec. 48: When real property is devised to two or more persons as joint tenants or tenants in common, any one or more of the parties may apply to the county court which shall appoint five persons as a commission to make a partition among the devisees.
- Sec. 52: Acts of 1786, Ch. 45 and its supplements are repealed.

### **Acts of 1831, Ch. 180**

An act supplemental to Acts of 1786, Ch. 33, re land boundaries in SM, passed 2-25-1832

- Sec. 1: Any person owning land in SM under courses and distances only or with boundaries lost, after giving twenty days notice, may petition the county court for a commission to mark and bound the property per provisions of Acts of 1786, Ch. 33. The court may issue a commission to establish the boundaries.
- Sec. 2: Annually by April 1 the governor shall appoint three persons in each election district to act as commissioners to establish the boundaries. They shall qualify before a justice of the peace, a record of which shall be filed with the court clerk for recording.
- Sec. 3: When a commissioner is interested in the land or is related to a party, the court shall issue the commission to someone else.

### **Acts of 1839, Ch. 91**

An act re land boundaries in SM, passed 3-9-1840

- Acts of 1831, Ch. 180 is repealed.



## LAND RECORDS

### **Acts of 1671, Ch. 6**

An act re title to land, passed 4-19-1671

- Sec. 1: There is not any settled course of conveying lands, tenements, or hereditaments.
- Sec. 2: All sales, gifts, or grants of land heretofore made by writing only, with or without seal, shall be good in law.
- Sec. 3: When the papers have been lost or destroyed, proof of payment by witnesses shall be good in law.

### **Acts of 1674, Ch. 2**

An act re records, passed 6-6-1674

- Sec. 2: Hereafter no real property shall pass or change from one person to another, including trusts and estates for life, unless the deed or conveyance be written, indented and sealed, acknowledged before a court or justice, and be enrolled in the Provincial Court or county court within twelve months. Court clerks shall record the documents in books and endorse on the back of the original deed the date of recording and book and page reference.
- Sec. 4: The land shall be passed and conveyed from the date of recording, not the date of writing.
- Sec. 5: A wife shall be examined apart from her husband before taking her acknowledgment. A certificate of this shall be included in the record.
- Sec. 6: Alienation fines shall be paid before recording.

### **Acts of 1704, Ch. 24**

An act re records, passed 10-30-1704

- Sec. 2: No real property shall pass or change from one person to another, including trusts and estates for life, unless the deed or conveyance be written, indented and sealed, acknowledged before a court or justice, and be enrolled in the Provincial Court or county court within six months. This provision shall also apply to mortgages, deeds of bargain and sale, leases over seven years, and deeds of trust. Court clerks shall record the documents in books and endorse on the back of the original deed the date of recording and book and page reference.

### **Acts of Jun. 1773, Ch. 1**

An act re estates tail, passed 6-1773

- Sec. 1: Persons seized of any estates tail may sell and convey them in the same manner as those seized of estates in fee simple.

### **Acts of Nov. 1773, Ch. 9**

An act re establishment of HA, passed 12-23-1773

- Sec. 13: Conveyances for land and chattels acknowledged before March 2, 1774 may be recorded in BA or HA.

### **Acts of Nov. 1773, Ch. 10**

An act re establishment of CA, passed 12-23-1773

- Sec. 13: Conveyances for land and chattels acknowledged before the Monday after the second Tuesday in March 1774 may be recorded in CA, DO, or QA.

### **Acts of 1785, Ch. 9**

An act re records, passed 3-12-1786

- Sec. 6: Any deed enrolled in the records of the General Court may upon application be transmitted to the county court where the land is located for recording there. Any deed enrolled in the records of a county court may upon application be transmitted to the General Court for recording there.
- Sec. 7: After recording a deed, each county court clerk shall abstract the following information into a separate book: date, names of the parties, name of the land or estate, number of acres if given, location of the land, consideration, and recording date. Annually in May the clerks shall send copies of these entries to the clerk of the General Court who shall enter them in a book. If the original and recorded deeds are lost or destroyed, these abstracts can serve as evidences.

### **Acts of 1789, Ch. 29**

An act re records in AL and WA, passed 12-25-1789

- Sec. 4: Conveyances for land in AL made and acknowledged before the first Monday in December 1790 may be recorded in AL and WA.

### **Acts of 1805, Ch. 65**

An act re records, passed 1-25-1806

- Sec. 18: All types of land records of the General Court of the Western Shore shall be deposited with the Court of the Appeals of the Western Shore, and the same for General Court of the Eastern Shore and Court of the Appeals of the Eastern Shore.
- Sec. 20: County court clerks shall transmit deed extracts to the clerks of the Court of Appeals of the Western Shore or Eastern Shore.

### **Acts of 1806, Ch. 90**

An act supplemental to Acts of 1805, Ch. 65, re deed abstracts, passed 1-4-1807

- Sec. 7: County court clerks shall include the metes and bounds, when given in the deeds, in the

deed extracts.

### **Acts of 1807, Ch. 69**

An act re records and indexes in CH, passed 1-20-1808

- Sec. 1: Some land records in CH are in ruinous condition and there is no general index.
- Sec. 2: County court clerk shall transcribe such records as necessary to which indexes shall be prefixed.
- Sec. 3: Clerk shall prepare a general index to all land records.

### **Acts of 1807, Ch. 154**

An act re records, passed 1-20-1808

- Sec. 8: Clerks of the Court of Appeals are authorized to record all deed or extracts in the same manner as the clerks of the General Court did.

### **Acts of 1807, Ch. 157**

An act re records and indexes in PG, passed 1-20-1808

- Sec. 1: Some PG land records are in ruinous condition and there is no general index.
- Sec. 2: PG Court clerk shall transcribe those records in bad condition.
- Sec. 3: Clerk shall prepare a general index of all land records.

### **Acts of 1809, Ch. 88**

An act re indexes in SM, passed 1-6-1810

- Sec. 1: Some land records for the colonial period in SM are indexed only by the names of grantors.
- Sec. 2: SM Levy Court shall employ someone to compile the proper indexes.

### **Acts of 1809, Ch. 202**

An act re records in TA, passed 1-8-1810

- Sec. 1: TA Levy Court may employ someone to transcribe land records WSB B.

### **Acts of 1818, Ch. 104**

An act re titles, passed 2-3-1819

- Hereafter no deed of conveyance shall be good in law unless recorded in the records of the county court.

## **Acts of 1825, Ch. 203**

An act re mortgages, passed 3-8-1826, effective 4-30-1826

- Sec. 4: Mortgages authorizing mortgagees to sell the property must be acknowledged and recorded before a sale can occur. The sale must be at public auction after public notice is given.
- Sec. 5: Affidavits of public notice and sale shall be taken and certified and may be recorded.
- Sec. 6: Affidavits shall be certified before a county judge or two justices of the peace.
- Sec. 7: When requested, the county court clerks shall record the affidavits and certificates in a register of mortgages.
- Sec. 9: Mortgage sales shall be made in the county where the land lies. If the land lies in more than one county, the sale shall occur in any of them.

## **Acts of 1826, Ch. 226**

An act supplemental to Acts of 1785, Ch. 9, re deed abstracts, passed 3-12-1827

- Sec. 1: The part of Sec. 7 of Acts of 1785, Ch. 9 requiring the county court clerks to maintain books of deed abstracts is repealed.
- Sec. 2: Hereafter, the book itself, and not a copy, shall annually by June 1 be sent to the clerk of the Court of Appeals of the Western Shore or Eastern Shore.
- Sec. 3: Instead of putting the extracts in a book, the clerks may send loose sheets of paper. Then the Court of Appeals clerks shall have them bound when there are enough pages for a book.

## **Acts of 1831, Ch. 86**

An act re indexes in BA, passed 1-24-1832

There is no general index of land records in BA for the past thirty-four years.

- Sec. 1: Clerk of BA Court shall prepare a general alphabetical index of land records beginning with WG 54 and continuing to the present.
- Sec. 2: The index shall include the names of grantors and grantees and designate the lands.
- Sec. 3: Future conveyances shall be indexed in the same manner. Each volume of the index shall include at least ten years for each letter to which the book is appropriated.

## **Acts of 1831, Ch. 175**

An act re records in SM, passed 3-5-1832

- Sec. 1: Any person having an original deed for land in SM or any instrument pertaining to land, that appears to have been recorded and the record thereof destroyed in the courthouse fire, may have the document re-recorded. The county court clerk shall endorse the second enrollment on the original document.
- Sec. 2: A person may apply to the clerk of the Court of Appeals for a deed abstract and have that recorded by the county court clerk.
- Sec. 4: County court clerk shall make extracts from deeds enrolled in that office prior to 1796 and

from extracts between 1796 and 1807, where metes and bounds are included, and not otherwise. These extracts shall be prepared, transmitted to the Court of Appeals, and bound there per provisions of Acts of 1826, Ch. 226.

- Sec. 9: Clerk of the Court of Appeals of the Western Shore shall prepare an index of the SM deed abstracts to include the names of all parties and tracts.

### **Acts of 1831, Ch. 205**

An act re contracts, passed 3-6-1832

- Sec. 3: Contracts for the conveyance of land or for leasing or demising for a term of years, if executed and acknowledged as now directed by law for deeds, shall be recorded in the land records.

### **Acts of 1831, Ch. 304**

An act re records, passed 3-12-1832

- Hereafter deeds or conveyances, except mortgages, may be recorded at any time.

### **Acts of 1833, Ch. 88**

An act re indexes, passed 2-19-1834

- Sec. 1: County court clerks shall be required to prepare an alphabetical index of all deeds, mortgages, bills of sale, and other conveyances. The indexes shall include all parties and provide book and page references.

### **Acts of 1835, Ch. 279**

An act re records in WO, passed 4-1-1836

Many records were burned in the courthouse fire in 1834.

- Sec. 1: Persons having deeds and other instruments pertaining to land in WO may have them re-recorded by the county court clerk.

### **Acts of 1842, Ch. 4**

An act re oyster lots in WO, passed 1-12-1843

- Sec. 1: Persons in WO may lay out or plant oysters or other shell fish on any flats or rocks or adjoining any marsh in Parkers Bay.
- Sec. 2: A person may stake out not more two acres for five years, provided the lot is surveyed and the certificate of survey is recorded as are deeds.

### **Acts of 1844, Ch. 163**

An act re oyster lots in WO, passed 3-3-1845

- Acts of 1842, Ch. 4, re oyster lots in WO, is repealed.

### **Acts of 1845, Ch. 40**

An act re oyster lots in WO, passed 1-27-1846

- Sec. 1: Persons in WO may lay out or plant oysters or other shell fish on any flats or rocks or adjoining any marsh.
- Sec. 2: A person may stake out not more one acre for five years, provided the lot is surveyed and the certificate of survey is recorded as are deeds. The lot cannot embrace any rocks where oysters or other shell fish are already growing.

### **Acts of 1845, Ch. 193**

An act re stamp duties, passed 3-3-1846, effective 5-1-1846

- Sec. 2: Stamp duties shall be levied, collected, and paid on mortgages, deeds, bills of sale, and mortgage releases, based on sums secured and conveyed.

### **Acts of 1846, Ch. 61**

An act re stamp duties, passed 2-17-1847

- Sec. 1: County court clerks shall collect the stamp duties imposed by Acts of 1845, Ch. 193, record the receipt with the instrument, and account to the state treasury for such sums.
- Sec. 3: No duty shall be paid if the amount paid for the property is under \$200.

### **Acts of 1846, Ch. 164**

An act supplemental to Acts of 1833, Ch. 88, re indexes in AA, passed 2-27-1847

- Sec. 1: Clerk of AA Court shall complete the general index of land records for 1839-1845, left uncompleted by his predecessor.

### **Acts of 1852, Ch. 128**

An act re indexes in FR, passed 5-10-1852

- Sec. 1: FR Board of County Commissioners is authorized to purchase from Abner Campbell an index to FR land records for 1835-1845.

### **Acts of 1853, Ch. 115**

An act re acknowledgments in BC and BA, passed 3-29-1853

- Sec. 3: Deed for lands situated in BA and acknowledged by justices of the peace in BC and deeds

for lands located in BC and acknowledged by justices in BA are declared valid.

## **Acts of 1854, Ch. 169**

An act re acknowledgments, passed 3-10-1854, effective 4-1-1854

- Sec. 1: One, instead of the usual two, justice of the peace may take the acknowledgments of deeds and other instruments.

## **Acts of 1856, Ch. 154**

An act re rules and forms, passed 3-8-1856

- Sec. 11: Every conveyance of real property shall be construed to pass a fee simple title unless a contrary intention is expressed or implied.
- Sec. 14: A married woman may convey her real property or relinquish dower by joint deed with her husband or may relinquish dower by separate deed.
- Sec. 20: An estate of freehold or inheritance may be made to commence in the future by a deed as can now be done by will and with like limitations and restrictions.
- Sec. 21: A power of attorney to sell and convey real property shall be acknowledged and recorded with the deed.
- Sec. 24: All deeds for real property shall contain the names of the grantor and grantee, consideration, description of the property, quantity of interest conveyed, and conditions, reservations, and covenants, if any.
- Sec. 25: Each deed shall be signed and attested by at least one witness.
- Forms for deeds are specified in this act:
  - Sec. 31: To convey an estate in land in fee simple from one person to another.
  - Sec. 32: To convey an estate in land of a married woman in fee simple.
  - Sec. 33: To convey an estate in land for life
  - Sec. 34: To convey an estate in land to one person with remainder to another.
  - Sec. 35: To convey an estate in land for a term of years.
  - Sec. 36: To convey an estate in land in fee simple to two or more tenants in common.
  - Sec. 37: To convey an estate in land in fee simple to two or more joint tenants.
  - Sec. 38: To convey an estate in land for life to one with a contingent remainder to an unborn person.
  - Sec. 39: To convey an estate in land in fee simple to one, defeasible upon dying without a child or descendent of a child, and in that event remainder to another.
  - Sec. 40: To convey an interest in real property by a sheriff or other officer under an execution.
  - Sec. 41: To convey land sold by a sheriff or other officer under an equity decree.
  - Sec. 42: To convey real property by a trustee under an equity decree.
- Sec. 81: Every deed where real property is conveyed or may be affected in law or equity, except for an estate under seven years, shall be recorded.
- Sec. 82: A deed for real property shall be acknowledged before any one of the officials specified in this act.

- Sec. 96: Every deed for real property shall be recorded within six months of the date of acknowledgment.
- Sec. 97: A deed shall be recorded in the county or BC where the land is located. If the land lies in more than one jurisdiction, the deed shall be recorded in all of them.
- Sec. 100: When recorded, a deed shall take effect from the date of acknowledgment.
- Sec. 103: The form for a mortgage of real property to secure the payment of money is specified in this act.
- Sec. 111: Mortgages shall be acknowledged and recorded as are deeds.
- Sec. 116: The form for an assignment of a mortgage is specified in this act.
- Sec. 118: The form for a release of a mortgage is specified in this act.
- Sec. 119: A release may be written by the mortgagee or assignee upon the recorded mortgage and attested by the court clerk who shall leave a space at the end of each recorded mortgage for releases.
- Sec. 120: A release may be endorsed on the original mortgage by the mortgagee or assignee and both shall be filed with the court clerk who shall record it below the recorded mortgage.
- Sec. 121: The original mortgage with the release on it shall be retained by the court clerk.
- Sec. 145: Every lease for more than seven years shall be acknowledged and recorded in the same manner as deeds.
- Sec. 146: Every lease for more than three years shall in writing.

### **Acts of 1856, Ch. 251**

An act re indexes in FR, passed 3-10-1856

- Sec. 1: Clerk of FR Circuit Court shall prepare a general index of land records and chattel records for documents recorded prior to November 4, 1835.

### **Acts of 1856, Ch. 352**

An act re stamp duties, passed 3-10-1856

- Sec. 4: Acts of 1845, Ch. 193, imposing stamp duties on records, is repealed.

### **Acts of 1858, Ch. 196**

An act re indexes in KE, passed 3-6-1858

- Sec. 1: Clerk of KE Circuit Court shall transcribe the general indexes to deeds and mortgages.

### **Acts of 1860, Ch. 155**

An act re indexes in FR, passed 2-29-1860

- Sec. 1: Clerk of FR Circuit Court shall prepare a general index of land records and chattel records from the beginning of the term of William B. Tyler and the end of the term of Edward Shriver.



## **Acts of 1862, Ch. 281**

An act to restore records in BA, passed 3-6-1862

- Sec. 1: Three persons are named in this act to be commissioners of records for the purpose of restoring and reestablishing records destroyed or damaged by a fire in the office of the BA Circuit Court clerk.
- Sec. 2: Commissioners may appoint a clerk to keep a record of their proceedings which at the completion of their work shall be filed with the circuit court clerk.
- Sec. 5: When original papers or certified copies are produced, the commissioners shall order them re-recorded by the court clerk.
- Sec. 6: When a record or paper has been completely burned and no originals or copies are procured, the commissioners shall hear and receive other evidence. If this is satisfactory and the grantor supplies a new instrument correspondent to and confirmatory of the one destroyed, the commissioners shall order it recorded. If the grantors do not do so, the commissioners shall execute a confirmatory instrument.
- Sec. 7: When records only partially destroyed can be restored by intrinsic and other evidence, the commissioners shall have them re-recorded.
- Sec. 8: Orders of the commissioners may be appealed to the circuit court.
- Sec. 17: Vacancies among the commissioners shall be filled by the county commissioners.
- Sec. 19: The commissioners shall complete their duties within 200 days.
- Sec. 20: Anyone having deeds or other papers relating to land that had been recorded and were burned may have them re-recorded by the court clerk.
- Sec. 21: If original deeds cannot be found, interested parties may apply to the clerk of the Court of Appeals for extracts which shall then be recorded in the BA land records.

## **Acts of 1864, Ch. 40**

An act re indexes in AL, passed 2-19-1864

- Sec. 1: Clerk of AL Circuit Court shall transcribe the general index of land records for 1791-1850.

## **Acts of 1864, Ch. 138**

An act to restore records in BA, passed 2-3-1864, effective 3-1-1864

- Sec. 1: One person is named in this act to be the commissioner of records for the purpose of restoring and reestablishing records destroyed or damaged by a fire in the office of the BA Circuit Court clerk.
- Sec. 2: The commissioner may appoint a clerk to keep a record of proceedings which at the completion of the work shall be filed with the circuit court clerk.
- Sec. 5: When original papers or certified copies are produced, the commissioner shall order them re-recorded by the court clerk.
- Sec. 6: When a record or paper has been completely burned and no originals or copies are procured, the commissioner shall hear and receive other evidence. If this is satisfactory and the

grantor supplies a new instrument correspondent to and confirmatory of the one destroyed, the commissioner shall order it recorded. If grantors do not, the commissioner shall execute a confirmatory instrument.

- Sec. 7: When records only partially destroyed can be restored by intrinsic and other evidence, the commissioner shall have them re-recorded.
- Sec. 8: Orders of the commissioner may be appealed to the circuit court.
- Sec. 17: Vacancies shall be filled by the county commissioners.
- Sec. 19: The commissioner shall complete the work within 300 days.
- Sec. 20: Anyone having deeds or other papers relating to land that had been recorded and were burned may have them re-recorded by the court clerk.
- Sec. 21: If original deeds cannot be found, interested parties may apply to the clerk of the Court of Appeals for extracts which shall then be recorded in the BA land records.

### **Acts of 1864, Ch. 142**

An act re indexes in FR, passed 2-19-1864

- Sec. 1: Clerk of FR Circuit Court shall make a general index of land records and chattel records recorded during the term of Benjamin G. Fitzhugh.

### **Acts of 1865, Ch. 27**

An act re indexes in BA, passed 1-24-1865

- Sec. 1: BA circuit court clerk shall make a new index for deeds, mortgages, and chattel records for documents filed from December 1, 1851 through June 1, 1853 and shall transcribe the general index for June 30, 1853 to 1861.

### **Acts of 1865, Ch. 47**

An act to add a section to Art. 24, Public General Laws, re records, passed 3-8-1865

- Every bond, writing, obligatory, or contract for the conveyance of real property or for leasing or demising for a term of years may be executed, acknowledged, and recorded in same manner as for deeds.

### **Acts of 1868, Ch. 19**

An act re indexes in WA, approved 2-6-1868

- Sec. 1: Clerk of WA Circuit Court shall prepare a general index of land records dating from 1836.

### **Acts of 1868, Ch. 101**

An act re indexes in TA, approved 3-3-1868

- Sec. 1: Clerk of TA Circuit Court with the consent of the county commissioners shall transcribe

the general index to land records for 1833-1868.

### **Acts of 1868, Ch. 280**

An act re indexes in CA, approved 3-30-1868

- Sec. 1: Clerk of CA Circuit Court is authorized to transcribe the index to land records.

### **Acts of 1868, Ch. 471**

An act to repeal and reenact Art. 26, re corporations and easements, approved 3-30-1868

- Sec. 113: Agreements for rights of way between turnpike or plank road corporations and individuals or public agencies shall be recorded with six months.
- Sec. 114: Before a turnpike or plank road is constructed, the corporation shall have a plat made and recorded with the clerk of the county circuit court or BC Superior Court.
- Sec. 119: Agreements for land, earth, and stone needed by corporations to build bridges shall be recorded.

### **Acts of 1870, Ch. 108**

An act re indexes in PG, approved 3-23-1870

- Sec. 1: Clerk of PG Circuit Court shall prepare general indexes of land records and chattel records, beginning with 1840.
- Sec. 2: The clerk shall continue to maintain the indexes.

### **Acts of 1874, Ch. 66**

An act re deed abstracts, approved 3-10-1874

- Sec. 1: Clerk of the Court of Appeals shall transfer all books containing deeds and transfers of soldiers lots and all other land records and papers, including deed abstracts, to the commissioner of the Land Office.
- Sec. 3: Annually by June 1 the court clerks shall record land record abstracts on sheets of paper and send them to the Land Office.
- Sec. 5: When enough extracts are received from any county or BC to form a record book, the Land Office shall have them bound.

### **Acts of 1874, Ch. 104**

An act re indexes in WO, approved 3-26-1874

The general index to land records in WO for 1742-1844 has become dilapidated and worn.

- Sec. 1: Clerk of WO Circuit Court shall transcribe the general index to land records for 1742-1844.

### **Acts of 1874, Ch. 246**

An act re indexes in BA, approved 4-11-1874

- Sec. 1: Clerk of BA Circuit Court shall adopt the Campbell system to prepare a general index to land records and chattel records.

### **Acts of 1876, Ch. 10**

An act re indexes in QA, approved 2-4-1876

- Sec. 1: Clerk of QA Circuit Court shall transcribe the index of land records dating from 1865.

### **Acts of 1880, Ch. 50**

An act re indexes in WA, approved 3-25-1880

- Sec. 1: Clerk of WA Circuit Court shall prepare a general index of land records dating prior to 1836, using the Campbell system.

### **Acts of 1880, Ch. 59**

An act re deed abstracts in AA, approved 3-25-1880

- Sec. 1: Clerk of AA Circuit Court shall prepare and send to the Land Office those deed abstracts prior to 1865 that predecessors failed to do.

### **Acts of 1880, Ch. 193**

An act re indexes in TA, approved 4-10-1880

- Sec. 1: Clerk of TA Circuit Court shall transcribe the general index to land records for 1864-1873.

### **Acts of 1880, Ch. 240**

An act re indexes in QA, approved 4-10-1880

- Sec. 1: Clerk of QA Circuit Court shall prepare a general index of land records dating from 1851, using the Campbell system.
- Sec. 2: Clerk shall continue to use the system for future recordings.

### **Acts of 1882, Ch. 15**

An act to repeal and reenact Secs. 7-9 of Art. 79, Public General Laws, re receipts and releases, approved 2-17-1882

- Sec. 7: All receipts, releases, and final discharges shall be recorded by the court clerk where the trustee was appointed, deed recorded, or trust executed or by the register of wills where the will

was recorded. Females over age eighteen may execute such documents.

### **Acts of 1882, Ch. 152**

An act re indexes in SM, approved 3-30-1882

- Sec. 1: Clerk of SM Circuit Court shall prepare general indexes to land records and chattel records, beginning with 1827.
- Sec. 2: Clerk shall maintain such indexes as new conveyances are recorded.

### **Acts of 1882, Ch. 166**

An act re indexes in DO, approved 3-30-1882

- Sec. 1: Clerk of DO Circuit Court shall prepare a general index of all land records.

### **Acts of 1882, Ch. 211**

An act re indexes in TA, approved 3-30-1882

- Sec. 1: Clerk of TA Circuit Court shall transcribe the general index to land records for 1833-1864.

### **Acts of 1884, Ch. 371**

An act re mortgages in CV, approved 4-8-1884

- Sec. 1: All judgments and mortgages recorded among CV records prior to the courthouse fire in March 1882 shall be re-recorded among the land records within one year from passage of this act. Otherwise claims made under them shall not be recognized.

### **Acts of 1886, Ch. 284**

An act re indexes in CA, approved 4-7-1886

- Sec. 1: Clerk of CA Circuit Court shall prepare a general index of land records from 1851, using the Campbell system.

### **Acts of 1886, Ch. 289**

An act re records and indexes in BC, approved 4-7-1886

Many land records and indexes in BC are in mutilated condition.

- Sec. 1: Clerk of BC Superior Court shall formulate a new plan or system for the indexing of land records and submit it to the BC Supreme Bench for approval.
- Sec. 3: Any record books in danger of destruction or obliteration shall be transcribed by the clerk, after authorization by the BC Supreme Bench.

## **Acts of 1888, Ch. 323**

An act re indexes in HA, approved 4-4-1888

- Sec. 1: HA Circuit Court shall appoint a committee composed of the court clerk and two members of the bar to formulate a new plan or system for indexing land records. The committee shall report to the judge within three months for approval of the plan.
- Sec. 2: Thereafter, the court clerk shall use the plan adopted and shall prepare a new general index of land records for all previous records.

## **Acts of 1890, Ch. 14**

An act to add a section to Art. 21, Public General Laws, re mortgages, approved 2-11-1890

- Sec. 39A: When an assignment or release of a mortgage or an interest in a deed of trust is made by a separate instrument or in a mode other than that prescribed by Secs. 32-36 or when proceedings to foreclose a mortgage are made or a sale under a deed of trust is made, the court clerks shall enter in the margin of the record of the original instrument a memo of where the assignment, release, foreclosure, or sale is recorded. The clerks of the BC Circuit Court and BC Circuit Court No. 2 shall furnish the clerk of the BC Superior Court with such memoranda.

## **Acts of 1890, Ch. 329**

An act re indexes in GA, approved 3-3-1890

- Sec. 2: Clerk of GA Circuit Court shall index all mortgages and bills of sale in a separate index.

## **Acts of 1890, Ch. 338**

An act re indexes in CA, approved 4-3-1890

- Sec. 1: Clerk of CA Circuit Court shall prepare a general index of land records from 1774-1851, using the Campbell system.

## **Acts of 1890, Ch. 373**

An act to add a section to Art. 21, Public General Laws, re mortgages, approved 2-11-1890

- Sec. 39A: When an assignment or release of a mortgage or an interest in a deed of trust is made by a separate instrument or in a mode other than that prescribed by Secs. 32-36 or when proceedings to foreclose a mortgage are made or a sale under a deed of trust is made, the court clerks shall enter in the margin of the record of the original instrument a memo of where the assignment, release, foreclosure, or sale is recorded. This section shall not apply to BC.

## **Acts of 1890, Ch. 599**

An act re deed abstracts in PG, approved 4-8-1890

Former PG clerks failed to create and send to the Court of Appeals extracts of deeds for 1827-1844,

1847-1860, and 1863-1879.

- Sec. 1: Clerk of PG Circuit Court shall prepare the deed abstracts for 1827-1844, 1847-1860, and 1863-1879 and send them to the Land Office. The task shall begin with 1879, the end of the term of William H. Jarboe, then working backward in time.

### **Acts of 1890, Ch. 630**

An act re records of BA and BC, approved 4-8-1890

- Sec. 1: Clerk of BC Superior Court shall have copied the following old and worn land record books: fifty-six volumes prior to 1800, five volumes of the WG series, and eight volumes of the ED series.
- Sec. 4: The original land record books shall be removed to a safe place and preserved and allowed to be inspected only by court order or at the discretion of the clerk.

### **Acts of 1892, Ch. 623**

An act re indexes in DO, approved 4-7-1892

- Sec. 1: Clerk of DO Circuit Court shall prepare a general index of land records for which none exist and shall maintain it for future recordings.

### **Acts of 1894, Ch. 198**

An act re indexes in BA, approved 4-3-1894

- Sec. 1: Clerk of BA Circuit Court shall transcribe land and mortgage record indexes for 1851-1893.

### **Acts of 1896, Ch. 120**

An act to add sections to Art. 81, Public General Laws, re mortgages, approved 3-30-1896

- Sec. 146C: Hereafter covenants contained in any mortgage cannot require the mortgagor to pay the taxes on the mortgage debt or interest.
- Sec. 146D: Hereafter an oath to not require such covenants shall be recorded with the mortgage.

### **Acts of 1896, Ch. 302**

An act re indexes in SO, approved 4-2-1896

- Sec. 1: Clerk of SO Circuit Court is authorized to reindex the land records dating from 1876.

### **Acts of 1896, Ch. 435**

An act re indexes in BA and BC, approved 4-4-1896

The alphabetical indexes of land records, 1659-1864, have only the subdivision of the twenty-six letters

of the alphabet, names of grantors and grantees are included together, and are in mutilated condition.

- Sec. 1: Clerk of BC Superior Court shall make new indexes for land records from 1659 to 1864, dividing grantors and grantees and rearranging them according to the system now in use.

### **Acts of 1898, Ch. 146**

An act re indexes in BC, approved 4-9-1898

The alphabetical indexes of land records, 1865-1886, have only the subdivision of the twenty-six letters of the alphabet, names of grantors and grantees are included together, and are in mutilated condition.

- Sec. 1: Clerk of BC Superior Court shall make new indexes for land records from 1865 to 1886, dividing grantors and grantees and rearranging them according to the system now in use.

### **Acts of 1898, Ch. 481**

An act re deed abstracts in PG, approved 4-9-1898

Former PG clerk fail to create extracts of deeds for 1887-1896.

- Sec. 1: Clerk of PG Circuit Court shall prepare the deed abstracts for 1887-1896 and send them to the Land Office.

### **Acts of 1900, Ch. 427**

An act to repeal and reenact Secs. 54-55 of Art. 17, re deed abstracts, approved 4-7-1900

- Sec. 54: After recording any deed, mortgage, release, or lease, the court clerk shall abstract the following information - date of the instrument, names of the parties, name of the land or estate if any, metes and bounds if given, number of acres if given, other description of the land, location of the land, consideration, and recording date.
- Sec. 55: Annually by June 1 the court clerks shall record land record abstracts on sheets of paper and send them to the Land Office.

### **Acts of 1900, Ch. 461**

An act re indexes in KE, passed 4-7-1900

- Sec. 1: Clerk of KE Circuit Court shall copy the general index of deeds and mortgages for 1842-1884, and arrange the entries under a different system.

### **Acts of 1900, Ch. 471**

An act re records in PG, approved 4-7-1900

- Sec. 1: Clerk of PG Circuit Court shall hereafter designate each volume of land records with successive numbers, beginning with one.



### **Acts of 1900, Ch. 542**

An act to repeal and reenact Sec. 37 of Art. 21, Public General Laws, re mortgages and releases, approved 4-7-1900

- Sec. 37: When the original mortgage with the release thereon is filed for recording the latter, the court clerk shall retain the instrument. However, if the release is only partial, the document may be withdrawn after the release is recorded.

### **Acts of 1902, Ch. 189**

An act re indexes in BC, approved 4-8-1902

Land records of the area annexed to BC in 1888 for years 1851-1888 are in the BA Circuit Court.

- Sec. 1: Clerk of the BC Superior Court is authorized to prepare a set of indexes based on the block system or a general index plan, now used by that office, for the land records, 1851-1888, in the BA Circuit Court pertaining to the part of BC annexed in 1888.

### **Acts of 1904, Ch. 13**

An act re indexes in BA, approved 3-3-1904

- Sec. 1: Clerk of BA Circuit Court shall transcribe land and mortgage record indexes for 1893-1904 in conformity with the general land and mortgage indexes.

### **Acts of 1904, Ch. 443**

An act to add sections to Art. 21, Public Local Laws, re plats in TA, approved 4-8-1904

- Sec. 40A: Clerk of TA Circuit Court shall record and index plats of cemeteries owned by any town, corporation, or church.
- Sec. 40B: Clerk shall record in the same book the sale and transfer of any cemetery lot.

### **Acts of 1906, Ch. 159**

An act re indexes in GA, approved 3-23-1906

- Sec. 2: Clerk of GA Circuit Court shall index all assignments of mortgages and bills of sale in the names of the assignors and assignees in a separate book.

### **Acts of 1908, Ch. 334**

An act re indexes in AL, approved 4-13-1908

- Sec. 1: Clerk of AL Circuit Court is authorized to prepare a general index of land records for 1791-1908 according to an approved method.

## **Acts of 1908, Ch. 487**

An act re county boundaries and maps, approved 4-8-1908

- Sec. 1: The jurisdiction of every county bound by navigable waters shall extend from the shore to the inside of the channel which shall be regarded as the center of the waters, except where the waters adjoin neighboring states. In that case jurisdiction shall continue to the ultimate limits of the state.
- Sec. 2: The centers of the waters shall be deemed to be as represented on county maps issued under Acts of 1896, Ch. 51 and Acts of 1898, Ch. 129.
- Sec. 3: Certified copies of these maps shall be filed with the county circuit court clerks and county commissioners.

## **Acts of 1910, Ch. 312**

An act re indexes in KE, passed 4-7-1910

- Sec. 1: Clerk of KE Circuit Court shall copy the general index of deeds and mortgages for 1842-1884, and arrange the entries under a different system.

## **Acts of 1914, Ch. 59**

An act re records in CH, approved 3-12-1914

- Sec. 1: Commissioner of the Land Office shall deliver to the clerk of the CH Circuit Court the following volumes of land records, 1662-1786: B 1 through Z 3.

## **Acts of 1914, Ch. 597**

An act re farm names in CA, approved 4-13-1914

- Sec. 1: Any farm owner in CA may have the name of the farm recorded in a register by the circuit court clerk.
- Sec. 2: Once a name has been recorded, it cannot be used and recorded by any one else.

## **Acts of 1916, Ch. 26**

An act re indexes in WA, approved 5-17-1916

- Sec. 1: Clerk of WA Circuit Court shall prepare a general index of land records and judgment records dating from 1777, according to a modern system.

## **Acts of 1916, Ch. 69**

An act re indexes in BA, approved 3-21-1916

- Sec. 1: Clerk of BA Circuit Court shall transcribe land and mortgage record indexes for 1905-1914 in conformity with the general land and mortgage indexes.

### **Acts of 1916, Ch. 402**

An act re indexes in TA, approved 4-11-1916

- Sec. 1: Clerk of TA Circuit Court shall prepare a new index of land records dating from the first document to 1833, using the Campbell system.

### **Acts of 1916, Ch. 567**

An act re indexes in CE, approved 4-18-1918, effective 6-1-1918

- Sec. 1: Clerk of CE Circuit Court shall transcribe general land record indexes 4 and 8.

### **Acts of 1916, Ch. 619**

An act to add a section to Art. 21, Public General Laws, re revenue stamps, approved 4-18-1916

It is uncertain whether the grantor or grantee should pay for the U.S. internal revenue stamps on deeds and other conveyances, except mortgages, as required by the U.S. Emergency Revenue Act of 1914.

- Sec. 97: In conveyances of real or leasehold property subject to the U.S. internal revenue stamps, the grantors and grantees shall share the fees until such time as the U.S determines otherwise.

### **Acts of 1918, Ch. 77**

An act re indexes in SO, approved 4-18-1918

- Sec. 1: Clerk of SO Circuit Court shall prepare a general index of land records for 1665-1876, according to the most improved system now in vogue.

### **Acts of 1918, Ch. 213**

An act re indexes in WO, approved 4-10-1918

- Sec. 1: Clerk of WO Circuit Court shall prepare a new general index of land records dating from 1876.

### **Acts of 1920, Ch. 130**

An act re indexes in HO, approved 4-16-1920, effective 6-1-1920

- Sec. 1: Clerk of HO Circuit Court shall prepare a general index of land, mortgage, equity, judgment, and magistrate judgment records, dating from 1840, according to the most approved system now in vogue.

### **Acts of 1922, Ch. 91**

An act re indexes in BA, approved 3-27-1922, effective 6-1-1922

- Sec. 1: Clerk of BA Circuit Court shall transcribe land and mortgage record indexes for 1915-1921 in conformity with the general land and mortgage indexes.

### **Acts of 1922, Ch. 172**

An act re indexes in KE, passed 4-13-1922, effective 6-1-1922

- Sec. 1: Clerk of KE Circuit Court shall transcribe the index to land records JKH, 1842-1884.

### **Acts of 1924, Ch. 24**

An act re indexes in HA, approved 5-3-1924

- Sec. 1: HA Circuit Court shall appoint a committee of three persons to select a system for general indexes of land and judgment records and to contract for making the indexes.

### **Acts of 1927, Ch. 493**

An act to add sections to Art. 16, Public Local Laws, re deeds of trust in MO, approved 4-5-1927, effective 6-1-1927

- Sec. 183: Any instrument conveying real property in MO whereby the land is conveyed to a trustee or trustees to be held in trust to secure a debt shall be executed and recorded as are absolute deeds.
- Sec. 185: A release shall be recorded at the end of the deed of trust.

### **Acts of 1927, Ch. 613**

An act re indexes in MO, approved 4-26-1927, effective 6-1-1927

- Sec. 1: Clerk of MO Circuit Court is authorized to prepare a general index of land, mortgage, equity, judgment, magistrates judgment, and plat records according to an approved modern system.
- Sec. 2: Clerk may let out the work on contract.
- Sec. 3: Clerk is authorized to work with a committee of the county bar association to investigate indexing systems to determine the best method for MO.

### **Acts of 1927, Ch. 647**

An act re indexes in CR, approved 4-26-1927, effective 6-1-1927

- Sec. 2: Clerk of CR Circuit Court shall prepare a general index of land and mortgage records from 1915, using the most approved system now in vogue.
- Sec. 3: The work may be let out on contract.

### **Acts of 1929, Ch. 522**

An act to repeal and reenact Sec. 2 of Acts of 1927, Ch. 647, re indexes in CR, approved 4-11-1929, effective 6-1-1929

- Sec. 2: Clerk of CR Circuit Court shall prepare a general index of land and mortgage records dating from 1837, using the most approved system now in vogue.

### **Acts of 1933, Ch. 346**

An act to repeal and reenact Secs. 59 and 62 of Art. 17, Public General Laws, re land and chattel records, approved 4-21-1933, effective 6-1-1933

- Sec. 59: Clerks of the county circuit courts and BC Superior Court shall record all deeds, mortgages, and other instruments affecting title to and interest in land in land records and record all bills of sale, chattel mortgages, and other instruments affecting title to and interest in personal property in chattel records. Each book shall contain an alphabetical index of names of all parties.
- Sec. 62: The clerks shall also maintain separate alphabetical indexes.

### **Acts of 1933, Ch. 458**

An act to add a section to Art. 17, Public General Laws, re state road plats, approved 4-21-1933, effective 6-1-1933

- Sec. 65A: Clerks of the county circuit courts shall receive, index, and file plats showing property or rights of way to be acquired or conveyed by the State Roads Commission. The plats shall constitute a part of the land records in the county where filed. The maximum size shall be 15" x 30".

### **Acts of 1937, Ch. 259**

An act re indexes in AA, approved 4-26-1937

General indexes of land records prior to 1909 in AA are in damaged condition.

- Sec. 1: AA Circuit Court shall appoint a committee of three persons from the AA bar association to select a system for indexes to land records prior to 1909.

### **Acts of 1937, Ch. 404**

An act to add a section to Art. 4, Public Local Laws, re indexes in BC, approved 5-18-1937

- Sec. 803A: Clerk of BC Superior Court shall prepare and maintain the system of indexing authorized by Acts of 1886, Ch. 289 and approved by the BC Supreme Bench so that all papers recorded in the land records shall be indexed under this plan.

### **Acts of 1945, Ch. 385**

An act to repeal and reenact Sec. 14, Art. 21, Annotated Code, re assessments and land records, approved 3-29-1945, effective 6-1-1945

- Sec. 14: Deeds shall be recorded within six months in the county circuit court or BC Superior Court where the land is located. No deed shall be recorded until the property has been transferred on the assessment records. No property shall be so transferred until all taxes are paid. A statement of buildings and improvements shall be furnished to the clerk of the county commissioners or other person having charge of the assessment records. Except for the first sentence, the act shall not apply to BC.
- All public local laws relating to the provisions of Art. 14 are repealed.

## LICENSES

[primarily those issued by court clerks]

### Acts of 1717, Ch. 1

An act re ordinaries, passed 6-8-1717

- Sec. 1: County court shall grant licenses to ordinary keepers and innholders for keeping ordinaries and houses of entertainment.
- Sec. 3: Annually at the August court term the courts shall set rates and prices for liquors and accommodations.

### Acts of 1735, Ch. 8

An act re ordinaries, passed 1735

- Sec. 1: County court shall grant licenses to ordinary keepers and innholders for keeping ordinaries and houses of entertainment.
- Sec. 3: Annually at the August court term the court shall set rates and prices for liquors and accommodations.
- Sec. 23: Grand juries shall investigate violations of this act and present them to the county court.

### Acts of 1735, Ch. 10

An act re peddlers and hawkers, passed 1735, effective 6-10-1735

- Sec. 2: Peddlers and hawkers must obtain a license to trade or vend in the province from a Naval Officer. The license shall be effective for one year.

### Acts of 1768, Ch. 27

An act re licenses, passed 6-1768, effective 12-1-1768

- Sec. 1: Annually peddlers and hawkers must obtain a license to trade or vend in the province from a county court.
- Sec. 5: Annually at the August term the county courts shall grant licenses to persons of repute to keep ordinaries.
- Sec. 6: Ordinary licenses must be renewed annually at the August court term.
- Sec. 7: Ordinary licenses may be granted at other times, but have an expiration date of the next August.
- Sec. 8: Sheriffs shall receive all license fees and collect fines and forfeitures. County court clerks shall maintain lists of licenses granted to ordinary keepers and of fines and forfeitures relating thereto, and annually in October file them with the Treasurer of the Western Shore or Treasurer of the Eastern Shore.
- Sec. 9: Annually at the August court term the county courts shall set rates and prices for liquors and accommodations.

**Acts of 1773, Ch. 19**

An act re license violations, passed 1773

- Sec. 1: By Acts of 1768, Ch. 27 penalties for selling liquor without a license were directed to be recovered before a justice of the peace, a procedure that is inadequate.
- Sec. 2: Hereafter the manner of recovery may be before a justice of the peace or by indictment in a county court.
- Sec. 3: County court clerks shall deliver lists of ordinary licenses to the grand juries who shall present offenders to the court.

**Acts of Mar. 1780, Ch. 24**

An act re ordinaries, passed 5-16-1780

- Sec. 1: Annually at the June or August term the county courts shall grant licenses to persons of repute to keep ordinaries.
- Sec. 2: Ordinary licenses must be renewed annually at the June or August court term. Ordinary licenses may be granted at other times, but have an expiration date of the next June or August.
- Sec. 3: Sheriffs shall collect fines and forfeitures. County court clerks shall maintain lists of licenses granted to ordinary keepers and of fines and forfeitures relating thereto, and annually in October file them with the Treasurer of the Western Shore or Treasurer of the Eastern Shore.
- Sec. 4: Annually at the June or August court term the county courts shall set rates and prices for liquors and accommodations.
- Sec. 21: County court clerks shall deliver lists of ordinary licenses to the grand juries who shall present offenders to the court.

**Acts of 1784, Ch. 37**

An act re licenses, passed 1-22-1785, effective 4-1-1785

- Sec. 23: Hawkers and peddlers traveling on the Western Shore must obtain a license from a county court in that area, which shall be renewed annually. Annually by October 1 the county court clerks shall send a list of the licenses to the Treasurer of the Western Shore, and the sheriff shall send the fees.
- Sec. 24: Persons retailing liquor, including beer and cider, must obtain a license.
- Sec. 25: Annually at the August term the county court shall grant the liquor retail licenses. Annually by October 1 the county court clerks shall send a list of the licenses to the Treasurer of the Western Shore, and the sheriff shall send the fees.
- Sec. 30: Liquor retail licenses may be granted at other times, but have an expiration date of the next August.

**Acts of Nov. 1787, Ch. 26**

An act re pilots, passed 12-17-1787



- Sec. 2: A board of examiners shall examine anyone desiring to be licensed as a pilot, having first produced a certificate of honesty and good behavior from the county court. Pilots shall conduct vessels through the Chesapeake Bay and rivers to ports.

### **Acts of 1791, Ch. 58**

An act re ordinaries, passed 12-26-1791

- Sec. 2: Chief or associate justices may grant licenses to ordinary keepers, which shall remain in effect until the end of the county court term.

### **Acts of 1792, Ch. 58**

An act re lotteries, passed 12-3-1792

- Sec. 1: Hereafter lotteries shall be prohibited except as authorized by the General Assembly.
- Sec. 4: This act shall not apply to the powers given the Commissioners of Baltimore Town in Acts of 1791, Ch. 59.

### **Acts of 1798, Ch. 113**

An act re billiard tables, passed 1-20-1799, effective 4-1-1799

- Sec. 1: County court clerks are authorized to grant licenses for keeping billiard tables.
- Sec. 2: All licenses must be renewed annually on April 1. They may be granted at any time, but shall expire on March 31.
- Sec. 3: The clerks shall make a return of the fees to the levy courts.
- Sec. 4: This act shall not apply in Annapolis, Georgetown, and BC.

### **Acts of 1804, Ch. 65**

An act re licenses in BA, passed 1-12-1805, effective 2-1-1805

- Sec. 2: All ordinary, retail, hawker and peddler, ferry, billiard table, and liquor licenses now issuable by the BA Court shall be granted by the BA Court of Oyer and Terminer and Goal Delivery. Single justices shall grant permits as justices of the BA Court now do.

### **Acts of 1805, Ch. 65**

An act re licenses, passed 1-25-1806

- Sec. 47: During the recess of the county courts, the orphans court justices of any county where no associate judge resides may grant licenses in all cases where an associate judge may do do. The orphans court shall file the record with the county court clerk. The licensee shall pay the fee to the county court clerk.

## **Acts of 1815, Ch. 68**

An act re liquor licenses, passed 1-9-1816

- A license to retail beer and cider shall no longer be required.

## **Acts of 1816, Ch. 193**

An act re licenses in BC and BA, passed 2-3-1817, effective 3-1-1817

- Sec. 1: BC Court shall take over the licensing duties of the BA Court of Oyer and Terminer and Goal Delivery for the city and its precincts.
- Sec. 14: BC Court shall grant or refuse applications for ordinary and and retail licenses.

## **Acts of 1816, Ch. 242**

An act re licenses, passed 2-5-1817

- Sec. 1: During the recess of the county courts, the court clerk of any county where no associate judge resides may grant licenses in all cases where an associate judge may do do.
- Sec. 2: Sec. 47 of Acts of 1805, Ch. 65, re orphans courts granting licenses, is repealed.

## **Acts of 1818, Ch. 210**

An act re lotteries, passed 2-19-1819, effective 5-1-1819

- Sec. 1: Brokers buying and selling bank notes or lottery tickets shall obtain a license from the governor and council.
- Sec. 3: Licensees shall give bond.
- Sec. 4: Clerk of the Court of Appeals shall record the bonds.
- Sec. 5: Licenses shall be renewed annually.

## **Acts of 1819, Ch. 184**

An act re retailers, passed 2-14-1820

- Sec. 2: Retail dealers in dry goods shall obtain a license from the county court clerk, which shall be granted for one year and renewed annually. One license can apply to only one place of business. A license shall be in effect until the next August 1.
- Sec. 3: Treasurers of the Western Shore and Eastern Shore shall furnish the clerks with blank licenses.
- Sec. 4: Annually the court clerks shall send to the state treasurers a list of the licenses by October 1 and the license fees by November 1.

## **Acts of 1821, Ch. 246**

An act supplemental to Acts of 1819, Ch. 184, re retailers, passed 2-23-1822

- Sec. 2: Acts of 1819, Ch. 184 is extended to importers of foreign articles or commodities of dry goods, wares, or merchandise or of liquors and other persons selling the same wholesale.
- Sec. 4: Annually at the first court term after August 1 the county court clerks shall furnish the grand juries with lists of retail licenses.

### **Acts of 1824, Ch. 64**

An act re billiard tables, passed 1-20-1825

- Sec. 1: County court clerks shall grant licenses to keep billiard tables.
- Sec. 2: Licenses shall be renewed annually in April. Licenses granted at other times shall expire in the next April.
- Sec. 4: Court clerks shall pay the license fees to the Treasurers of the Western Shore and Eastern Shore.
- Sec. 5: Annually by May 1 the court clerks shall send a list of licenses to the state treasurers.

### **Acts of 1824, Ch. 148**

An act re fees, passed 2-25-1824

- Sec. 1: Hereafter the county court clerks, instead of the sheriffs, shall collect the license fees from retailers of liquor and hawkers and peddlers.
- Sec. 2: Treasurers of the Western Shore and Eastern Shore shall provide the blank license forms.

### **Acts of 1824, Ch. 158**

An act supplemental to Acts of 1821, Ch. 246, re retailers, passed 2-24-1825

- Sec. 1: The part of Acts of 1821, Ch. 246 requiring importers of foreign commodities to obtain licenses is repealed.
- Sec. 2: Wholesale merchants of merchandise and liquors must obtain a license per provisions of Acts of 1819, Ch. 184 and Acts of 1821, Ch. 246.
- Sec. 4: Wholesalers and retailers cannot receive licenses for a period shorter than one year.
- Sec. 5: County court clerks shall furnish the grand juries with lists of retail licenses.
- Sec. 7: BA Court clerk shall also furnish lists to the BC Court and its grand jury.

### **Acts of 1825, Ch. 113**

An act re limited partnerships, passed 2-24-1826

- Sec. 2: Limited partnerships shall consist of general and special partners. The liability of the latter shall extend only to the capital they provide.
- Sec. 5: The name of the partnership and the names of the general and special partners and their residences shall be filed with and recorded by the court clerks of the counties where business is to be conducted.
- Sec. 6: The registry maintained by the court clerks shall also designate the amount of the capital

furnished by each special partner, beginning and ending dates of the partnership, renewals and continuances, alterations, and dissolutions.

- Sec. 15: Partnerships formed under this act shall annually obtain a license from the county court clerk.

### **Acts of 1825, Ch. 144**

An act re inns and taverns in SM, passed 3-2-1826

- Sec. 1: SM Levy Court shall have the authority to establish and regulate the rates of public inns and taverns.

### **Acts of 1825, Ch. 214**

An act supplemental to Acts of 1824, Ch. 148, re licenses, passed 3-9-1826, effective 5-1-1826

- Sec. 1: County court judges shall no longer issue licenses to ordinary keepers and liquor retailers during court recesses.
- Sec. 2: County court clerks shall grant the licenses during court recesses.
- Sec. 3: Licenses to ordinary keepers, liquor retailers, and hawkers and peddlers shall not have a term of less than one year.

### **Acts of 1826, Ch. 67**

An act re lotteries, passed 2-8-1827

- Sec. 2: A person opening an office for the sale or registration of lottery tickets shall obtain a license from the county court or BC Court.
- Sec. 3: The license shall have a term of one year.
- Sec. 4: Each licensee shall give bond, to be recorded by the court clerk.
- Sec. 8: Grand juries shall investigate violations of this act.
- Sec. 9: Each license shall apply to only one office.

### **Acts of 1826, Ch. 219**

An act re billiard tables in BC, approved 3-10-1827

- Sec. 1: Responsibility for Acts of 1824, Ch. 64, re licenses to keep billiard tables in BC, shall be transferred to the clerk of the BC Court.

### **Acts of 1827, Ch. 117**

An act re licenses, passed 3-4-1828, effective 5-1-1828

- Sec. 1: Persons or firms having any type of place for the sale or barter by wholesale or retail of foreign or domestic goods, wares, or merchandise, including liquor, shall obtain a license. Existing licenses shall be recognized until their expiration dates.

- Sec. 2: The clerks of the county courts and BC Court shall grant the licenses.
- Sec. 3: Persons or firms operating taverns, inns, eating places, or any place where liquor is sold in small quantities shall obtain a license as now prescribed by law. If a grand jury objects to the issuance of a license to anyone on the lists provided them, the court clerks may not grant a license without special direction of the county court or BC Court.
- Sec. 4: Licenses issued under Sec. 3 shall be for a period that ends the next May 1.
- Sec. 5: Annually in April the county sheriffs shall prepare alphabetical lists of persons and firms in each election district that are pursuing any business for which a license is required and return the lists to the county court clerks. Sheriffs shall give public notice of all persons or firms who should obtain or renew licenses. The BC sheriff shall perform the same duties, but on the basis of wards, and send the list to the clerk of the BC Court.
- Sec. 6: Annually the clerks of the county courts and BC Court shall sent lists of all licenses to the Treasurer of the Western Shore and the grand juries. The latter shall also receive the lists prepared by the sheriffs.
- Sec. 10: Hawkers and peddlers shall obtain licenses as now provided by law.

### **Acts of 1828, Ch. 85**

An act supplemental to Acts of 1827, Ch. 117, re licenses, passed 2-25-1829

- Sec. 3: Licenses may be obtained at any time, but shall expire on the next May 1.

### **Acts of 1828, Ch. 95**

An act re fisheries, passed 3-2-1829

- Sec. 1: Clerks of the county courts and BC Court may grant retail licenses to owners or occupants of fisheries for shad, herring, and alewife for two months when catching fish for sale.
- Sec. 3: The court clerks may also grant licenses to sell liquor at horse races or militia musters.

### **Acts of 1828, Ch. 129**

An act supplemental to Acts of 1827, Ch. 67, re lotteries, passed 3-7-1829

- Sec. 7: Clerks of the county courts and BC Court shall grant licenses to sell and register lottery tickets to persons approved the state lottery commissioners. The licenses shall expire on May 1. The licenses shall be recorded.
- Sec. 19: Grand juries shall investigate violations of the license laws.

### **Acts of 1831, Ch. 262**

An act supplemental to Acts of 1827, Ch. 117, re licenses, passed 3-10-1832

- Sec. 1: Retail license fees shall be based on the value of the merchandise for sale.
- Sec. 3: License fees for taverns, inns, eating places, or any place where liquor is sold in small quantities shall based on the rate of rent or annual value of the place or house.

- Sec. 4: The sheriffs shall add to their lists of establishments estimates of the value of goods when the amount exceeds \$2000 and the rate of rent or annual value when the amount exceeds \$500.
- Sec. 5: These amounts shall also be included in the lists sent to the Treasurer of the Western Shore.

### **Acts of 1840, Ch. 154**

An act re hawkers and peddlers, passed 2-20-1841, effective 4-1-1841

- Sec. 1: Hawkers and peddlers must obtain a license from a county clerk, renewable annually. It shall be granted only to white persons and apply to either the Western Shore or Eastern Shore.

### **Acts of Dec. 1841, Ch. 194**

An act re public exhibitions and studs, passed 3-3-1842

- Sec. 1: Persons or companies putting on theatrical or other public exhibitions must obtain a license.
- Sec. 3: The county court clerks shall grant the licenses for a term of one year. They shall apply only in the county where issued.
- Sec. 5: Owners or keepers of stud horses or jackasses shall pay to the county court clerk a fee based on the highest amount asked for stud service. The receipt from the clerk shall constitute a license for the use of the animal for one year.
- Sec. 6: Court clerks shall record the licenses issued under this act.

### **Acts of Dec. 1841, Ch. 282**

An act re brokers, passed 3-8-1842, effective 7-1-1842

- Sec. 1: County court clerks shall grant to individuals, partnerships, and firms acting as stock brokers licenses to purchase and sell public loans or stocks, corporate stocks, or other securities as agents for others. The licenses shall have a term of one year.
- Sec. 2: The provisions of Sec. 1 shall also apply to exchange brokers for the purchase and sale of bills, notes, or other legal obligations of corporations, domestic and foreign bills of exchange, and bank notes.
- Sec. 3: The provisions of Sec. 1 shall also apply to bill brokers for the purchase and sale of notes of hand, drafts, acceptances, and other securities, payable at a later date.
- Sec. 4: Licenses must be renewed annually.

### **Acts of 1842, Ch. 50**

An act re lotteries, passed 2-2-1843

- Sec. 1: Court clerks shall no longer issue licenses to sell lottery tickets.
- Sec. 2: The state lottery commissioners shall grant the licenses.

### **Acts of 1845, Ch. 374**

An act supplemental to Acts of Dec. 1841, Ch. 194, re public exhibitions, passed 3-10-1846

- Sec. 1: Licenses for theatrical and other public exhibitions may be granted for one year or for each exhibition or performance, at the option of the licensee.

### **Acts of 1846, Ch. 339**

An act re alcoholic beverages in KE, passed 3-10-1847

- Clerk of KE Court shall grant licenses for the sale of liquor only when the applicants present the assent of the grand jury.

### **Acts of 1852, Ch. 188**

An act re pilots, passed 4-29-1852

- Sec. 2: A board of examiners shall examine anyone desiring to be admitted a pilot, having first produced a certificate of honesty and good behavior from the county circuit court or BC Court of Common Pleas. Pilots shall conduct vessels through the Chesapeake Bay and rivers to ports.

### **Acts of 1853, Ch. 86**

An act re forms and fees, passed 3-25-1853, effective 5-1-1853

- Sec. 2: Comptroller of the Treasury shall provide the clerks of the county circuit courts and BC Court of Common Pleas with blank license forms.
- Sec. 3: The clerks shall send the lists of licenses to the comptroller semi-annually in June and December, and remit the fees to the State Treasurer ten days later.

### **Acts of 1854, Ch. 4**

An act re oysters in SO, passed 2-10-1854, effective 3-1-1854

- Sec. 2: Upon application the clerk of the SO Circuit Court shall issue a license to catch oysters with scoops or dredges in the waters of the county for one year. The applicant must take an oath that the individual is the owner of the vessel to be licensed, has been a state resident for one year and county resident for six months, and license is intended for use of the licensee only.

### **Acts of 1854, Ch. 200**

An act re inspectors in BC, passed 3-10-1854, effective 5-1-1854

- Sec. 1: Marylanders may apply to the clerk of the BC Court of Common Pleas for licenses as inspectors of leather, lumber, gauger of casks and liquors, firewood, lime, ground black oak bark, or coal. Licensees may act only in BC.
- Sec. 3: When buyers and sellers disagree as to the quantity, quality, or measurement of any of

these articles, either party may call in an inspector whose judgment shall be binding.

- Sec. 8: Comptroller of the Treasury shall provide blank licenses.

### **Acts of 1856, Ch. 341**

An act re hawkers and peddlers, passed 3-10-1856, effective 4-30-1856

- Sec. 1: No hawker or peddler license shall extend beyond the county or BC in which it was issued.

### **Acts of 1861, Ch. 57**

An act re oysters in WO, passed 6-21-1861, effective 7-1-1861

- Sec. 2: For taking oysters from Synapuxent Bay in WO persons must obtain permits from all justices of the peace in Election District 3, which shall expire on April 30.

### **Acts of 1862, Ch. 48**

An act re oysters in WO, passed 1-16-1862

- Sec. 1: Acts of 1861, Ch. 57, re oyster permits in WO, is repealed.

### **Acts of 1865, Ch. 142**

An act to add a section to Art. 18, Public General Laws, re licenses in BC, passed 3-24-1865, effective 4-1-1865

- Sec. 1: Annually in April the clerk of the BC Court of Common Pleas shall prepare an alphabetical list of persons and firms for which a license is necessary. There shall be a list for each ward. The lists shall be presented to the grand jury in May.

### **Acts of 1866, Ch. 151**

An act to add a section to Art. 56, Public General Laws, re licenses in BC, passed 2-8-1866, effective 4-1-1866

- Sec. 1: Annually in April the BC Sheriff shall prepare an alphabetical list of persons and firms for which a license is necessary, There shall be a list for each ward. The lists shall be presented to the grand jury in May.
- Acts of 1865, Ch. 142 is repealed.

### **Acts of 1868, Ch. 209**

An act to add to Sec. 11 of Art. 56, Public General Laws, re insurance brokers, approved 3-28-1868

- Sec. 11: Insurance brokers shall be required to obtain a license.



### **Acts of 1868, Ch. 238**

An act to add a section to Art. 56, Public General Laws, re retail and liquor, approved 3-28-1868

- Any trader who has a license to sell goods, chattels, wares, merchandise, liquor, or beer may sell the license to a party purchasing the stock, who may continue to sell under that license until it expires.

### **Acts of 1868, Ch. 448**

An act to add to Sec. 10 of Art. 56, Public General Laws, re real estate brokers, approved 3-30-1868

- Sec. 11: Real estate brokers shall be required to obtain a license.

### **Acts of 1870, Ch. 129**

An act re oysters in DO, approved 3-31-1870

- Sec. 1: Upon obtaining a license residents of DO may catch oysters with a scoop in boats or canoes not over five tons in the Honga River and part of Fishing Bay.
- Sec. 2: Licenses must be obtained annually from the clerk of the DO Circuit Court and shall remain in effect until June 1.
- Sec. 3: Every license shall include the name and residence of the licensee and length of the vessel.

### **Acts of 1870, Ch. 353**

An act to amend Acts of 1868, Ch. 238, re retail and liquor, approved 4-4-1870.

- The purchase and transfer of the license shall be recorded by the court clerk where the license was obtained.

### **Acts of 1872, Ch. 359**

An act re oysters in KE and QA, approved 4-1-1872

- Sec. 1: Residents of KE and QA wanting to catch oysters with rakes or tongs shall obtain a license from the respective circuit court clerks. The licenses shall give the holders the right to tong in the waters of both counties and shall remain in effect for one year from October 1.

### **Acts of 1874, Ch. 77**

An act re oysters in WO, approved 3-16-1874

- Sec. 1: Clerk of WO Circuit Court shall issue licenses, to expire on April 30, for taking oysters from Synepuxent Bay and its tributaries with rakes or tongs.

### **Acts of 1874, Ch. 214**

An act re oysters in DO, approved 4-1-1874

- Sec. 2: Citizens of DO may catch oysters with scoops or light dredges in boats not over ten tons in the Honga River, Hoopers Straits, Tar Bay, and part of Fishing Bay.
- Sec. 3: Licenses must be obtained annually from the clerk of the DO Circuit Court and shall remain in effect until September 1.
- Sec. 4: Every license shall include the name and residence of the licensee and tonnage of the vessel.
- Sec. 5: County commissioners shall appoint a person to measure all vessels licensed under this act.

### **Acts of 1874, Ch. 256**

An act to add a section to Art. 56, Public General Laws, re pawn brokers, approved 4-6-1874

- Sec. 11-2: Pawn brokers shall be required to obtain a license.

### **Acts of 1874, Ch. 437**

An act re oysters in DO and TA, approved 4-13-1874

- Sec. 1: Upon application of a resident the circuit court clerks in DO and TA shall issue a license to use a boat of ten tons or less for taking oysters with dredges, scoops, or scrapes from the Choptank River. Licenses shall remain in effect for twelve months.
- Sec. 3: All owners and masters of boats licensed under this act are constituted officers of the county with the authority to arrest violators of this act.
- Sec. 6: Each license shall contain a description of the boat and crew, number of the boat, and name of licensee. Licenses for TA shall be numbered 1-199 and for DO 200 and upwards.
- Sec. 9: TA Board of County Commissioners shall appoint a person to measure all boats licensed to catch oysters.

### **Acts of 1874, Ch. 439**

An act re alcoholic beverages in CV, CA, CE, CH, FR, GA, HA, KE, MO, QA, TA, and WO, approved 4-11-1874

- Sec. 1: Clerks of the circuit courts in CV, CA, CE, CH, FR, GA, HA, KE, MO, QA, and TA may issue licenses for the sale of liquor and beer only when the person or firm has been recommended by the grand jury.

### **Acts of 1876, Ch. 405**

An act to repeal and reenact Sec. 1 of Acts of 1874, Ch. 437 and to add sections, re oysters in DO and TA, approved 4-18-1876, effective 6-1-1876

- Sec. 1: Upon application of a resident the circuit court clerks in DO and TA shall issue a license

to use a boat of ten tons or less for taking oysters with dredges, scoops, or scrapes from the Choptank River. The catching season shall extend from the fall to the spring.

- Sec. 10: For catching oysters with rakes or tongs residents of DO and TA shall obtain a license from the court clerks, to have effect from June 1.

### **Acts of 1878, Ch. 34**

An act repeal and reenact Sec. 130 of Art. 3, Public Local Laws, re inspections in BA, approved 2-14-1878

- Sec. 130: Annually in May the BA Board of County Commissioners shall designate one of the constables in each election district to inspect licenses. Each constable shall visit every business place before the March and September court terms and return a list of businesses to the grand jury. The list shall include the names of the persons, types of businesses, dates of the licenses, and names of the businesses.

### **Acts of 1878, Ch. 337**

An act to repeal and reenact Sec. 11 of Art. 56, Public General Laws, re merchandise brokers, approved 4-5-1878

- Sec. 11: Merchandise brokers shall be required to obtain a license.

### **Acts of 1880, Ch. 104**

An act to add a section to Art. 4, Public Local Laws, re pawnbrokers in BC, approved 3-30-1880

- A person or firm transacting business as a pawnbroker in BC shall obtain a license from the clerk of BC Court of Common Pleas.

### **Acts of 1880, Ch. 343**

An act re horse brokers in BC, approved 4-10-1880

- Sec. 1: A person or firm transacting business as a broker in horses in BC shall obtain a license from the clerk of BC Court of Common Pleas. The license must include the names of all persons and places of business.

### **Acts of 1880, Ch. 373**

An act re alcoholic beverages in CE, FR, and HA, approved 4-14-1880

- Sec. 1: 1874, Ch. 439, re liquor licenses, is repealed as far as it relates to CE, FR, and HA.

### **Acts of 1882, Ch. 46**

An act re alcoholic beverages in CA and MO, approved 3-15-1882

- Sec. 1: 1874, Ch. 439, re liquor licenses, is repealed as far as it relates to CA and MO.

### **Acts of 1882, Ch. 188**

An act repeal and reenact Sec. 130 of Art. 3, Public Local Laws, re inspections in BA, approved 3-30-1882

- Sec. 130: Annually in April the BA Board of County Commissioners shall designate one of the constables in each election district to inspect licenses. Each constable shall visit every business place before the March and September court terms and return a list of businesses to the grand jury. The list shall include the names of the persons, types of businesses, dates of the licenses, and names of the businesses.

### **Acts of 1882, Ch. 327**

An act to repeal and reenact Acts of 1874, Ch. 214, re oysters in DO, approved 5-3-1882

- Sec. 2: Citizens of DO may catch oysters with scoops or light dredges in boats not over ten tons in the Honga River, Hoopers Straits, Tar Bay, Hollands Straits, and part of Fishing Bay.
- Sec. 3: Licenses must be obtained annually from the clerk of the DO Circuit Court and shall remain in effect until September 1. Every license shall include the name and residence of the licensee and tonnage of the vessel.
- Sec. 7: All boats licensed under this act may catch oysters in the Great Choptank River. Captains of licensed vessels shall be authorized to act as police officers to arrest violators of this act.

### **Acts of 1882, Ch. 492**

An act re alcoholic beverages in GA, TA, and WO, approved 5-3-1882

- Sec. 1: 1874, Ch. 439, re liquor licenses, is repealed as far as it relates to GA, TA, and WO.

### **Acts of 1884, Ch. 89**

An act re alcoholic beverages in CV, CA, CH, KE, QA, and TA approved 3-20 -1874

- Sec. 1: Clerks of the circuit courts in CV, CA, KE, QA, and TA may issue licenses for the sale of liquor and beer only when the person or firm has been recommended by the grand jury. Acts of 1874, Ch. 439 is repealed as far as it relates to CH.

### **Acts of 1884, Ch. 255**

An act to repeal and reenact Secs. 94-95 of Art. 20, Public Local Laws, re oysters in SO, approved 4-8-1884

- Sec. 94: Citizens of SO may catch oysters with scoops, drags, or dredges in any waters of the county, unless otherwise designated by the county commissioners, upon obtaining a license from the clerk of the circuit court.

- Sec. 95: The owners of vessels shall apply to court clerk for annual licenses. The license shall specify the type and name of the vessel. Vessels over ten tons shall be licensed only if they have a state license.

### **Acts of 1884, Ch. 283**

An act re alcoholic beverages in PG, approved 4-4-1884

- Sec. 1: The question of whether liquor licenses shall be allowed in PG shall be submitted to the voters in November 1884. [result unknown]
- Sec. 6: If the referendum is approved, each application for a license must be accompanied by a recommendation of five freeholders in the vicinity where the liquor will be sold.

### **Acts of 1886, Ch. 206**

An act to repeal and reenact Acts of 1882, Ch. 327, re oysters in DO, approved 4-7-1886

- Sec. 2: Citizens of DO may catch oysters with scoops or light dredges in boats not over ten tons in the Honga River, Hoopers Straits, Tar Bay, Hollands Straits, and part of Fishing Bay.
- Sec. 3: Annually in August the DO Board of County School Commissioners shall appoint an examiner to examine for tonnage each boat over seven tons prior to the issuance of a license. The examiner shall report the results to the court clerk.
- Sec. 3: Licenses must be obtained annually from the clerk of the DO Circuit Court and shall remain in effect until September 1. Every license shall include the name and residence of the licensee and tonnage of the vessel.

### **Acts of 1886, Ch. 489**

An act to repeal and reenact Sec. 94 of Art. 20, Public Local Laws, re oysters in SO, approved 4-7-1886

- Sec. 94: Citizens of SO may catch oysters with scoops, drags, or dredges in any waters of the county, unless otherwise designated by the county commissioners, upon obtaining a license from the clerk of the circuit court. County commissioners shall designate places to be used for growing oysters and have them marked.

### **Acts of 1886, Ch. 507**

An act to add sections to Art. 56, Public General Laws, re auctions, approved 4-7-1886

- Sec. 5B: A person operating a business for the sale of merchandise at auction must obtain a license in the same manner as resident traders.

### **Acts of 1888, Ch. 219**

An act to repeal and reenact Sec. 1, Art. 56, Public General Laws, re traders, approved 4-4-1888

- Sec. 1: All licenses for selling goods and chattels shall be granted by the clerks of the county

circuit courts and BC Court of Common Pleas, except where a different method is provided. All licenses shall expire on May 1, except for fisheries and horse racing. When a license is granted for part of a year, the fee shall be prorated.

### **Acts of 1888, Ch. 338**

An act to repeal and reenact Sec. 94 of Art. 20, Public Local Laws, re oysters in SO, approved 4-4-1888

- Sec. 94: Citizens of SO may catch oysters with scoops, drags, or dredges in any waters of the county upon obtaining a license from the clerk of the circuit court.

### **Acts of 1888, Ch. 416**

An act re grain brokers in BC, approved 5-5-1888

- A person or firm transacting business as a grain broker in BC shall obtain a license from the clerk of BC Court of Common Pleas.

### **Acts of 1888, Ch. 493**

An act to add a section to Art. 4, Public Local Laws, re hay brokers in BC, approved 4-5-1888

- Sec. 2: Any person acting as a dealer, broker, or middleman in hay, straw, or husks in BC shall obtain a license from the clerk of the BC Court of Common Pleas.
- Sec. 5: This act shall apply only to persons who have a fixed place of business.

### **Acts of 1888, Ch. 495**

An act re real estate brokers in BC, approved 4-5-1888, effective 5-1-1888

- Sec. 1: Partnerships or firms applying for a license as a real estate broker in BC shall list the names of all persons involved.
- Sec. 5: A separate license shall be procured for each office, place of business, or branch.

### **Acts of 1890, Ch. 91**

An act to add sections to Art. 56, Public General Laws, re traders, approved 3-14-1890

- Sec. 54A: A license shall be required to sell cigarettes made of tobacco in combination with any other substance.

### **Acts of 1890, Ch. 159**

An act to add sections to Art. 56, Public General Laws, re shipping brokers in BC, approved 3-27-1890

- Sec. 34A: Persons conducting the business of shipping masters or brokers in BC to ship men as oyster dredgers shall on or before September 1 obtain a license.
- Sec. 34D: The licenses shall be issued by the clerk of the BC Court of Common Pleas.

## **Acts of 1890, Ch. 334**

An act re alcoholic beverages in BA, approved 4-3-1890

- Sec. 2: Licenses to sell liquor in BA shall expire on May 1 and be issued for twelve, nine, six, or three months.
- Sec. 3: Applications shall be filed with the clerk of the circuit court by April 1, July 1, October 1, or January 1. Each shall include the name and residence of the applicant, fact of U.S. and Maryland citizenship, place of birth and if applicable naturalization, name of the owner of the premises, type of license desired, place of business, and fact of no criminal record.
- Sec. 4: An application shall include a certificate signed by at least ten taxpayers and residents of the neighborhood where the business is located.
- Sec. 5: Circuit court clerk shall publish a notice of the application, giving persons a chance to oppose the issuance of the license.
- Sec. 6: Objections shall be heard by the circuit court.
- Sec. 8: Court clerk shall issue the license when no objections are filed or they are overruled.
- Sec. 20: Notices shall not be required for licenses to be granted on May 1, 1890.

## **Acts of 1890, Ch. 343**

An act to sections to Art. 4, Public Local Laws, re alcoholic beverages in BC, approved 4-3-1890, effective 4-10-1890

- Sec. 653A: No person shall sell liquor in BC except as hereafter provided. This shall not apply to sales by wholesale or by makers or distillers of liquor that is not drunk on the premises.
- Sec. 653B: Governor shall appoint three persons, not more than two of which belong to the same political party, as a BC Board of Liquor License Commissioners for terms of two years. Biennially the governor with consent of the Senate shall appoint successors.
- Sec. 653G: Any person applying for a liquor license shall file a petition with the license commissioners.
- Sec. 653J: License commissioners shall hold public meetings on the applications.
- Sec. 653L: Upon deciding to approve an application, the license commissioners shall notify the applicant in writing and the license shall be issued by the clerk of the BC Court of Common Pleas.

## **Acts of 1890, Ch. 477**

An act to repeal and reenact Sec. 13 of Art. 56, Public General Laws, re real estate brokers, approved 4-3-1890, effective 5-1-1890

- Sec. 13: Real estate brokers shall be required to obtain a license. This section shall not apply to BC.

## **Acts of 1890, Ch. 595**

An act to add subsections to Sec. 208 of Art. 10, Public Local Laws, re apple cider in DO, approved 4-8-

1890

- Sec. 208(1): No apple cider shall be sold in any election district in DO where the sale of liquor is unlawful, except that made therein.
- Sec. 208(2): A license for the sale of apple cider must be obtain from the clerk of the DO Circuit Court.
- Sec. 208(3): Each license shall contain the name of the person or firm, election district where the business is located, and date. All licenses shall expire on May 1.
- Sec. 208(4): Court clerk shall record the licenses in a cider license record.

### **Acts of 1890, Ch. 600**

An act to add subsections to Sec. 180 of Art. 10, Public Local Laws, re crabs in DO, approved 4-8-1890

- Sec. 180(2): Upon application of a boat owner and county resident, the clerk of the DO Circuit Court shall issue a license to use the boat to catch crabs in any county waters except the Great Choptank River. Licenses shall remain in effect for one season, from May 1 to September 1. Each license shall contain the name and residence of the licensee, name of the boat, and date of expiration.

### **Acts of 1892, Ch. 296**

An act to repeal and reenact Secs. 37-47 of Art. 43, Public General Laws, re medical, approved 4-2-1892, effective 6-1892

- Sec. 40: There shall continue to be two boards of medical examiners, each having seven members. One board shall represent the medical and chirurgical faculty of Maryland and the other the State Homeopathic Medical Society. Each board shall examine, pass upon the qualifications of, and license applicants to practice medicine and surgery.
- Sec. 48: A person receiving a license from either board shall file it or a certified copy with the clerk of the county circuit court or BC Circuit Court where the individual may practice. The clerks shall record the licenses.
- Sec. 51: This act shall not apply to midwives.

### **Acts of 1892, Ch. 427**

An act re alcoholic beverages in SM, approved 4-7-1892

- Sec. 2: Persons wanting to sell liquor in SM shall file applications with the clerk of the circuit court, accompanied by the recommendation of ten freeholders in the district or vicinity of the business. Each application shall include the name of the applicant and location and ownership of the place of business.
- Sec. 3: Court clerk shall publish the names of the applicants and freeholders, stating that if no objection is filed within two weeks, the licenses shall be issued. If an objection is filed, the applicant may request a hearing before the circuit court which shall decide if the the license shall



be issued. There shall be no appeal from this decision.

## **Acts of 1892, Ch. 596**

An act re itinerant vendors, approved 4-7-1892

- Sec. 1: Itinerant vendors include persons who engage in temporary or transient business in one or more places locally or by traveling, sell goods and merchandise, and lease or occupy a building for exhibition and sale.
- Sec. 5: Every itinerant vendor shall obtain a state license and local license. Municipalities and counties shall have the authority to pass ordinances and orders relative to itinerant vendors as permitted by state or local laws.
- Sec. 6: Every itinerant vendor shall make a special deposit with the clerk of the county circuit court or BC Court of Common Pleas and pay the state license fee. Clerks shall issue the license for one year, to expire on May 1. The licenses shall not be transferable.
- Sec. 7: Applications for licenses shall include the names and residences of all owners and interested parties and shall be maintained by the court clerks. The clerks shall also maintain records of the licenses.
- Sec. 8: Vendors shall also acquire any required local licenses from the municipality or county.
- Sec. 9: The local license fee shall be based on the average value of the stock of goods.
- Sec. 10: Jurisdiction for offenses under this act shall be vested in the BC police magistrates and county justices of the peace concurrently with the county circuit courts and BC Criminal Court.
- Sec. 15: Upon the expiration and return or surrender of a state license the court clerk shall note it as canceled and file the document. The clerk shall hold the special deposit for sixty days and after satisfying any claims made upon it under Sec. 16 shall return all or part of the money, if any remains.
- Sec. 16: Each special deposit, while remaining in the hands of the clerk, shall be subject to attachment and execution on behalf of creditors whose claims arise in connection with the business. The deposit shall also be subject to payment of fines and penalties incurred by the licensee through violation of this act.

## **Acts of 1892, Ch. 630**

An act to add a section to Art. 4, Public Local Laws, re oyster measurers in BC, approved 4-7-1892

- Sec. 704A: Oysters in the shell sold in BC shall be measured by a licensed measurer who shall obtain a license from the clerk of the BC Court of Common Pleas.

## **Acts of 1894, Ch. 40**

An act to add sections to Art. 19, Public Local Laws, and to repeal other laws, re alcoholic beverages in SM, approved 2-28-1894, effective 5-1-1894

- Sec. 79A: Persons in SM may apply for and obtain licenses for the sale of liquor and lager beer from the clerk of the circuit court.

- Secs. 55-89 of Art. 56, Public General Laws, are repealed as far as they relate to SM and Acts of 1892, Ch. 427 is repealed.

### **Acts of 1894, Ch. 60**

An act to repeal and reenact Acts of 1890, Ch. 595, re apple cider in DO, approved 3-7-1894

- Sec. 208(1): Only pure apple cider shall be sold in DO.
- Sec. 208(2): A license for the sale of apple cider must be obtained from the clerk of the DO Circuit Court.
- Sec. 208(3): Each license shall contain the name of the person or firm, election district where the business is located, and date. All licenses shall expire on January 1 and May 1.
- Sec. 208(4): Court clerk shall record the licenses in a cider license record.

### **Acts of 1894, Ch. 83**

An act to add sections to Art. 4, Public Local Laws, re alcoholic beverages in BC, approved 3-14-1894

- Sec. 653W: No hotel or ordinary keeper in BC shall obtain a liquor license without first having a license keep a hotel or ordinary.
- Sec. 653X: A liquor license may be transferred to another person or place of business provided the liquor license commissioners approve. The sale, assignment, or transfer shall be endorsed on the license by the clerk of the BC Court of Common Pleas.

### **Acts of 1894, Ch. 86**

An act to repeal and reenact Sec. 653F of Art. 4, Public Local Laws, re alcoholic beverages in BC, approved 3-14-1894

- Sec. 653F: Liquor licenses shall expire on the next May 1 and shall be issued for twelve or six months only. All applications must be filed before May 1 or November 1.

### **Acts of 1894, Ch. 113**

An add to add a section to Art. 4, Public Local Laws, re traders in BC, approved 3-21-1894

- Sec. 669A: Clerk of the BC Court of Common Pleas shall enter on a trader license the address of the place of business. A license may apply to only one place of business.

### **Acts of 1894, Ch. 217**

An act to add sections to Art. 43, Public General Laws, re medical, approved 3-6-1894, effective 7-1-1894

- Sec. 53: No person shall practice medicine or surgery in the state unless registered under provisions of this act.
- Sec. 54: Every person practicing medicine on or before June 1, 1892 shall be registered upon

application to the clerk of a county circuit court or BC Circuit Court. Clerks shall register the applicants.

- Sec. 55: Persons commencing practice since then shall file with the court clerks the licenses issued by the boards of medical examiners.
- Sec. 60: This act shall not apply to midwives.

### **Acts of 1894, Ch. 242**

An act to add a section to Art. 17, Public Local Laws, re alcoholic beverages in PG, approved 4-6-1894

- Sec. 255A: Annually in June the clerk of PG Circuit Court shall publish the names of persons and firms who have liquor licenses.

### **Acts of 1894, Ch. 380**

An act to repeal and reenact Art. 72, Public General Laws, re oysters, approved 4-6-1894

- Sec. 1: Residents desiring to take oysters with rakes or tongs shall obtain a license from the county circuit court clerk. The license shall be effective from September 1 to April 25. It shall be good only for the waters of that particular county, with some stated exceptions.
- Sec. 2: Every license shall state the name, age, color, and residence of the applicant and the county in which it will be used. The fee shall be \$3.50 with \$.25 going to the court clerk, two-thirds to the county school commissioners, and one-third to the state. The school portion shall be divided by race with fees from white licensees going to white schools and fees from black licensees to black schools. [The fee and distribution formula is still in place in 1939.]
- Sec. 4: Comptroller of the treasury shall provide the blank licenses. In March and December the court clerks shall return to the comptroller a list of the tongs licenses.
- Sec. 58: Oyster measurers and inspectors shall obtain a license from the clerk of the county circuit court or BC Court of Common Pleas, which shall be good for the oyster season.
- Sec. 66: Any person or firm packing or canning oysters for sale or transportation shall on or before September 1 obtain a license from the clerk of the county circuit court or BC Court of Common Pleas. The license fee shall be based on an estimate of the number of bushels that will be packed.
- Sec. 67A: Any person or firm selling oysters on commission shall obtain a license on or before September 1 from the clerk of the county circuit court or BC Court of Common Pleas.
- Sec. 68: This article shall not apply to WO as to the taking or catching of oysters in its waters.

### **Acts of 1896, Ch. 194**

An act to repeal and reenact Secs. 54 and 56 of Art. 43, Public General Laws, re physicians, approved 4-4-1896

- Sec. 54: A person practicing medicine in the state on or before June 1, 1892 shall be entitled to be registered as a physician or surgeon upon application to either board of state medical examiners. The application and signed permit shall be presented to the clerk of the county circuit court or BC

Circuit Court where the person resides. Clerks shall register the documents. These provisions shall apply to those who registered under [Sec. 54 of Acts of 1894, Ch. 217].

- Sec. 61: A person believing someone to be wrongly or improperly registered as a physician or surgeon may file a petition in the county circuit court or BC Court. If so ordered, the court clerk shall strike the name of the defendant from the registry.

### **Acts of 1896, Ch. 234**

An act to repeal and reenact Sec. 108(2) of Art. 10, Public Local Laws, re apple cider in DO, approved 4-2-1896

- Sec. 108(2): Anyone wanting to sell apple cider in DO shall obtain a license from the circuit court clerk. If the business is located in a incorporated town, the applicant shall obtain the endorsement of the town officials, which the court clerk shall record.

### **Acts of 1898, Ch. 264**

An act to repeal and reenact Sec. 62 of Art. 17, Public General Law, re grand juries, approved 4-7-1898

- Sec. 62: Clerks of the county circuit courts and BC Court of Common Pleas shall present to every grand jury a list of all licenses granted in the two previous years, showing the names of the licensees, dates of issuance, amounts of capital stock if any, expiration dates, and license values.

### **Acts of 1898, Ch. 436**

An act to add a section to Art. 43, Public General Laws, re midwives, approved 4-9-1898

- Sec. 34F: Midwives shall register their names and addresses with the local registrar of vital statistics.

### **Acts of 1898, Ch. 505**

An act to add a section to Art. 4, Public Local Laws, re stevedores in BC, approved 4-9-1898

- Sec. 668A: A person or firm conducting business as a master stevedore in BC must obtain a license from the clerk of the BC Court of Common Pleas.

### **Acts of 1900, Ch. 380**

An act to repeal and reenact Sec. 1 of Art. 72, Public General Laws, re oysters, approved 4-7-1900

- Sec. 1: Residents desiring to take oysters with rakes or tongs shall obtain a license from the county circuit court clerk. The license shall be effective from September 1 to April 25. It shall be good only for the waters of that particular county, with some stated exceptions. Every person employed on a boat shall obtain a license.

### **Acts of 1902, Ch. 120**

An act re crabs in QA, approved 3-27-1902

- Sec. 1: Persons catching hard or soft shell crabs in QA for a livelihood shall obtain a license from the clerk of the circuit court.

### **Acts of 1902, Ch. 612**

An act to repeal and reenact Sec. 48 of and to a section to Art. 43, Public General Laws, re physicians, approved 4-11-1902

- Sec. 48: Any person receiving a license from either board of medical examiners shall file it with the clerk of the county circuit court or BC Superior Court, depending on the place of residence. If the individual moves thereafter, the license shall be recorded again with the appropriate court clerk.
- Sec. 65: Either board of medical examiners may revoke licenses after holding hearings. An appeal may be taken to the circuit court of the county or BC where the licensee resides. Upon notice from either board, the court clerk shall strike off the name of the licensee from the register.

### **Acts of 1904, Ch. 485**

An act re gypsies, approved 4-8-1904

- Sec. 1: Roving bands of nomads, commonly called gypsies, shall obtain a license to carry on their business or practice their crafts from the clerks of the county circuit courts or BC Court of Common Pleas.
- Sec. 4: This act shall not apply in AL, BA, and GA.

### **Acts of 1904, Ch. 690**

An act to repeal and reenact Sec. 48 of Art. 43, Public General Laws, re physicians, approved 4-11-1902

- Sec. 48: Any person receiving a license from either board of medical examiners shall file it with the clerk of the county circuit court or BC Circuit Court, depending on the place of residence. If the individual moves thereafter, the license shall be recorded again with the appropriate court clerk.
- Clerk of the BC Superior Court shall transfer to the clerk of the BC Circuit Court the register kept by virtue of Acts of 1902, Ch. 612.

### **Acts of 1906, Ch. 245**

An act to repeal and reenact Secs. 252-253 of and to add sections to Art. 17, Public Local Laws, re alcoholic beverages in PG, approved 4-2-1906

- Sec. 251A: Biennially the governor with consent of the Senate shall appoint three persons as the PG Board of Liquor License Commissioners to take office on April 1. They shall meet monthly to consider applications for licenses to sell liquor.

- Sec. 251B: All liquor licenses shall be issued by the license commissioners, to begin on May 1 and remain in effect for one year.
- Sec. 251C: License commissioners shall adopt rules and regulations for the places of business, saloons, or restaurants with liquor licenses.
- Sec. 253: Every application shall be accompanied by the recommendations of five freeholders living in the vicinity of the business. License commissioners shall publish the names of the applicants and places of business and consider the applications at the next meeting. License commissioners may revoke licenses.

## **Acts of 1906, Ch. 469 1/2**

An act re alcoholic beverages in FR, approved 4-3-1906, effective 5-1-1906

- Sec. 1: Licenses to sell liquor in FR shall expire on May 1 and be issued for twelve, nine, six, or three months.
- Sec. 2: Applications shall be filed with the clerk of the circuit court. Each shall include name and residence of the applicant, place of birth, if applicable place and date of naturalization, name of the owner of the premises, and location of the place of business.
- Sec. 3: An application shall include a certificate signed by at least nine residents of the neighborhood where the business is located.
- Sec. 4: Court clerk shall publish a notice of the application, giving persons a chance to oppose the issuance of the license.
- Sec. 5: Objections shall be heard by the circuit court.
- Sec. 6: Court clerk shall preserve the applications, certificates, and affidavits.

## **Acts of 1908, Ch. 561**

An act to repeal and reenact Secs. 251B-251C of and to add a section to Art. 17, Public Local Laws, re alcoholic beverages in PG, approved 4-6-1908

- Sec. 251B: PG Board of Liquor License Commissioners shall receive all applications to sell liquor and publish the names of the applicants, election district where the business is located, and date when the application will be considered. License commissioners shall hold hearings on written protests. License commissioners may revoke or suspend a license after a public hearing. License commissioners shall formulate rules and regulations for the conduct and management of places having liquor licenses.
- Sec. 251C: Licenses shall begin and end on May 1. License commissioners shall preserve all applications and keep a record of proceedings.
- Sec. 251D: Powers and duties heretofore imposed on the clerk of PG Circuit Court relating to the issuance of liquor licenses shall be vested in the license commissioners.

## **Acts of 1908, Ch. 630**

An act re crabs in SO, approved 4-6-1908

- Sec. 1: Any resident of SO wanting to catch crabs for sale from the waters of the county shall apply to the clerk of the circuit court for a license. Each person employed in the business shall acquire a license which shall remain in effect for one year from the date of issuance.

### **Acts of 1910, Ch. 297**

An act re crabs in SO, approved 4-7-1910

- Sec. 1: Any person or firm engaged in the business of shedding, packing, or shipping crabs in SO shall apply to the clerk of the circuit court for a license which shall remain in effect until the next May 1.

### **Acts of 1910, Ch. 722**

An act to add new sections to Art. 43, Public General Laws, re midwives, approved 4-15-1910

- Sec. 55A: Any practicing midwife not registered per Sec. 55 of Art. 43, Public General Laws, on July 1, 1910 may register the name and address with the local registrar of vital statistics and shall then be entitled to a license without examination. Persons practicing midwifery after July 1, 1910 shall also register, but cannot practice except on certification and licensure as provided herein. Any midwife receiving a license shall present it within thirty days to the local registrar who shall record the name and address and date of the license and send a copy to the state Board of Health.
- Sec. 55B: State Board of Health shall issue a certificate of registration to the midwife.
- Sec. 55D: No one shall register as a licensed midwife per Sec. 55A unless a license is secured from the clerk of the county circuit court or BC Circuit Court.
- Sec. 55E: Court clerks shall issue a license only after receiving a certificate from the state Board of Health, that shows the applicant has passed an examination or was practicing before July 1, 1910.
- Sec. 55F: State Board of Health shall be in charge of the examinations of midwives.

### **Acts of 1912, Ch. 439**

An act re auctioneers in BA, approved 4-8-1912

- Sec. 1: Auctioneers in BA must obtain a license.
- Sec. 2: Clerk of the BA Circuit Court shall issue the licenses.

### **Acts of 1914, Ch. 74**

An act re auctioneers in HO, approved 3-12-1914

- Sec. 1: All auctioneers in HO must obtain a license.
- Sec. 2: Clerk of the HO Circuit Court shall issue the licenses.

### **Acts of 1914, Ch. 334**

An act to repeal and reenact Sec. 73 of Art. 56, Public General Laws, re ordinaries, approved 4-10-1914

- Sec. 73: An ordinary license may be assigned and transferred, a fact that shall be endorsed on the license and recorded by the court clerk and shall be good for the premises for which originally issued.

### **Acts of 1914, Ch. 545**

An act re public exhibitions in BA, approved 4-10-1914

- Sec. 1: Before operating or maintaining moving picture, theatrical, dramatic, and other public exhibitions in BA persons shall obtain a license from the circuit court clerk.
- Sec. 2: Licenses shall expire on May 1.
- Sec. 3: Applications shall be filed with the court clerk.
- Sec. 4: Each application shall be accompanied by a certificate signed by at least ten taxpayers and residents of the neighborhood where the business is located.
- Sec. 5: Court clerk shall publish a notice of the application.
- Sec. 6: Objections filed with the clerk shall be sent to the county commissioners who will determine whether the license should be issued.
- Sec. 7: County commissioners shall also have the authority to revoke licenses.
- Sec. 8: County commissioners may issue permits for holding entertainment for educational, religious, or charitable purposes.

### **Acts of 1914, Ch. 786**

An act re osteopaths, approved 4-13-1914

- Sec. 1: Board of Osteopathic Examiners is established.
- Sec. 10: Anyone receiving a license from the board shall file it with the clerk of the county circuit court or BC Circuit Court, depending on residency. It shall be rerecorded when the licensee moves to a different jurisdiction.
- Sec. 14: When the board revokes a license, it shall notify the court clerk to remove the record. Anyone believing an osteopath has been wrongly or improperly registered may file a petition in the county circuit court or BC Circuit Court where the person is registered. If the court agrees, the name shall be stricken from the register. A decision of the board to revoke a license may be appealed to the county circuit court or BC Circuit Court.

### **Acts of 1914, Ch. 851**

An act re alcoholic beverages in SM, approved 4-16-1914

- Sec. 1: The question of whether liquor shall be sold in SM shall be voted on in August 1915.  
[prohibition of sales approved]
- Sec. 3: If the proposition against licenses is approved, it shall be illegal to sell liquor in SM as of May 1, 1916.



**Acts of 1916, Ch. 173**

An act re chiroprodists, approved 4-4-1916, effective 6-1-1916

- Sec. 2: Board of Chiropody Examiners is established.
- Sec. 4: Anyone receiving a certificate from the board shall file it with the clerk of the county circuit court or BC Circuit Court, depending on residency.
- Sec. 10: When the board revokes a license, it shall notify the court clerk to remove the record. A decision of the board to revoke a license may be appealed to the county circuit court or BC Circuit Court.

**Acs of 1916, Ch. 179**

An act re clams in SO, approved 4-4-1916, effective 6-1-1916

- Sec. 1: Only residents of SO shall be permitted to take clams from county waters by tongers and for sale, and then only after obtaining a license from the clerk of the circuit court.
- Sec. 2: Persons and firms shipping clams shall also obtain a license.
- Sec. 4: Each license shall remain in effect for the calendar year in which it is issued.

**Acts of 1916, Ch. 518**

An act re camp meetings in CA, DO, KE, SO, TA, and WO, approved 4-18-1916, effective 6-1-1916

- Sec. 1: Anyone wanting to hold a camp or bush meeting in CA, DO, KE, SO, TA, and WO must apply to the county commissioners for a permit. Each application must be accompanied by a petition signed by twenty-five taxpayers living within three miles of the proposed site.

**Acts of 1916, Ch. 589**

An act re auctioneers in PG, approved 4-18-1916, effective 6-1-1916

- Sec. 1: Auctioneers in PG must obtain a license.
- Sec. 2: Clerk of the PG Circuit Court shall issue the licenses.

**Acts of 1916, Ch. 632**

An act to repeal and reenact Secs. 1, 6, and 40 of Art. 56, Public General Laws, re traders, approved 4-18-1916, effective 6-1-1916

- Sec. 1: All licenses for selling goods and chattels shall be granted by the clerks of the county circuit courts and BC Court of Common Pleas, except where a different mode is provided. Licenses shall begin and expire on May 1, except for fisheries and horse racing.
- Sec. 6: Persons operating without a license or without one of sufficient amount shall be sued by action of debt by the state before a justice of the peace, county circuit court, or BC Court.
- Sec. 40: An application for a traders license shall contain the name of the business, names of proprietors, name of applicant, relation of applicant to the business, address of the business,

nature of the business, average amount of merchandise, amount of the municipal and county assessment on the stock in trade, and when and where incorporated if applicable.

### **Acts of 1916, Ch. 704**

An act to add sections to Art. 56, Public General Laws, re licenses, approved 4-18-1916, effective 6-1-1916

Licenses shall be taken out for and by the following:

- Sec. 164: Detective agencies
- Sec. 165: Moving picture shows and carnivals
- Sec. 166: Garages for the hire, storage, or sale of automobiles
- Sec. 167: Sale of cash registers and adding machines
- Sec. 168: Sale of typewriting machines and supplies
- Sec. 169: Commercial, mercantile, and mutual protective agencies
- Sec. 170: Intelligence offices and employment agencies
- Sec. 171: Laundries
- Sec. 172: Junk dealers
- Sec. 173: Trading stamp companies
- Sec. 174: Wholesale dealers in farm machinery
- Sec. 175: Soda water fountains
- Sec. 176: Livery stables
- Sec. 177: Bowling saloons
- Sec. 178: Storage warehouses
- Sec. 179: Check rooms for packages and baggage
- Sec. 180: Cleaning, dyeing, and pressing establishments
- Sec. 181: Shoe shining parlors and hat cleaning establishments
- Sec. 182: Restaurants and eating places
- Sec. 183: Plumbers and gas fitters
- Sec. 184: Construction firms
- Sec. 185: Non-resident wholesale tobacco dealers
- Sec. 186: Non-resident wholesale liquor dealers
- Sec. 187: All of the above licenses shall be granted by the clerks of the county circuit courts and BC Court of Common Pleas and be issued to expire on May 1.

### **Acts of 1917, Ch. 13**

An act re alcoholic beverages in PG, approved 6-28-1917, effective 11-1-1917

- Sec. 2: It shall be unlawful to sell intoxicating liquors in PG.

### **Acts of 1933, Ch. 40**

An act to repeal Secs. 131-139 of Art. 19, Public Local Laws, re alcoholic beverages in SM, approved 4-5-1933, effective 6-1-1933

- Sec. 1: Secs. 131-139 of Art. 19, Public Local Laws, re prohibition against the sale of liquor in SM, are repealed.

### **Acts of 1933, Ch. 91**

An act to repeal and reenact Sec. 44 of Art. 56, Public General Laws, re traders, approved 4-21-1933, effective 6-1-1933

- Sec. 44: An application for a traders license shall contain the name of the business, names of proprietors, name of applicant, relation of applicant to the business, address of the business, nature of the business, average amount of merchandise, amount of the municipal and county assessment on the stock in trade, when and where incorporated if applicable, amount of fire insurance on merchandise, and existence of a license during the prior year.

### **Acts of 1933, Ch. 213**

An act to add sections to Art. 56, Public General Laws, re alcoholic beverages, approved 4-5-1933

- Sec. 104A: The manufacture, sale, transportation, importation, and exportation of beer and wine is hereby legalized in Maryland.
- Sec. 104B: A license shall be required for the sale of beer and wine.
- Sec. 104C: Licenses shall be granted by the clerks of the county circuit courts and BC Court of Common Pleas. There shall be on sale and off sale licenses.
- Sec. 104D: All licenses shall expire on May 1 and be issued for twelve or six months only.
- Sec. 104F: An application shall contain the name and address of the applicant, length of residence in the state, address of the business place, class of license desired, name of the owner of the premises, and statement that the applicant has no felony convictions.
- Sec. 104H: Court clerk shall advertise a notice of the application. Any ten or more voters and taxpayers of the election district or ward where the business is to be located may file objections with the clerk. The Bureau of State Licenses shall consider the matter.
- Sec. 104J: This act shall not apply in AL, BC, BA, CA, CR, GA, HA, HO, PG, SM, WA, and Annapolis.

### **Acts of 1933, Ch. 395**

An act to add a section to Art. 17, Public Local Laws, re ice in PG, approved 4-21-1933, effective 6-1-1933

- Sec. 700A: Anyone selling artificial or natural ice in PG must obtain a license from the clerk of the circuit court. License shall expire on May 1.

### **Acts of 1933, Ch. 488**

An act to repeal and reenact Secs. 703-719 of Art. 17, Public Local Laws, re alcoholic beverages in PG, approved 4-5-1933, effective 6-1-1933

- Sec. 704: The sale of liquor containing over 3.2% alcohol is forbidden in PG.
- Sec. 713: Governor with consent of the Senate shall appoint three persons to the PG Board of Beer License Commissioners for two year terms to begin June 1. Clerk of the county commissioners shall act as clerk and keep their records. License commissioners shall meet once a month.
- Sec. 714: License commissioners shall issue licenses to persons or firms for the sale of 3.2% beer, ale, and malt drinks and keep a record of the applications and actions taken. An application shall show the name and residence of the applicant, address of the business place, name of its owner, and names the officers and stockholders of a firm or corporation. The applications shall be advertised.
- Sec. 715: There shall be two types of licenses - on sale and off sale. Each license shall remain in effect for one year. License commissioners shall inspect licensed businesses to enforce regulations. Persons and firms may sell beer, ale, and malt drinks to licensees only with a permit from the license commissioners, which shall be valid for one year. Permit holders shall report monthly to the license commissioners on the quantity sold and delivered and to whom.
- Sec. 716: License commissioners shall adopt rules for the issuance of licenses and operation of businesses.
- Sec. 717: License commissioners may revoke licenses as may the circuit court upon conviction for violating this act.

### **Acts of 1933, Ch. 489**

An act to add sections to Art. 14, Public Local Laws, re alcoholic beverages in HO, approved 4-5-1933

- Sec. 226B: Clerk of HO Circuit Court shall issue licenses to persons and firms for the sale of beer and light wine and shall maintain a record of all applications.
- Sec. 226D: Each application shall include the name and residence of the applicant, place of business, and name of the owner of the premises.
- Sec. 226E: All licenses shall expire on April 30.
- Sec. 226H: Any conviction of a violation of this act shall result in a license revocation for one year.

### **Acts of 1933, Ch. 522**

An act to repeal and reenact several sections of Art. 3, Public Local Laws, re alcoholic beverages in BA, approved 4-5-1933

- Sec. 412: Licenses to sell liquor in BA shall expire on January 1 or July 1 and be issued for twelve or six months.
- Sec. 413: Applications shall be filed with the clerk of the circuit court by June 1 or December 1. Each shall include name and residence, fact of U.S. and Maryland citizenship, place of birth and if applicable naturalization, name of the owner of the premises, type of license desired, place of business, and fact of no criminal record. Corporations and associations shall include the names and addresses of their officers.
- Sec. 414: An application shall include a certificate signed by at least ten taxpayers and residents

of the neighborhood where the business is located.

- Sec. 415: Court clerk shall publish a notice of the application, giving persons a chance to oppose the issuance of the license.
- Sec. 416: Objections shall be heard by the circuit court. All applications, whether or not objections have been filed, shall be considered by the court to determine if licenses shall be issued.
- Sec. 418: Court clerk shall record the names of the applicants and signers of the certificates, and index them. Clerk shall issue licenses to applicants approved by the court.
- Sec. 422: Circuit court shall hear and determine violations of this act by licensees and may revoke licenses.
- Sec. 437: A holder of a retail liquor license may sell or assign the license, provided the procedures outlined in Secs. 401-416 are followed.
- Sec. 438: A holder of a retail liquor license may assign, hypothecate, or pledge the license as security for repayment of a debt or performance of an obligation. The instrument may be recorded by the circuit court clerk.

## **Acts of Special Session 1933, Ch. 2**

An act to add Art. 2B, Public General Laws, re alcoholic beverages, approved 12-2-1933

- Sec. 3: Classes of alcoholic beverage licenses:
  - manufacturer
  - wholesaler
  - beer: class A off sale, class B on sale in hotels and restaurants, class C: on sale in clubs, class D: on sale generally, class E: on sale on steamboats, and class F: on sale on railroads
  - beer and light wine: class A off sale, class B on sale in hotels and restaurants, class C: on sale in clubs, class D: on sale generally, class E: on sale on steamboats, and class F: on sale on railroads
  - beer, wine, and liquor: class A off sale; class B: on sale in hotels and restaurants; class C: on sale in clubs; class D: on sale in taverns in BC, North Beach, Chesapeake Beach, and BA; class E: on sale on steamboats; and class F: on sale on railroads
- Sec. 3 (1): Manufacturer licenses shall be issued by the Comptroller of the Treasury.
- Sec. 3 (2): Wholesaler licenses shall be issued by the Comptroller of the Treasury.
- Sec. 3 (3): Beer licenses shall be issued by the clerks of the circuit courts, except in the following counties:
  - Class A in AL, BC, BA, CA, GA, HA, QA, and SM
  - Class B in AL, BC, BA, CA, GA, HA, HO, QA, and SM
  - Class C in AL, BC, BA, CA, GA, HA, HO, KE, QA, SM, and SO
  - Class D in AL, BC, BA, CA, CR, DO, FR, GA, HA, QA, SM., SO, and TA
- Sec. 3 (3) [continued] Classes E and F licenses shall be issued by the Comptroller of the Treasury.
- Sec. 3 (4): Beer and light wine licenses shall be issued by the clerks of the circuit courts and BC Court of Common Pleas, except in the following counties:
  - Class A in AL, AA, CV, CA, DO, FR, GA, HA, HO, KE, QA, SM, SO, and TA
  - Class B in AL, AA, CV, CA, DO, FR, GA, HA, HO, KE, QA, SM, SO, and TA

- Class C in AL, AA, CV, CA, DO, FR, GA, HA, HO, KE, QA, SM, SO, and TA
- Class D in AL, AA, CV, CA, DO, FR, GA, HA, KE, QA, SM, SO, and TA
- Sec. 3 (4) [continued] Classes E and F licenses shall be issued by the Comptroller of the Treasury.
- Sec. 3 (5) Beer, wine, and liquor licenses shall be issued by the clerks of the following county circuit courts and BC Court of Common Pleas:
  - Class A in BC, BA, CV, CR, CE, CH, HO, PG, and WA
  - Class B in BC, BA, PG, WA, North Beach, Chesapeake Beach, and Annapolis
  - Class C in BC, BA, WA, North Beach, Chesapeake Beach, and Annapolis
  - Class D in BC, BA, North Beach, and Chesapeake
- Sec. 3 (5) [continued] Classes E and F licenses shall be issued by the Comptroller of the Treasury.
- Sec. 4: Depending on the type of license being sought the application shall be filed with the Comptroller of the Treasury, BC Board of License Commissioners, county board of license commissioners if any, or circuit court clerk if no county board exists.
- Sec. 5: The application shall contain the following information: class of license being sought, name and address of the applicant, length of residence, statement of U.S. citizenship, age, sex, and color of the applicant, place of birth, whether naturalized, address of place for which license is sought, name of the owner of the premises, fact of having no felony conviction, and assent of the owner of the premises.
- Sec. 6: In the counties and BC having license commissioners the board shall advertise notice of each application. At the hearing the board shall hear any person wishing to be heard on either side. The board shall certify approved applications to the court clerk who shall issue the license.
- Sec. 7: In the counties without license commissioners the court clerk shall advertise the notice. If written protests are filed, the Bureau of State Licenses shall hear and determine the matter and certify approvals to the clerk who shall issue the licenses. This section shall not apply in HO and SM.
- Sec. 12: Licenses shall expire on April 30, except for temporary and special licenses.
- Sec. 16: Comptroller, court clerks, license commissioners. and Bureau of State Licenses shall keep a record of every license issued and approved. The agencies shall also maintain records of all revocations, suspensions, and cancellations and all restrictions imposed on licenses with a notation as to the cause for such action.
- Sec. 18: Licenses shall renewed upon application unless protests are filed. Then the matter shall be heard as was the original application.
- Sec. 22: Any license holder may transfer the place of business or sell or assign the license and stock in trade, provided it is handled as was the original application.
- Sec. 42: Any license may be revoked or suspended by the Comptroller of the Treasury, license commissioners, or Bureau of State Licenses, according to the body that originally approved it.
- Sec. 43: Any such proceeding may be initiated by the government agency, ten or more citizens, peace officer, or inspector. A hearing shall be held upon the complaint.
- Sec. 45: Mayor, counselor, and aldermen of Annapolis shall have the authority to receive, approve, and disapprove applications for beer, wine, and liquor licenses for places in the city. They shall issue certificates to the clerk of the AA Circuit Court to grant the licenses. Biennially the governor shall appoint three persons as the BC Board of License Commissioners and designate one as chair. BC appointments made under this act before June 1, 1935 shall expire on

that date. Surviving members of the BC board appointed pursuant to Acts of 1933, Ch. 491 [not abstracted] shall remain in office until that date. Annually the BA Board of County Commissioners shall appoint three persons to the BA Board of License Commissioners. Biennially the governor shall appoint three persons as the CV Board of License Commissioners, designating one as chair. CV appointments made under this act before June 1, 1935 shall expire on that date. CR Board of County Commissioners shall constitute the CR Board of License Commissioners. CE Board of County Commissioners shall constitute the CE Board of License Commissioners. DO Board of County Commissioners shall constitute the DO Board of License Commissioners. The MO Liquor Control Board shall constitute the MO Board of License Commissioners. Biennially the governor shall appoint three persons as the PG Board of License Commissioners, designating one as chair. PG appointments made under this act before June 1, 1935 shall expire on that date. Surviving members of the PG Board of Beer License Commissioners appointed in pursuance of Acts of 1933, Ch. 488 shall remain in office and constitute the board of license commissioners until June 1, 1935. Biennially the governor shall appoint three persons as the WA Board of License Commissioners, designating one as chair. WA appointments made under this act before June 1, 1935 shall expire on that date. Biennially the governor shall appoint three persons as the WI Board of License Commissioners, designating one as chair. WI appointments made under this act before June 1, 1935 shall expire on that date. Biennially the governor shall appoint three persons as the WO Board of License Commissioners, designating one as chair. WO appointments made under this act before June 1, 1935 shall expire on that date.

- Sec. 48: Decisions of the license commissioners may be appealed to the Bureau of State Licenses.
- Sec. 48A: MO Board of County Commissioners shall appoint five persons to the MO Liquor Control Board, and designate one as chair and one as manager of the county dispensary. County commissioners shall prescribe the term of office. Liquor board shall establish three county dispensaries or stores which shall sell liquor at retail and to licensed dealers in the county.
- Sec. 48B: WI Liquor Control Board is established. The first three members are named in this act and shall serve until June 1, 1935. Thereafter the governor shall make biennial appointments. The board shall select its own chair. It shall establish and maintain a liquor dispensary in Salisbury and branches in other places. Annual reports shall be filed with the county commissioners.
- Sec. 48D: WO Liquor Control Board is established, consisting of three persons appointed by the governor for ten year terms. The first appointments shall expire on June 1, 1935. The board shall select its own chair. It shall establish and maintain county liquor dispensaries. Annual reports shall be filed with the county commissioners.
- Sec. 53: Licenses for the sale of beer and wine issued under Chs. 213, 488-491, and 522 of Acts of 1933 shall be valid until they expire.

## **Acts of 1937, Ch. 92**

An act to add sections to Art. 14, Public Local Laws, re alcoholic beverages in HO, approved 3-24-1937, effective 5-1-1937

- Sec. 208: Clerk of the HO Circuit Court shall issue alcoholic beverage licenses according to the

following classes: A for the on sale of beer, B for the off sale of liquor and wine, C for a special beer license, and D for distributors of beer. An application for a class D license shall include the name, residence, and age of the applicant and general place of business.

- Sec. 209: An application for the other classes shall include the type of license sought, name, address, age, sex, color, and birthplace of the applicant, place of business, name of the owner of the premises, and consent of the owner. The application shall be filed with the court clerk and be supported by three taxpayers and voters in the district where the business is located.
- Sec. 210: Licenses shall be issued only to individuals. Applications on behalf of a corporation shall include the names and addresses of the officers.
- Sec. 211: Each license shall expire on April 30.
- Sec. 215: Circuit court may suspend or revoke licenses.
- Sec. 217: Court clerk shall maintain a record of the licenses issued, canceled, or revoked.

### **Acts of 1939, Ch. 351**

An act to repeal Secs. 13-14 of Art. 56, Public General Laws, and Secs. 812-819 of Art. 4, Public Local Laws, re real estate licenses, approved 5-24-1939, effective 6-1-1939

- Real Estate Commission established for the licensing and regulation of real estate brokers and agents.



## MARRIAGES

### **Acts of 1654, Ch. 16**

An act re births, marriages, and deaths, passed 10-20-1654

- All births, marriages, and deaths shall be filed with the county court clerks for recording.

### **Acts of 1678, Ch. 10**

An act re births, marriages, and deaths, passed 11-15-1678

- Sec. 1: Names and residences of persons who are born, married, or buried, along with the dates of the events, shall be filed with county court clerks by the fathers, individuals married, and kin of the deceased within two months after the events. Clerks shall maintain registers of these events. Persons excepted include negroes, Indians, and mulattos.
- Sec. 3: Court clerks shall transcribe any existing registers.

### **Acts of 1695, Ch. 1**

An act re births, marriages, and deaths, passed 5-22-1695

- Names and residences of persons who are born, married, or buried, along with the dates of the events, shall be filed with Protestant Episcopal vestries by the fathers, individuals married, and kin of the deceased within two months after the events. Vestries shall maintain registers of these events. Persons excepted include negroes, Indians, and mulattos.
- Acts of 1678, Ch. 10 is repealed.

### **Acts of Apr. 1777, Ch. 12**

An act re licenses, passed 4-20-1777

- No person shall marry without a license or before the names of the parties have been published three times in a church or meeting house where the woman resides and they plan to marry.
- Annually in November ministers shall file a list of marriages performed, showing the names of the parties and dates, with the Treasurer of the Western Shore or Eastern Shore.
- Marriage licenses shall be issued by the clerk of the county court where the woman resides.
- Annually in November the court clerks shall file lists of licenses with the Treasurer of the Western Shore or Eastern Shore.
- Chancery Court shall hear and determine all petitions for alimony.
- General Court shall hear and determine indictments or petitions on the validity of marriages. Appeals may be taken to the Court of Appeals.

### **Acts of 1797, Ch. 38**

An act re licenses, passed 1-20-1798, effective 5-1-1798

- Sec. 2: Governor and council shall have printed blank marriage license forms and send them to the Treasurers of the Western Shore and Eastern Shore for distribution to the county court clerks.
- Sec. 3: Annually by or on May 1 the court clerks shall file lists of licenses with the Treasurer of the Western Shore or Eastern Shore.

### **Acts of 1860, Ch. 124**

An act re records in TA, passed 2-29-1860

- Sec. 1: Clerk of TA Circuit Court shall transcribe the marriage license record for 1794-1839 and index it.

### **Acts of 1865, Ch. 130**

An act re licenses and records, passed 3-24-1865, effective 7-1-1865

- Sec. 1: Clerks of county circuit courts and BC Court of Common Pleas shall receive and record the following information about marriages:
  - date and place of marriage
  - name, residence, and title of the person performing the marriage
  - name, residence, age, color, and marital status of each party
  - date of record
- Sec. 1 (continued): Each marriage license form shall contain spaces for this information. The person performing the marriage shall complete the form and return it to the appropriate court clerk.
- Sec. 2: Record books shall be indexed.
- Sec. 7: Annually by February 1 the court clerks shall send copies of the marriage records to the Secretary of the Senate.
- Sec. 10: Secretary of the Senate shall furnish the court clerks with the record books, forms, and instructions.

### **Acts of 1866, Ch. 102**

An act to amend Sec. 2 of Acts of 1865, Ch. 130, re licenses, passed 2-6-1866

- Sec. 2: The information about the parties shall be ascertained and inserted on the license by the court clerks. Comptroller of the Treasury shall provide the blank forms.

### **Acts of 1867, Ch. 423**

An act to add sections to Art. 60, Public General Laws, re African Americans, passed 6-22-1867

- Sec. 9: All marriages heretofore made by and between colored people are hereby confirmed and made valid, provided this fact be established before a justice of the peace and certificate filed with the clerk of a county circuit court or BC Court of Common Pleas. Certificates shall preserved with the register of marriage licenses.

- Sec. 10: Hereafter colored persons shall obtain marriage licenses, as required in other cases.

## **Acts of 1868, Ch. 42**

An act to repeal and reenact Sec. 5 of Art. 60, Public General Laws, re Quakers, approved 2-18-1868

- Sec. 5: No person shall marry without a license or publication of banns three times in a church in the county where the woman resides. Quakers shall sign a certificate agreeing to take each other as man and wife and attested to by at least twelve persons. Certificates shall be recorded among the records of the society, county circuit court, or BC Court of Common Pleas.

## **Acts of 1882, Ch. 357**

An act to repeal and reenact Acts of 1865, Ch. 130 and Acts of 1866, Ch. 102, re licenses and records, approved 5-3-1882, effective 6-1-1882

- Sec. 1: Clerks of the county circuit courts and BC Court of Common Pleas shall receive and record the following information about marriages.
- Sec. 2: Record books shall include the name, residence, age, color, marital status, and occupation of each party and dates. The information shall be placed on the marriage license by the court clerk. The date and place of marriage and the name, residence, and title of the minister performing the marriage shall be stated on the back of the license. The minister shall return the completed license to the court clerk. Comptroller of the Treasury shall furnish the license forms.
- Sec. 3: Record books shall be indexed.

## **Acts of 1886, Ch. 497**

An act to repeal and reenact Secs. 4-8 of Art. 60, Public General Laws, re licenses and records, approved 4-7-1886

- Sec. 4: No person shall marry without a license or publication of banns three times in a church in the county where the woman resides. Quakers shall sign a certificate agreeing to take each other as man and wife and attested to by at least twelve persons. Certificates shall be recorded among the records of the society, county circuit court, or BC Court of Common Pleas. Two certificates shall be appended to the license, which shall be signed by the person performing the ceremony. One shall go to the parties, and one to the court clerk that issued the license.
- Sec. 5: Before issuing a license the court clerk shall ascertain and insert the names, residences, ages, color, marital status, and relationship of the parties.
- Sec. 6: Licenses shall be recorded and indexed according to the Campbell system. When the certificate of marriage is returned, the date and name of the officiating person shall be added.
- Sec. 7: The minimum age for marriage shall be twenty-one for males and sixteen for females [as in earlier laws]. For younger parties the parents or guardians must give assent, which fact shall be recorded.
- Sec. 8: Hearings on the validity of a marriage shall be heard by the county circuit courts or BC Superior Court upon petition or by the county circuit courts or BC Criminal Court upon

indictment. Appeals may be taken to the Court of Appeals.

### **Acts of 1890, Ch. 465**

An act to add sections to Art. 62, Public General Laws, re banns, approved 4-8-1890

- Sec. 11A: When a marriage is performed after the publication of banns, the minister shall sign two certificates, giving one to the parties and one to the clerk of the county circuit court or BC Court of Common Pleas for recording.

### **Acts of 1900, Ch. 142**

An act re records and indexes in PG, approved 3-29-1900

- Sec. 1: Clerk of PG Circuit Court shall transcribe and index marriage licenses for 1777-1886.

### **Acts of 1900, Ch. 375**

An act re records in SM, passed 4-7-1900

- Sec. 1: Clerk of SM Circuit Court shall transcribe marriage certificates and licenses for 1794-1864, to be arranged by date and in alphabetical order.

### **Acts of 1900, Ch. 461**

An act re indexes in KE, approved 4-7-1900

- Sec. 1: Clerk of KE Circuit Court shall prepare an index of marriage licenses dating from 1800.

### **Acts of 1906, Ch. 799**

An act re indexes in HA, approved 4-5-1906

- Sec. 3: Clerk of HA Circuit Court shall prepare an index of marriage licenses.

### **Acts of 1910, Ch. 312**

An act re indexes in KE, approved 4-7-1910

- Sec. 1: Clerk of KE Circuit Court shall prepare an index of marriage licenses from 1796-1886.

### **Acts of 1912, Ch. 69**

An act re foreign marriages, approved 4-4-1912

- Sec. 1: Clerks of the county circuit courts and BC Court of Common Pleas shall record in foreign marriage records certificates of marriage issued by persons performing marriages in another state, territory, or country when one or both of the parties were or are Maryland citizens.

## **Acts of 1916, Ch. 107**

An act re indexes in KE, approved 3-31-1916, effective 6-1-1916

- Sec. 1: Clerk of KE Circuit Court shall prepare an index of marriage licenses from 1796-1886.

## MILITIA

### Acts of 1916, Ch. 311

An act to repeal and reenact Art. 65, re enrollment, approved 4-11-1916

- Sec. 3: All able bodied male citizens and males of foreign birth who have declared their intention to become citizens, who are between the ages of 18 and 45, shall constitute the militia, subject to certain exemptions.
- Sec. 4: Whenever necessary the governor may order an enrollment of all persons liable to service in the militia. The enrollment shall state the name, residence, age, occupation, and previous military service of each individual. Three copies shall be made - one to be retained by the enrollment officer, one to be filed with the clerk of the county circuit court or BC Superior Court, and original to be filed with the Adjutant General.
- Sec. 5: Any person claiming an exemption must file a written statement with the clerk of the county circuit court or BC Superior Court. If proper, the clerk shall enter the word exempt on the enrollment. Clerk shall sent copies of the corrected record to the Adjutant General and the commanding officer of each organization in the National Guard. Whenever an enrollment is ordered, the heads of fire and police departments in each city shall sent to the court clerk a list of employees.

## PARTNERSHIPS

### Acts of 1825, Ch. 113

An act re limited partnerships, passed 2-24-1826

- Sec. 1: Limited partnerships may be formed except for banking or insurance.
- Sec. 2: Limited partnerships shall consist of general and special partners.
- Sec. 3: The name of a limited partnership shall consist of the names of the general partners.
- Sec. 5: The names and residences of the general and special partners shall be registered with the clerk of the county court where the principal business shall be conducted. The same information shall be filed the court clerks in other counties where business will take place.
- Sec. 6: The registry shall also designate the amount of capital furnished by each special partner, date of commencement and termination, renewals, continuances, dissolutions, and alterations.
- Sec. 11: Registry entries shall not be made by the court clerks or be considered valid unless all partners sign a certificate before a county judge concerning statements required by Secs. 5-6. The certificates shall be filed with the court clerks.
- Sec. 15: Annually each partnership shall obtain a license from the court clerk.

### Acts of 1836, Ch. 97

An act re limited partnerships, passed 2-28-1837

- Sec. 1: Limited partnerships for mercantile, mechanical, or manufacturing may be formed, except for banking or insurance.
- Sec. 2: Limited partnerships shall consist of general and special partners.
- Sec. 3: A certificate of partnership shall be signed by each person and contain the name of the firm, general nature of the business, names and residences of all general and special partners, amount of capital contributed by each special partner, date of commencement, and date of termination.
- Sec. 4: The certificate shall be acknowledged and filed with the clerk of the county court where the principal place of business is located. Clerk shall record the document in a separate book. The same information shall be filed the court clerks in other counties where business will take place.
- Sec. 5: An affidavit of one or more of the general partners, stating that the contributions of the special partners have actually been paid, shall also be filed.
- Sec. 6: No partnership shall be deemed formed until the provisions of Secs. 3-5 are met.
- Sec. 9: Renewals and continuances shall be certified, acknowledged, and recorded.
- Sec. 10: Any alterations in the names of the partners, nature of the business, capital or shares, or any other matter specified in the original certificate shall be deemed a dissolution, unless renewed per Sec. 9.
- Sec. 21: No dissolution shall occur prior to the time stated in the certificate unless by the death of a partner, insolvency, or notice of dissolution filed with the clerk of the county court where the original certificate was recorded.
- Sec. 23: Acts of 1825, Ch. 113 is repealed.

## **Acts of 1880, Ch. 482**

An act to repeal and reenact Sec. 1 of Art. 72, Public General Laws, re limited partnerships, approved 4-10-1880

- Sec. 1: Limited partnerships for mercantile, mechanical, manufacturing, or banking may be formed, except for insurance.

## **Acts of 1918, Ch. 280**

An act to repeal and reenact Secs. 1-22 of Art. 73, Public General Laws, re limited partnerships, approved 4-10-1918

Purpose - to make the law uniform with that of other states.

- Sec. 1: A limited partnership is one formed by two or more persons under the provisions of Sec. 2, having general and limited partners with the latter not bound by obligations of the partnership.
- Sec. 2: The certificate of partnership shall be filed with the clerk of the county circuit court or BC Superior Court and shall include the following:
  - name of the partnership
  - character of the business
  - location of the principal place of business
  - name and address of each partner
  - term of its existence
  - amount of cash and value of property contributed by each limited partner
  - additional contributions to be made by each limited partner and when
  - time for returning contributions to each limited partner
  - amount of compensation to be received by each limited partner
  - special rights, if any, given each limited partner
  - right, if any, of general partners to continue the business
- Sec. 8: Additional limited partners may be admitted upon filing an amendment as provided by Sec. 22C.
- Sec. 20: Retirement, death, or insanity of a general partner shall dissolve the partnership unless the business is continued by the remaining partners under a right so stated in the certificate or with the consent of all members.
- Sec. 22B: The certificate shall be canceled when the partnership is dissolved or all limited partners cease to be such. The certificate shall be amended to reflect the following changes: name of the partnership, amount or kind of contribution of any limited partner, names of the partners, or name of the business.
- Sec. 22C: Amendments or cancellations of certificates shall be filed with the clerk of the county circuit court or BC Superior Court.



## MILITARY PENSIONS

### **Acts of Oct. 1778, Ch. 14**

An act re disabled soldiers, passed 12-15-1778

- Sec. 2: Officers, soldiers, marines, and seamen who have been and shall be disabled in U.S. or Maryland service shall receive during his life or continuance of the disability one-half of his monthly pay.
- Sec. 4: Men who are injured and not able to serve in the military, but not totally disabled from getting a livelihood, shall receive a sum deemed adequate by an orphans court, not to exceed one-half of the monthly pay.
- Sec. 5: Orphans courts shall obtain funds from the state for paying the pensions. The courts shall record the following information about each pensioner: name, residence, unit of service, engagement where wounded, and amount of the pension. The record shall also include any death of a disabled soldier or ceasing of an allowance. Annually by May 1 an account shall be filed with the governor and council.
- Sec. 7: No disabled person shall receive a pension unless he produces a certificate from an officer involved in the action and a surgeon involved in the medical treatment. Orphans courts shall record the certificates.
- Sec. 9: If it is impossible to obtain the certificates, an application may be made to the governor and council who on satisfactory proof being presented shall direct the orphans court to pay the pension.

### **Acts of 1784, Ch. 72**

An act re Maryland Line soldiers, passed 1-22-1785

- Sec. 2: The execution of Acts of Oct. 1778, Ch. 14 re commissioned officers of the Maryland Line is placed with the governor who shall exercise all the powers of the orphans courts.

## ROADS

[For the period prior to 1794, see articles in [Bites from the Archivists' Bulldog](#)]

### **Acts of 1704, Ch. 21**

An act re roads, passed 9-26-1704

- Annually each county court shall ascertain and record the public roads and appoint road overseers. No person shall alter a public road without consent of the governor and council or a county court. Taxable male residents shall be required to work on the roads or provide labor. Roads leading to ferries, courthouses, churches, and Annapolis shall be marked by notches as outlined in this act.

### **Acts of 1753, Ch. 15**

An act re mills, passed 11-9-1753, effective 11-1-1754

- Sec. 1: Public roads are being obstructed by mill dams.
- Sec. 2: Any person who has built or will construct a mill on any stream crossed by a public road shall make the top of the dam 12' wide and construct and maintain a bridge over the mill race.

### **Acts of 1766, Ch. 24**

An act re roads in BA, passed 12-6-1766

- Annually in November the BA Court shall appoint road overseers to repair and maintain roads, bridges, and causeways. Taxes shall be levied to pay the expenses. Overseers may hire laborers. At least once a year the overseers shall file accounts of charges and expenses with the court. No gate shall placed on a public road except for those already erected. No person shall be obligated to work on the roads.

### **Acts of 1785, Ch. 49**

An act re private roads, passed 3-8-1785

- Sec. 2: Citizens have a right to a road to and from their farms or plantations to churches, mills, market towns, public ferries, and courthouses.
- Sec. 3: A citizen may apply to the county court to have such a road laid out. If anyone objects after the survey is completed, the court may order alterations. The court shall record the application and return and determine compensation to the owners of the land through which the road passes, which shall be paid by the applicant. The road shall be maintained by the user. Appeals may be taken to the General Court whose decision shall be final.

### **Acts of April 1787, Ch. 23**

An act re turnpikes in BA, passed 5-21-1787

- Sec. 1: Because of heavy wagon traffic the roads between BC and the western parts of the state are rendered almost impassable during the winter, and the ordinary method of road repair is insufficient.
- Sec. 2: Three persons are named in this act as commissioners to lay out and mark a road from BC to the BA line towards Frederick Town.
- Sec. 3: Three persons are named in this act as commissioners to lay out and mark a road from BC to Reisterstown.
- Sec. 4: Three persons are named in this act as commissioners to lay out and mark a road from Reisterstown to Winchester.
- Sec. 5: Three persons are named in this act as commissioners to lay out and mark a road from Reisterstown to the BA line towards Hanover.
- Sec. 6: Five persons are named in this act as commissioners to lay out and mark a road from BC to the BA line towards York.
- Sec. 7: Five persons are named in this act as commissioners to review the roads specified in Secs. 2-6. The proceedings and surveys of the road commissioners shall be filed with the review commissioners who may confirm, correct, and alter the returns. Review commissioners shall prepare three copies of each survey and plat and file one each with the BA Court clerk, BC town commissioners, and road commissioners appointed to lay out the road.
- Sec. 8: The road commissioners shall have the roads constructed with ditches alongside them and as necessary causeways and bridges. Guideposts shall be erected at crossroads to show places and distances.
- Sec. 9: Road commissioners may agree on compensation with the owners of land through which the roads shall pass. If an agreement cannot be reached, the sheriff shall be directed to summon a jury to determine compensation for damages.
- Sec. 11: Roads to be laid out through cultivated fields shall not be constructed until the crops are harvested.
- Sec. 13: Road commissioners may use stone and timber from land adjoining the roads and bridges and pay compensation to the owners.
- Sec. 15: After a road has been completed and accepted, the review commissioners shall appoint a surveyor for a term of one year. The surveyor shall review the roads quarterly and report on conditions to the review commissioners.
- Sec. 16: A tax is imposed to pay the expenses incurred by the execution of this act. The tax collectors shall pay the sums as directed by the review commissioners.
- Sec. 17: Review commissioners shall erect one gate or turnpike on each road leading out of BC and impose tolls.
- Sec. 18: Review commissioners may erect gates or turnpikes on other portions of the roads and impose tolls.
- Sec. 19: Review commissioners shall appoint toll keepers, and remove them if necessary. The toll keepers shall account for collections at least twice a year in April and October.
- Sec. 20: The tolls shall be used for the expenses of clearing and making the turnpike roads and shall cease in whole or part as determined by the review commissioners.
- Sec. 21: Road commissioners shall first construct the road to Reisterstown, then the one towards York , and then the one towards Frederick Town.

- Sec. 23: Vacancies among the road commissioners shall be filed by the review commissioners. Vacancies among the latter shall be filed by the BA Commissioners of the Tax.
- Sec. 24: Tolls shall belong to BA and be used for the maintenance of the turnpike roads.

## **Acts of 1791, Ch. 66**

An act re roads in CE, passed 12-27-1791

- Sec. 1: Annually in March the CE Court shall appoint commissioners to inspect the public roads.
- Sec. 2: The court shall impose taxes for funds to be used by the road commissioners.
- Sec. 3: Within four months after their appointment the road commissioners, each assigned to specific roads, shall survey the roads in as straight manner as possible. The surveys and plats shall be filed with the court clerk for recording.
- Sec. 4: Vacancies among the road commissioners shall be filled by three neighboring justices of the peace.
- Sec. 5: Land owners shall be compensated for damages. If agreements cannot be reached, the sheriff shall be directed to summon a jury to determine compensation.
- Sec. 6: Road supervisors may accept labor in lieu of the road taxes and shall certify such work to the tax collectors.
- Sec. 7: Annually the court shall appoint road supervisors, at a number determined by the court, for road maintenance.
- Sec. 8: Road commissioners may contract for the construction of bridges and causeways or road repair.

## **Acts of 1794, Ch. 52**

An act re public roads, passed 12-26-1794, effective 3-1795

- Sec. 2: This act shall apply only in AL, BA, CA, CE, FR, HA, KE, MO, PG, QA, SO, and TA. Levy courts shall annually levy sums for the straightening and repair of public roads. Road overseers may accept labor in lieu of paying the road tax and shall so notify the tax collectors.
- Sec. 3: Levy courts shall determine the rates for laborers, horses, carts, and wagons for road work.
- Sec. 4: Levy courts shall prepare lists of taxpayers for each hundred, showing the amount of road tax due by each, and deliver copies to the tax collectors.
- Sec. 5: On application of two-thirds of the inhabitants of a hundred or hundreds to widen or straighten a public road, the levy court shall appoint three commissioners to view, survey, and plot the road and file a return. The levy court shall examine the return, consider evidence for and against the road, and reject or confirm the return or order alterations. After confirmation, the levy court shall direct the commissioners to mark and bound the road and direct the road overseer(s) to clear and improve the road. Three weeks public notice shall be given before petitions are filed.
- Sec. 6: The levy court shall agree with persons over whose land the road passes on compensation for damages. If no agreement is reached, the levy court shall have the sheriff summon a jury to determine the damages.
- Sec. 7: Annually the levy courts shall appoint road overseers within such divisions and districts as they specify. Each shall give bond. Overseers shall keep public roads, bridges, and causeways

in good repair, may hire laborers, horses, and equipment, and may purchase supplies. Bridges exempt from the authority of the supervisors include framed bridges, arched bridges over 15' long, and bridges covered by laws or contracts that oblige persons to assume responsibility.

- Sec. 12: Overseers shall give public notice so that residents may hire laborers or themselves to work on the roads, bridges, or causeways.
- Sec. 13: Levy courts shall maintain records of their proceedings concerning roads.
- Sec. 21: Operation of this act in AL shall be suspended until August 1796.

### **Acts of 1795, Ch. 43**

An act supplemental to Acts of 1794, Ch. 52, re public roads, passed 12-24-1795

- Sec. 2: Acts of 1794, Ch. 52, re public roads, is extended to AA and WA.
- Sec. 5: This act shall apply only in AL, BA, CA, CE, FR, HA, KE, MO, PG, QA, SO, and TA [and those named in Sec. 2]. The levy courts shall have the power to contract for opening or clearing any new public road or improving or repairing an existing public road. Each contractor shall give bond and exercise all powers of a road supervisor.
- Sec. 6: When a road is built or repaired on contract, the levy court shall appoint someone to view and report on the work before the contractor is paid.
- Sec. 7: Payments for damages to landowners affected by the opening of a road shall not be paid until the road is actually opened.

### **Acts of 1796, Ch. 59**

An act re roads in SO and WO, passed 12-31-1796

- Sec. 1: Acts of 1794, Ch. 52 and its supplements are repealed as far as they relate to SO. Acts of 1704, Ch. 21 is extended to SO.
- Sec. 2: Every road overseer in SO and WO shall maintain a list of persons who failed to work on the roads. Once every six months the overseers shall collect fines from those individuals. Fines not paid shall be recovered by due course of law. Annually the overseers shall account for these funds with the levy courts.
- Sec. 3: At their next meeting and annually thereafter the levy courts of SO and WO shall appoint road overseers, not over five in each hundred, and shall ascertain and list the persons liable to be called on by the overseers for work.
- Sec. 6: Upon the application of owners of land through which they want a public road to pass, the levy courts, if they deem the road necessary, shall direct the county surveyor to lay out the road and file a return which shall be recorded by the county court clerk.

### **Acts of 1796, Ch. 60**

An act supplemental to Acts of 1794, Ch. 52, re roads in CE, passed 12-31-1796

- Sec. 6: In CE when any landowner claims damages for new or altered roads, the levy court shall appoint three commissioners to determine the compensation. If the landowner is dissatisfied with

the decision, a jury shall be summoned to decide the matter.

## **Acts of 1797, Ch. 63**

An act re roads in TA, passed 1-20-1798

- Sec. 2: Annually in April the justices of the peace in TA shall describe, ascertain, and record public roads and appoint road overseers according to the number and division of the roads, provided there are not more than five overseers per hundred.
- Sec. 3: County court clerk shall record the proceedings of the justices and issue warrants of appointment to the overseers.
- Sec. 4: No one shall be compelled to act as overseer more than once in three years without consent.
- Sec. 5: Overseers shall keep all roads cleared and grubbed, make bridges over the heads of rivers, creeks, branches, and swamps where necessary, and causeway such places as need it. Justices shall superintend this work in their neighborhood.
- Sec. 7: Overseers may remove stones, gravel, and dirt from lands adjoining roads and trees from lands adjoining bridges, provided no enclosure is entered without permission from the landowner, due compensation is made for trees, and notice is given to the owners.
- Sec. 8: Overseers may call on free male inhabitants over age twenty-one and male slaves over age sixteen to labor on the roads and may hire carts and teams.
- Sec. 9: Within one month after receiving the warrant of appointment each overseer shall visit every household and list the persons specified in Sec. 8.
- Sec. 11: Overseers shall keep a list of persons who fail to comply and collect fines which upon failure to pay may be recovered before a justice of the peace. Overseers shall pay the fines and forfeitures to the levy court every six months.
- Sec. 12: Neighboring justices of the peace shall fill vacancies among the overseers.
- Sec. 15: Upon application of all landowners for altering, straightening, or opening a public road the levy court shall direct the county surveyor to lay it out and make a return. Levy court shall record the application, proceedings, and return of the surveyor. No old road shall be closed until the new one is viewed and accepted by two justices of peace appointed by the levy court. The applicants shall pay the expenses of building the new road. No application shall affect the lands of infants, persons non compos mentis, or nonresidents until the disabilities are removed.
- Sec. 17: Acts of 1794, Ch. 52 is repealed as far as it relates to TA.

## **Acts of 1798, Ch. 16**

An act re roads in CA, passed 1-15-1799

- Sec. 2: Annually in April the CA justices of the peace shall describe, ascertain, and record the public roads and appoint overseers according to the number and division of the roads. There shall be no more than five overseers in each hundred.
- Sec. 3: County court clerk shall record the proceedings of the justices and issues warrants of appointment to the overseers, to be delivered by the sheriff.
- Sec. 4: No one shall be compelled to act as an overseer more than once in three years without

consent.

- Sec. 5: Overseers shall keep all roads cleared and grubbed, make bridges over the heads of rivers, creeks, branches, and swamps where necessary, and causeway such places as need it. Justices shall superintend this work in their neighborhood.
- Sec. 7: Overseers may remove stones, gravel, and dirt from lands adjoining the roads and trees from lands adjoining bridges, provided no enclosure is entered without permission from the landowner, due compensation is made for trees, and notice is given to the owners.
- Sec. 8: Overseers may call on free male inhabitants over age twenty-one and male slaves over age sixteen to labor on the roads and may hire carts and teams.
- Sec. 9: Within one month after receiving the warrant of appointment each overseer shall visit every household and list the persons specified in Sec. 8.
- Sec. 10: Persons summoned to work on the roads shall attend in person or provide a substitute.
- Sec. 11: Overseers shall keep a list of persons who fail to comply and collect fines which upon failure to pay may be recovered before a justice of the peace. Overseers shall pay the fines and forfeitures to the levy court every six months.
- Sec. 12: Neighboring justices of the peace shall fill vacancies among the overseers.
- Sec. 15: Upon application of all landowners for altering, straightening, or opening a public road the levy court shall direct the county surveyor to lay it out and make a return. Levy court shall record the application, proceedings, and return of the surveyor. No old road shall be closed until the new one is viewed and accepted by two justices of peace appointed by the levy court. The applicants shall pay the expenses of building the new road.
- Sec. 17: Acts of 1794, Ch. 52 is repealed as far as it relates to CA.

## **Acts of 1798, Ch. 38**

An act re roads in SO, passed 1-15-1799

- Sec. 1: Justice of the peace of SO, or a majority of them, shall meet annually in April to ascertain and record the public roads and to appoint overseers according to the number and division of roads, up to eight persons per hundred.
- Sec. 3: County court clerk shall attend these meetings and record their proceedings. Clerk shall issue warrants to the overseers, to be delivered by the sheriff.
- Sec. 4: No one shall be compelled to act as overseer more than once every three years with consent.
- Sec. 5: Overseers shall keep the roads cleared and grubbed, build bridges over the heads of rivers, creeks, branches, and swamps where necessary, and build and clean causeways where necessary.
- Sec. 6: Bridges over 15' long shall continue to be built and repaired by the present procedure.
- Sec. 8: Overseers may remove stones, gravel, or dirt from adjoining lands for road repair and cut down trees for bridges and causeways provided no enclosures are entered without consent of the landowners.
- Sec. 9: Landowners shall be compensated by the levy court.
- Sec. 10: Overseers may call on able bodied free males between the ages of twenty-one and fifty and on able bodied slaves and servants between the ages of sixteen and fifty to labor on the roads and may hire teams and carts for hauling materials.

- Sec. 11: Within a month of receiving a warrant of appointment, each overseer shall prepare a list of persons specified in Sec. 10 in the assigned road section.
- Sec. 12: When summoned, each person is liable for the road work or may provide a substitute.
- Sec. 13: Every road overseer shall maintain a list of persons who fail to work on the roads. Once every six months the overseers shall collect fines from those individuals. Fines not paid shall be recovered by due course of law. Annually the overseers shall account for the funds collected with the levy court.
- Sec. 14: Vacancies among the overseers shall be filled by two neighboring justices of the peace who shall certify the appointments to the county court clerk for recording.
- Sec. 17: Fines recovered by justices of the peace shall accounted for annually with the levy court.
- Sec. 18: If all agree, landowners along a road may petition the levy court for altering, straightening, or opening a public road. Upon agreement the levy court shall direct the county surveyor to lay it out and file a return. The levy court shall record the petition, its proceedings, and return of the surveyor. No old road shall be closed until the new one is examined and accepted by two justices of the peace appointed by the levy court. Petitioners shall pay the expenses of new roads. No application shall affect the lands of persons with legal disabilities.
- Sec. 20: Levy court shall levy taxes for repair of the Vienna causeway and wharf, causeway and wharves on the south side of the Wicomico River at the lower ferry, causeway and wharves at the upper ferry on the Wicomico River, and causeway on the Pocomoke River at Stephens ferry.
- Sec. 22: Levy court shall contract for those repairs and for maintenance of the facilities.
- Sec. 28: Acts of 1704, Ch. 21, Acts of 1794, Ch. 52, and Acts of 1796, Ch. 59 are repealed as far as they relate to SO.

### **Acts of 1799, Ch. 5**

An act supplemental to Acts of 1798, Ch. 38, re roads in SO, passed 1-3-1800

- Sec. 1: Justices of the peace in SO do not readily meet as required.
- Sec. 2: Seven justices of the peace shall have the power to perform the duties specified by Acts of 1798, Ch. 38.

### **Acts of 1799, Ch. 70**

An act re roads in QA, passed 1-3-1800

- Sec. 2: QA Levy Court shall annually levy for altering and repairing public roads.
- Sec. 3: Levy court shall ascertain, describe, and record the public roads and appoint supervisors, according to the number and division of roads.
- Sec. 5: Road supervisors may hire laborers and horses and wagons.
- Sec. 6: Levy court shall prepare lists of taxable inhabitants, showing the amount of the road tax, and furnish the tax collectors with copies.
- Sec. 7: Upon application of two-thirds of the residents of a hundred to widen or straighten a public road, the levy court shall appoint three commissioners to view and survey the road and make a return to the levy court which shall examine it and hear any evidences. Levy court may reject or confirm the return or order it altered. With a confirmed return the levy court shall direct



the commissioners to mark and bound the road and road supervisor to perform the work. Before the application is filed, public notice shall be given.

- Sec. 8: Levy court may agree with landowners on damages sustained from such road improvement. If no agreement is reached, the levy court shall have the sheriff summon a jury to ascertain damages. The inquisition shall be filed with the levy court.
- Sec. 14: Road supervisors may remove stones, gravel, or earth from lands adjoining roads and for the repair of bridges may remove trees. No enclosure shall be entered without consent of the landowner and no trees shall be cut until compensation is paid or secured to the owner.
- Sec. 16: Levy court shall annually settle accounts with the road supervisors and record their road proceedings.
- Sec. 18: When necessary, road supervisors may require slave owners to furnish the labor of male slaves.
- Sec. 21: Road supervisors may accept labor from taxpayers in lieu of all or part of the road tax and issue a certificate to them.
- Sec. 29: Acts of 1794, Ch. 52 is repealed as far as it relates to QA.

## **Acts of 1799, Ch. 81**

An act re roads in KE, passed 1-3-1800

- Sec. 2: Annually in June the KE Levy Court shall describe, ascertain, and record the public roads and appoint overseers according to the number and division of the roads. There shall be no more than five overseers in each hundred.
- Sec. 3: County court clerk shall record the proceedings of the levy court.
- Sec. 4: No one shall be compelled to act as an overseer more than once in three years without consent.
- Sec. 5: Overseers shall keep all roads cleared and grubbed, make bridges over the heads of rivers, creeks, branches, and swamps where necessary, and causeway such places as need it. Bridges over 15' long shall be built and repaired as per current procedures.
- Sec. 7: Overseers may remove stones, gravel, and dirt from lands adjoining roads and trees from lands adjoining bridges, provided no enclosure is entered without permission from the landowner.
- Sec. 8: Landowners shall be compensated as directed by the levy court.
- Sec. 9: Overseers may call on free male inhabitants between ages twenty-one and fifty and male slaves and servants between ages sixteen and fifty to labor on the roads. Overseers may hire carts and teams.
- Sec. 10: Within one month after receiving the warrant of appointment each overseer shall prepare a list of the persons specified in Sec. 9.
- Sec. 12: Persons summoned to work on the roads shall attend in person or provide substitutes. Overseers shall keep a list of laborers who fail to appear, perform the tasks, or supply a substitute. Every six months they shall collect fines from those individuals. Non payments shall be recovered before a justice of the peace. Annual the overseers shall render an account of fines and forfeitures with the levy court.
- Sec. 13: Neighboring justices of the peace shall fill vacancies among the overseers and file the appointments with the county court clerk.

- Sec. 17: Upon application of two-thirds of the landowners for altering, straightening, or opening a public road the levy court shall direct the county surveyor to lay it out and make a return. Levy court shall record the application, proceedings, and return of the surveyor. No application shall affect lands owned by minors, persons non compos mentis, or nonresidents until the disabilities are removed.
- Sec. 17: Acts of 1794, Ch. 52 is repealed as far as it relates to KE.

## **Acts of 1800, Ch. 58**

An act re roads in KE, passed 12-19-1800

- Sec. 2: KE Levy Court shall levy for the maintenance of public roads.
- Sec. 3: Annually the levy court shall describe, ascertain, and record the public roads and appoint supervisors according to the number and division of the roads.
- Sec. 4: Neighboring justices of the peace shall fill vacancies among the supervisors and file the appointments with the county court clerk.
- Sec. 5: Road supervisors may employ laborers and carts and teams.
- Sec. 6: Levy court shall make a list of taxable inhabitants, showing the amount of their road taxes, and provide the county tax collector with a copy.
- Sec. 7: Upon application for altering a road from two-thirds of the inhabitants of a hundred, the levy court shall appoint three commissioners to view, survey, and plat the road and to file a return. Levy court shall review any evidence offered and confirm or reject the return or order it amended. After confirmation, the levy court shall order the commissioners to mark and bound the road and direct the road supervisor to perform the work. Public notice shall be given before the petition is filed.
- Sec. 8: Levy court may agree with landowners on damages. If they cannot agree, the levy court shall direct the sheriff to summon a jury to ascertain the damages, which shall return its inquisition to the levy court.
- Sec. 14: Road supervisors may remove stones, gravel, and dirt from lands adjoining the roads and trees from lands adjoining bridges, provided no enclosure is entered without permission from the landowner. Before any trees are cut down, notice shall be given the landowners and compensation paid or secured to them.
- Sec. 16: Levy court shall annually settle the accounts of the road supervisors and maintain a record of their proceedings concerning roads.
- Sec. 18: When necessary, road supervisors may require the labor of male slaves.
- Sec. 21: Taxpayers may labor on roads in lieu of paying road taxes.
- Sec. 25: Levy court may contract for opening, altering, or maintaining roads. The contractors shall exercise all the powers of road supervisors, except those specified in Sec. 18.
- Sec. 26: Acts of 1799, Ch. 81 is repealed.

## **Acts of 1801, Ch. 26**

An act re roads in AL, passed 12-31-1801

- Sec. 2: On application for a road by a majority of inhabitants of a neighborhood, the AL Levy

Court shall have the authority to appoint three commissioners to review the matter and survey the road. The proceedings and plat shall be filed with the levy court which may confirm, reject, or modify the return. Levy court shall direct the road supervisor(s) to lay out and clear the road at the expense of the petitioners or as otherwise determined by the levy court. Public notice shall be given prior to the filing of an application.

- Sec. 3: Levy court shall pay damages to the owners of land over which the road shall pass. If an agreement cannot be reached, the sheriff shall be directed to summon a jury to determine compensation. A road to be placed through a cultivated field shall not be constructed until the crops are harvested.
- Sec. 4: Levy court shall have the authority to grant private roads now vested in the county court. Decisions may be appealed to the county court.

## **Acts of 1801, Ch. 54**

An act re public roads, passed 12-31-1801, effective 5-1-1802

- Sec. 1: The present mode of repairing roads in CV, CA, CH, DO, and SM is expensive and inadequate.
- Sec. 2: Annually in April the levy courts in those counties shall describe, ascertain, and record the public roads and appoint overseers based on the number and divisions of the roads, but no more than five officials in each hundred.
- Sec. 3: County court clerks shall attend the meetings of the levy courts, record their proceedings, and issue warrants of appointment to the overseers.
- Sec. 4: No one shall be appointed an overseer more than once in three years without consent.
- Sec. 5: Overseers shall keep public roads cleared and build and maintain bridges over the heads of rivers, creeks, branches, and swamps.
- Sec. 7: Overseers may use materials alongside the roads and bridges, provided that when trees are cut down an account of their value is filed with the levy court so that compensation can be paid the owners.
- Sec. 8: Overseers may call upon free able-bodied male inhabitants and slaves, ages eighteen to fifty, to assist in clearing and repairing roads. They may hire carts and teams for hauling.
- Sec. 9: Within one month of receiving the warrants, the overseers shall visit each household in their respective areas and prepare lists of male inhabitants and slaves, ages eighteen to fifty.
- Sec. 10: Overseers shall call upon laborers as needed, giving two days notice.
- Sec. 11: Overseers shall keep a list of summoned persons who refused to attend or did not perform properly. Penalties shall be paid the overseers, and if not paid, shall be recovered before a justice of the peace.
- Sec. 12: Vacancies among the overseers shall be filled by two neighboring justices of the peace who shall certify the appointments to the county court clerk.
- Sec. 14: Any overseer against whom a judgment shall be rendered by a justice of the peace may appeal to the county court.
- Sec. 15: After giving three weeks notice, inhabitants may petition the levy court for altering, straightening, or laying out a public road. Levy court may direct the county surveyor to lay out the road and file a return. Levy court shall have the petition, proceedings, and surveyors return

recorded. No old road shall be closed until the new one is examined and received by two justices of the peace appointed by the levy court. New roads shall be laid out and constructed at the expense of the petitioners. No application shall affect the lands of minors, persons non compos mentis, or nonresidents until the disabilities are removed.

- Sec. 17: Overseers shall not be responsible for frame bridges over 15' long. They shall be built and repaired under current laws.

### **Acts of 1803, Ch. 52**

An act supplemental to Acts of 1799, Ch. 70, re roads in QA, passed 1-7-1804

- Sec. 1: QA Levy Court may contract for opening or clearing a road or improving or repairing a road. Contractors shall exercise all the powers of the road supervisors, except that given by Sec. 18 of Acts of 1799, Ch. 70.
- Sec. 2: When a road is let out on contract, the levy court shall appoint someone to view the road and report on whether the terms of the contract are being met.

### **Acts of 1806, Ch. 59**

An act supplemental to Acts of 1794, Ch. 52, re roads in FR, passed 1-3-1807

- Sec. 1: The part of Sec. 5 of Acts of 1794, Ch. 52 that requires an application of two-thirds of the inhabitants of a hundred is repealed as far as it relates to FR. The FR Levy Court may proceed upon an application from any number of residents.
- Sec. 4: The powers of the FR Court regarding private roads shall be vested in the levy court. Its decision may be appealed to the county court whose decision shall be final.
- Sec. 5: Levy court may levy not over £150 per year for new bridges.

### **Acts of 1807, Ch. 15**

An act supplemental to Acts of 1801, Ch. 54, re roads in DO, passed 1-15-1808

- Sec. 1: The number of road overseers authorized for DO by Acts of 1801, Ch. 54 is insufficient because of the large size of the hundreds and low, muddy nature of the roads.
- Sec. 2: DO Levy Court shall annually appoint as many road overseers in each hundred as deemed necessary.

### **Acts of 1807, Ch. 142**

An act supplemental to Acts of 1799, Ch. 70, re roads in QA, passed 1-20-1808

- Sec. 1: No one in QA shall be compelled to act as road supervisor more than once in three years.

### **Acts of 1811, Ch. 131**

An act supplemental to Acts of 1801, Ch. 54, re roads in DO, passed 12-27-1811

- Sec. 1: Sec. 11 of Acts of 1801, Ch. 54, re fines, is repealed as far as it relates to DO.
- Sec. 2: Road overseers in DO shall apply fines and forfeitures toward the clearing, improving, and repairing of roads.
- Sec. 3: Annually the road overseers shall file an account of receipts and expenditures with the levy court.

## **Acts of 1816, Ch. 65**

An act re roads in CA, passed 1-13-1817

- Sec. 1: Annually at its first meeting the CA Levy Court shall ascertain, describe, and record the public roads and divide them into districts.
- Sec. 2: Levy court shall appoint a road supervisor for each district. County court clerk shall prepare a warrant of appointment for each supervisor.
- Sec. 3: No one shall be compelled to act as a supervisor more than once in three years without consent.
- Sec. 4: Any two justices of the levy court may fill vacancies among the supervisors.
- Sec. 5: Annually the levy court shall levy for road repairs, based on estimates from the supervisors.
- Sec. 6: For laborers for road work the supervisors may call on taxable persons to furnish one-half of their able bodied male hands, under a penalty to be recovered before a justice of the peace and returned to the levy court.
- Sec. 7: Supervisors may employ laborers, carts, and teams.
- Sec. 11: Supervisors may use materials alongside the roads and bridges, provided that when trees are cut down an account of their value is filed with the levy court so that compensation can be paid the owners. Supervisors shall make a return of the timber taken, showing the names of the owners and values, to the levy court. Annually the supervisors shall file with the levy court an account of the road work and by whom. Those persons shall be credited for the work in their county taxes.
- Sec. 13: Citizens may petition the levy court to alter or straighten a public road. Levy court shall appoint between three and twelve commissioners to view the road and proposed changes and decide the best changes to make. The petitioners shall pay the damages and costs. No part of an old road shall be closed until the new part has been made and accepted by the levy court.
- Sec. 15: Levy court shall continue to follow the current procedure concerning the repair of framed bridges.

## **Acts of 1816, Ch. 261**

An act re public roads, passed 2-5-1817

- Sec. 1: Upon a petition for opening, straightening, or closing a public road, the county court shall charge the grand jury to determine if the petition should be granted. Upon agreeing, the grand jury shall specify the route. If this inquisition is approved, the court shall appoint five commissioners to open, straighten, or close the road. The court shall also determine the costs and whether the petitioners or the county should pay them.

- Sec. 2: Court shall give two months notice before the grand jury inquisition.
- Sec. 4: The commissioners shall lay out or straighten the road.
- Sec. 5: The commissioners shall have a certificate and plat prepared and returned to the court.
- Sec. 6: The commissioners shall determine the damages sustained by the landowners, which shall be paid by the county after the road work is completed.
- Sec. 7: A person dissatisfied by a damage valuation may apply to a justice of the peace to have a jury summoned to determine the damages. That decision shall be conclusive.
- Sec. 12: This act shall not affect the authority of the levy courts to alter public roads through the lands of persons petitioning for such change.

## **Acts of 1817, Ch. 110**

An act re roads in WO, passed 2-3-1818

- Sec. 1: Annually at its first meeting the WO Levy Court shall describe, ascertain, and record the public roads and divide them into districts.
- Sec. 2: Levy court shall appoint a road supervisor for each road district and issue warrants of appointment to them.
- Sec. 3: No one shall serve as road supervisor more than once every three years without consent.
- Sec. 4: Vacancies among the road supervisors shall be filled by any two justices of the levy court.
- Sec. 5: After 1818 the levy court shall impose taxes for impending road repairs instead of after the work is done.
- Sec. 6: When repairs are needed, a road supervisor shall call on taxpayers in the district, white males between the ages of twenty-one and fifty and slaves between ages eighteen and sixty. Fines shall be collected for failure to work by the supervisors or through a justice of the peace. Supervisors shall account for the fines with the levy court.
- Sec. 7: Road supervisors shall maintain roads, causeways, and bridges, except framed ones over 12' long.
- Sec. 9: Road supervisors may remove stones, gravel, and earth from lands adjoining roads and cut down trees on lands adjoining bridges. No enclosure shall be entered without permission from the owner. Supervisors shall make a return of timber taken, names of the owners, and estimates of the values which the levy court shall pay.
- Sec. 11: In April 1818 the road supervisors shall file with the levy court an account of road work, including laborers and teams and carts that were hired.
- Sec. 12: In December 1818 and annually thereafter the road supervisors shall file with the levy court an account of road work, timber used, and persons doing the work and owning the timber. Levy court shall prepare an alphabetical list of persons to whom money is due and deliver it to the county tax collector who shall pay the amounts and give the taxpayers credit for taxes due.
- Sec. 14: Levy court shall maintain framed bridges under the current procedure.
- Sec. 19: Justices of the peace and road supervisors shall pay fines to the levy court.
- Sec. 22: Persons may petition the levy court to alter or straighten a public road. Levy court shall appoint three to five commissioners to view the old road and location for the proposed new one, decide if the request will benefit the neighborhood, and if so have the work done. Petitioners shall pay all damages and costs. No road shall be closed until the new one is accepted by the levy

court. Commissioners shall file their proceedings and plats of the old and new roads with the levy court for confirmation.

- Sec. 23: A majority of inhabitants in a neighborhood may petition the levy court for a new road. Levy court shall appoint three to five commissioners to lay out the road. Thirty days notice shall be given by the petitioners.
- Sec. 24: Commissioners shall return a plat and certificate of the new road to the levy court which shall levy for the funds to cover the costs.
- Sec. 25: On application for a public road leading to navigable water, the commissioners when directed by the levy court shall lay out up to three acres for a lumber yard and estimate damages to the landowner. On a petition for a public landing only the levy court shall have the land laid out and damages estimated and paid. Plats and certificates of the lumber yards, public landings, and public roads shall be returned to the levy court to be sent to the county court clerk for recording. Decisions of the levy court may be appealed to the county court whose decision shall be final.
- Sec. 26: No road shall be opened until damages are paid.
- Sec. 29: Levy court shall have the authority to grant private roads, now vested in the county court, provided public notice is given. The decision of the levy court may be appealed to the county court. Plats of these roads shall be returned to the levy court for confirmation and then sent to the county court clerk for recording.
- Sec. 30: Levy court may maintain roads under the above provisions or those outlined hereafter.
- Sec. 31: Annually in April the levy court may contract for maintaining any particular division of the roads.
- Sec. 32: After giving three weeks notice, road repairs may be let out to the lowest bidder.
- Sec. 33: Contracts may run for one to three years.
- Sec. 34: Contractors shall give bonds.
- Sec. 35: The bonds shall be recorded by the county court clerk.
- Sec. 37: Levy court may rescind a contract when the work is not being done and award it to someone else.
- Sec. 38: Levy court may contract for the construction of a new bridge or repair of a bridge.

### **Acts of 1818, Ch. 30**

An act supplemental to Acts of 1817, Ch. 110, re roads in WO, passed 12-23-1819

- Sec. 1: Appeals to the WO Court under Sec. 25 of Acts of 1817, Ch. 110 must be made within sixty days of the decision of the levy court.
- Sec. 2: Public road may be opened after damages are levied, but before being paid, unless appealed.
- Sec. 4: Levy court may contract for making and opening public roads and landings granted under Acts of 1817, Ch. 110.
- Sec. 5: Stone, gravel, earth, and timber may be taken for the construction of public roads and landings, per provisions of Sec. 9 of Acts of 1817, Ch. 110.
- Sec. 6: Owners shall be paid by the levy court for materials so removed.

## Acts of 1818, Ch. 89

An act re public roads, passed 1-26-1819

- Sec. 1: Upon a petition for the opening, straightening, or closing a public road, the county court shall appoint three commissioners to examine the premises and determine if the request serves the public convenience. They shall report their findings to the court. With a petition for opening a road, the commissioners shall have a plat made and returned to the court. With a petition for straightening a road, the commissioners shall have plats of the old and new roads made and returned to the court. With a petition for closing a road, the commissioners shall have a plat of the road made and returned to the court.
- Sec. 2: Before locating a road the commissioners shall give fifteen days notice.
- Sec. 5: If no objection is made, the court shall confirm, reject, or amend the commission return.
- Sec. 6: If objections are made, the court shall hear the testimony and proceed per Sec. 5. A trial by jury may be had on an objection to the location of the road or award of damages.
- Sec. 7: The commissioners shall ascertain damages to landowners, which shall be part of their return, subject to ratification, rejection, or amendment of the court.
- Sec. 8: County court shall determine whether the petitioners, county, or both should pay the damages.
- Sec. 9: On a decision to open or close a road, the court shall send the levy court a copy of the decision, assessment of damages, and plat.
- Sec. 10: The damages shall be paid before the road is opened.
- Sec. 11: Levy court shall arrange and pay for the opening and closing of roads decided by the court.
- Sec. 15: This act shall not affect the authority of the levy courts to alter public roads through the lands of persons petitioning for such change.
- Sec. 16: When petitioners are required to pay all or part of the damages, the court shall not send the levy court a copy of the proceedings until the payments are made. If they are not paid within six months, the petition shall be considered as withdrawn.
- Sec. 17: Acts of 1816, Ch. 261 is repealed.
- Sec. 18: This act shall not apply in WO.

## Acts of 1820, Ch. 49

An act re roads in SO, passed 1-15-1821

- Sec. 1: Annually in April the SO Levy Court shall appoint road overseers. The laws authorizing justices of the peace to make these appointments are repealed.

## Acts of 1820, Ch. 110

An act re roads in CH and SM, passed 2-2-1821

- Sec. 1: Annually the CH Levy Court and SM Levy Court shall levy for straightening and altering public roads. Road supervisors may accept labor in lieu of the road taxes and so notify the tax



collectors.

- Sec. 2: Annually the levy courts shall set the rates and prices for the hire of labors, horses, carts, and wagons and publish them.
- Sec. 3: Levy courts shall prepare lists of taxables in each hundred, showing the amounts of road taxes, and furnish copies to the tax collectors.
- Sec. 4: Annually the levy courts shall appoint road supervisors for the road divisions and districts. Levy court shall fill vacancies. Road supervisors may hire laborers and horses and wagons and purchase materials.
- Sec. 8: With the consent of landowners the road supervisors may take materials from lands adjoining roads, bridges, and causeways.
- Sec. 9: Before beginning repairs and alterations the road supervisors shall give public notice so that inhabitants may hire themselves to work on the roads.
- Sec. 10: Levy courts shall settle the accounts of the road supervisors annually and maintain records of their road proceedings.
- Sec. 12: If advisable, the levy courts may contract for the opening, clearing, or repairing of a road. Contractors shall exercise all the powers of road supervisors.
- Sec. 13: For roads put out on contract the levy courts shall appoint persons to view them and report when the work is successfully completed.

## **Acts of 1821, Ch. 2**

An act supplemental to Acts of 1801, Ch. 54, re roads in SM, passed 12-8-1821

- Sec. 1: Hereafter public roads in SM shall be kept in repair per provisions of Acts of 1801, Ch. 54, [rather than Acts of 1820, Ch. 110].
- Sec. 2: If roads cannot be maintained sufficiently under the provisions of Acts of 1801, Ch. 54, the levy court may impose a road tax, not to exceed \$100.

## **Acts of 1821, Ch. 110**

An act re roads in WO, passed 1-30-1822

- Sec. 1: Annually at its first meeting the WO Levy Court shall describe, ascertain, and record the public roads and divide them into districts.
- Sec. 2: Levy court shall appoint a road supervisor for each road district and issue warrants of appointment to them.
- Sec. 3: No one shall serve as road supervisor more than once every three years without consent.
- Sec. 4: Vacancies among the road supervisors shall be filled by any two justices of the levy court.
- Sec. 5: When repairs are needed, a road supervisor shall call on taxpayers in the district, white males between the ages of twenty-one and fifty and slaves between ages eighteen and sixty. Fines shall be collected for failure to work by the supervisors or through a justice of the peace. Supervisors shall account for the fines with the levy court.
- Sec. 6: Free male blacks between the ages of twenty-one and fifty shall also be liable for road work.
- Sec. 7: Road supervisors may employ teams and carts.

- Sec. 10: Road supervisors may remove stones, gravel, and earth from lands adjoining roads and cut down trees on lands adjoining bridges. No enclosure shall be entered without permission from the owner. Supervisors shall make returns of timber taken, names of the owners, and estimates of the values which the levy court shall pay.
- Sec. 11: Levy court shall maintain framed bridges under the current procedure.
- Sec. 15: Persons may petition the levy court to alter or straighten a public road. Levy court shall appoint three to five commissioners to view the old road and location for the proposed new one, decide if the request will benefit the neighborhood, and if so have the work done. Petitioners shall pay all damages and costs. No road shall be closed until the new one is accepted by the levy court. Commissioners shall file their proceedings and plats of the old and new roads with the levy court for confirmation.
- Sec. 16: A majority of inhabitants in a neighborhood may petition the levy court for a new road. Levy court shall appoint three to five commissioners to lay out the road. Thirty days notice shall be given by the petitioners.
- Sec. 17: Commissioners shall return a plat and certificate of the new road to the levy court which shall levy for the funds to cover the costs.
- Sec. 18: On application for a public road leading to navigable water, commissioners when directed by the levy court shall lay out up to three acres for a lumber yard and estimate damages to the landowner. On a petition for a public landing only the levy court shall have the land laid out and damages estimated and paid. Plats and certificates of the lumber yards, public landings, and public roads shall be returned to the levy court to be sent to the county court clerk for recording. Decisions of the levy court may be appealed to the county court whose decision shall be final.
- Sec. 19: No road shall be opened until damages are paid.
- Sec. 22: Levy court shall have the authority to grant private roads, now vested in the county court, provided public notice is given. The decision of the levy court may be appealed to the county court. Plats of these roads shall be returned to the levy court for confirmation and then sent to the county court clerk for recording.
- Sec. 23: After three weeks notice the levy court may offer road work at public sale to the lowest bidder.
- Sec. 24: Contractors shall give bonds.
- Sec. 25: The bonds shall be recorded by the county court clerk.
- Sec. 27: Levy court may rescind a contract when the work is not being done and award it to someone else.
- Sec. 28: Upon a decision to maintain roads by the labor of residents of the road districts, the levy court shall levy sums to cover the costs. Road supervisors shall return to the levy court a list of persons subject to labor and the number of days worked by each.
- Sec. 29: Levy court may contract for the construction of a new bridge or repair of a bridge.
- Sec. 30: Levies shall be made at the end of the year during which expenses are incurred.

## **Acts of 1821, Ch. 152**

An act re roads in BA, CE, and HA, passed 2-11-1822

- Sec. 1: Levy courts in BA, CE, and HA upon applications from inhabitants shall have the same authority to open new roads or close or alter old ones as they now have under the provisions of Acts of 1794, Ch. 52 to widen or straighten roads. The proceedings shall be same as specified in Acts of 1794, Ch. 52, except for ascertaining damages.
- Sec. 2: The commissioners appointed under this act shall ascertain damages and make it part of the return to the levy court. When a landowner is aggrieved by the decision of the commissioners, the levy court shall summon five persons to assess the damages. The same procedure shall be followed if the levy court disagrees with the decision of the commissioners.
- Sec. 3: Levy courts shall levy the necessary sums to pay for opening a road and paying damages.
- Sec. 5: Acts of 1818, Ch. 89 is repealed as far as it relates to BA, CE, and HA.

## **Acts of 1822, Ch. 58**

An act re roads in CA, passed 1-18-1823

- Sec. 1: Annually in April the CA Levy Court shall ascertain, describe, and record the public roads and divide them into districts and appoint a road supervisor for each district.
- Sec. 2: No one shall be appointed a supervisor more than once in three years without consent.
- Sec. 3: Any two justices of the levy court may fill vacancies among the supervisors.
- Sec. 5: For laborers for road work the supervisors may call on taxable persons to furnish one-half of their able bodied male hands between ages eighteen and fifty, under a penalty to be recovered before a justice of the peace. The fines shall be used by the supervisors to hire laborers who may be persons not charged with taxes.
- Sec. 6: Supervisors may hire carts and teams.
- Sec. 8: Supervisors may use materials alongside the roads and bridges, provided that when trees are cut down an account of their value is filed with the levy court so that compensation can be paid the owners or credits be given on their county taxes. Supervisors shall make a return of the timber taken, showing the names of the owners and values, to the levy court. Annually the supervisors shall file with the levy court an account of road work and by whom. Those persons shall be credited for the work in their county taxes.
- Sec. 10: Citizens may petition the levy court to alter or straighten a public road. Levy court shall appoint between three and five commissioners to view the road and proposed changes and decide the best changes to make. The petitioners shall pay the damages and costs. No part of an old road shall be closed until the new part has been made and accepted by the levy court.
- Sec. 11: Levy court shall hire persons to maintain frame bridges over 15'.
- Sec. 13: Supervisors may call on free negroes, between ages eighteen and fifty, who do not pay taxes to work on the roads.

## **Acts of 1823, Ch. 73**

An act re roads in DO and SO, passed 1-17-1824

- Sec. 1: Citizens in DO and SO may petition the levy court to open, straighten, or close a public road. Levy court may appoint three commissioners to examine the matter and determine whether public convenience requires the request. The commissioners shall have the old and new roads

surveyed and file the plat with a report of their proceedings and reasons for their opinion.

- Sec. 3: The commissioners shall give fifteen days notice.
- Sec. 5: If no objections are made to the return of the commissioners, the levy court shall affirm or reject the report or order amendments.
- Sec. 6: Levy court shall hear any objections before reaching a decision.
- Sec. 7: The commissioners shall ascertain damages incurred by landowners and make it part of their report.
- Sec. 8: Levy court shall determine whether the petitioners, county, or both shall pay the damages.
- Sec. 9: Damages shall be paid or secured before the road is opened.
- Sec. 10: The commissioners shall estimate in their report what portion of the expense of opening or straightening the road shall be paid by the petitioners.
- Sec. 11: Levy court may require the petitioners to give bond as security for paying their proportion.
- Sec. 16: This act shall not repeal the authority of the levy court to alter public roads through the lands of all petitioners.
- Sec. 17: If the petitioners do not pay their share of the damages within twelve months, the petition shall be considered withdrawn.
- Sec. 18: Acts of 1816, Ch. 261 is repealed as far as it relates to DO and SO.

### **Acts of 1823, Ch. 106**

An act re gates in CA, passed 2-7-1824

- Sec. 1: It shall be lawful for citizens of CA to keep gates on public roads for their private use and convenience. The owners shall hang the gates on good iron hinges and maintain that part of the road so as to impede travelers as little as possible.
- Sec. 2: A justice of the peace may impose a fine on anyone who destroys or damages such a gate.
- Sec. 3: Each gate owner shall pay an annual tax of \$1 per gate.
- Sec. 4: Annually by May 1 citizens shall file lists of their gates with the levy court which shall furnish copies to the tax collector.
- Sec. 5: Failure to provide the list shall result in forfeiture of protections provided by this act.

### **Acts of 1823, Ch. 107**

An act re gates in QA, passed 2-7-1824

It has long been a practice for owners and residents of land through which pass public roads to keep gates on them for their private use and convenience without any legal authority to do so. At the last May term the QA Court decided that gates on public roads were public nuisances, thereby subjecting the owners or keepers of them to penalties imposed by law for obstructing public highways and depriving them of the means to enclose fields.

- Sec. 1: It shall be lawful for citizens of QA to keep gates on public roads for their private use and convenience. The owners shall hang the gates on good iron hinges and maintain that part of the road so as to impede travelers as little as possible.
- Sec. 2: A justice of the peace may impose a fine on anyone who destroys or damages such a gate.

- Sec. 3: Each gate owner shall pay an annual tax of \$1 per gate.
- Sec. 4: Annually by May 1 citizens shall file lists of their gates with the levy court which shall furnish copies to the tax collector.
- Sec. 5: Failure to provide the list shall result in forfeiture of protections provided by this act.
- Sec. 10: QA Court shall dismiss all presentments heretofore made against the owners of gates.

### **Acts of 1823, Ch. 120**

An act supplemental to Acts of 1818, Ch. 89, re public landings, passed 2-7-1824

- Sec. 1: Acts of 1818, Ch. 89 shall apply to petitions for public landings at the end of public roads.
- Sec. 2: Commissioners shall follow the procedures outlined in Acts of 1818, Ch. 89.
- Sec. 3: Levy courts shall have the powers outlined in Acts of 1818, Ch. 89.

### **Acts of 1823, Ch. 123**

An act re roads in DO and SO, passed 2-9-1824

- Acts of 1818, Ch. 89 is repealed as far as it relates to DO and SO.

### **Acts of 1825, Ch. 172**

An act re road signs in AL, FR, and WA, passed 3-6-1826

- Sec. 1: Levy courts of AL, FR, and WA shall direct the road supervisors to erect at all public crossroads and forks indexes or finger boards pointing to the nearest town, mill, or public place and showing the name of the place and distance thereto.

### **Acts of 1825, Ch. 219**

An act re roads in BA, passed 3-9-1826

- Sec. 1: Twenty or more taxable inhabitants of BA may petition the levy court to open a new road or straighten, alter, or close an old one. Levy court shall appoint three to five commissioners to determine if public convenience warrants the request. If they agree and the petition is for opening or altering a road, the commissioners shall have a plat made that shows both the old and new locations. A plat shall also be made if the petition is for closing a road. Commissioners shall file with the levy court the plat, report of proceedings, and reasons for their opinion. If the decision is a rejection of the petition, the commissioners shall file with the levy court a report of their opinion and reasons.
- Sec. 3: Before acting the commissioners shall give three weeks public notice.
- Sec. 5: If no objections are filed within thirty days, the levy court may accept or reject the return of the commissioners or order it amended.
- Sec. 6: The commissioners shall ascertain damages and make it part of their return.
- Sec. 7: When a person objects to the damage award, the levy court shall summon seven persons to assess the damages.

- Sec. 8: Levy court shall determine whether the petitioners, county, or both shall pay the damages.
- Sec. 9: The damages shall be paid before road work is begun.
- Sec. 10: When the road is completed, the levy court shall appoint three persons to examine it.
- Sec. 11: Expenses of the commissioners and road work shall be handled in the same way as the payment of damages.
- Sec. 12: Damages to be paid by the petitioners must be rendered within six months. If not, the levy court shall consider the petition withdrawn.
- Sec. 14: Clerk of the BA Court shall record the plat and proceedings on any road affected by this act.

## **Acts of 1826, Ch. 9**

An act re roads in PG, passed 1-10-1827

There are no records of the public roads in PG.

- Sec. 1: PG Levy Court shall appoint six commissioners, one from each election district, to ascertain all roads that have been used as public facilities since 1778 and describe and designate of them.
- Sec. 2: Public roads shall be assigned sequential district road numbers within each election district.
- Sec. 3: The road commissioners shall define the bounds of the district roads and note all forks and crossroads leading to any city, town, public ferry, or bridge.
- Sec. 4: Road commissioners shall return their proceedings to the levy court. For six months thereafter citizens shall have the opportunity to file objections to the proceedings.
- Sec. 5: If no objections are filed, the proceedings shall be confirmed.
- Sec. 6: Levy court shall hear and decide objections and may examine witnesses under oath if necessary.
- Sec. 7: After confirmation, the levy court shall have the proceedings recorded in a separate book by the county court clerk. The same record shall be used to record subsequent road proceedings of the levy court and roads laid out.

## **Acts of 1826, Ch. 227**

An act re roads in MO, passed 3-12-1827

- Sec. 1: Each election district in MO shall be a road district.
- Sec. 2: Annually in November the MO Court shall appoint a road supervisor and road inspector for each road district.
- Sec. 3: Road supervisors shall maintain the public roads.
- Sec. 6: Prior to the levy court session for settling the accounts of the road supervisors, the road inspectors shall examine the roads to see if they are in good repair and report their findings to the levy court. The certificates of the examiners shall be appended to the accounts.
- Sec. 8: Annually in October the levy court shall meet to settle the accounts of the road supervisors.
- Sec. 10: Road inspectors shall attend the levy court session to apportion funds for the repair of

roads and bridges and report the amount necessary for each road district.

- Sec. 11: Levy court shall furnish each road supervisor with a list of roads in the road district.

## **Acts of 1827, Ch. 56**

An act supplemental to Acts of 1821, Ch. 110, re roads in WO, passed 2-2-1828

- Sec. 1: Able bodied white males in WO who do not pay taxes shall be liable for road work.
- Sec. 2: Able bodied free male blacks in WO shall be liable for road work.

## **Acts of 1827, Ch. 96**

An act re roads in TA, passed 2-27-1828

- Sec. 1: Annually in April the TA Levy Court shall ascertain, describe, and record public roads, if not already done satisfactorily, and appoint road supervisors, each to have eight to ten miles of road.
- Sec. 2: County court clerk shall record the road proceedings of the levy court and issue warrants of appointment to the road supervisors.
- Sec. 3: No one shall be compelled to act as road supervisor more than once in three years without consent.
- Sec. 4: Under the direction of the levy court the road supervisors shall keep all roads cleared and grubbed, make bridges over the heads of rivers, creeks, branches, and swamps where necessary, and causeway such places as need it.
- Sec. 6: Road supervisors may remove stones, gravel, and dirt from lands adjoining the roads and trees from lands adjoining bridges, provided no enclosure is entered without permission from the landowner, due compensation is made for the trees, and notice is given to the owners.
- Sec. 7: Road supervisors may call on able bodied free blacks and taxable male inhabitants between ages twenty-one and forty-five and able bodied male slaves over age sixteen to labor on the roads and may hire carts and teams.
- Sec. 8: Within one month after receiving the warrant of appointment each road supervisor shall visit each household in the area and make of list of the persons specified in Sec. 7.
- Sec. 10: Road supervisors shall collect a fine for failure to work on the roads or provide a substitute, which upon failure to pay may be recovered before a justice of the peace. Supervisors shall pay the fines and forfeitures to the levy court every six months.
- Sec. 11: Neighboring justices of the peace shall fill vacancies among the supervisors.
- Sec. 14: Upon application of all landowners for altering, straightening, or opening a public road the levy court shall direct the county surveyor to lay it out and make a return. Levy court shall record the application, proceedings, and return of the surveyor. No old road shall be closed until the new one is viewed and accepted by levy court. The applicants shall pay the expenses of building the new road. No application shall affect the lands of infants, persons non compos mentis, or nonresidents until the disabilities are removed.

## **Acts of 1827, Ch. 206**

An act supplemental to Acts of 1826, Ch. 227, re roads in MO, passed 3-8-1828

- Vacancies among the road supervisors and road inspectors shall be filled by the MO Court, or if it is not in session by the levy court until the next court term.

### **Acts of 1828, Ch. 115**

An act supplemental to Acts of 1826, Ch. 227, re roads in MO, passed 3-3-1829

- Sec. 1: After the current term of office of the road supervisors expires, the MO Levy Court shall annually in April appoint one to three supervisors for each election district and shall fill vacancies.
- Sec. 2: When appointing two or three road supervisors, the levy court shall apportion the roads in the election district.
- Sec. 4: In November 1829 the road inspectors shall report to the levy court the number of miles of public roads in their districts, as nearly as possible without measuring or surveying.
- Sec. 5: Sec. 2, 6, and 10 of Acts of 1826, Ch. 227 are repealed as of November 30, 1829.

### **Acts of 1829, Ch. 234**

An act re roads in CV, CA, CH, and WA, passed 3-1-1830

- Sec. 1: Levy courts or county commissioners of CV, CA, CH, and WA are authorized to open, close, and alter public roads.
- Sec. 2: Upon their initiative or that of a third party, those agencies shall give notice to interested persons and hold a hearing. Appeals may be taken to the county court.
- Sec. 3: If the case is appealed, all original papers shall be sent to the county court.

### **Acts of 1829, Ch. 238**

An act supplemental to Acts of 1818, Ch. 89, re proceedings, passed 2-7-1824

- Sec. 1: Commissioners shall give thirty days notice before locating a road.
- Sec. 3: County courts shall determine whether the costs of the proceedings of the commissioners shall be paid by the petitioners or the county.

### **Acts of 1830, Ch. 75**

An act re roads in WA, passed 2-9-1831

- Sec. 1: Upon a petition of six or more persons to open, straighten, alter, or close a road, the WA Board of County Commissioners may appoint three examiners to investigate the matter. Upon an unfavorable report the petition shall be dismissed and the petitioners shall pay the costs. Upon a favorable report the examiners shall have the road located including adjacent roads and streams and have a plat made. The examiners shall file the plat, their proceedings, and reasons for their opinions with the county commissioners.



- Sec. 3: The examiners shall give four weeks public notice before acting.
- Sec. 4: The examiners shall value and ascertain damages sustained by landowners and state compensation amounts, names of landowners, and acreage for each in their report.
- Sec. 5: Three months after the filing of the return the county commissioners shall meet for a final hearing, after giving public notice.
- Sec. 6: County commissioners may confirm, reject, or amend the return of the examiners and may increase, but not decrease, damages allowed.
- Sec. 7: Any party aggrieved by the amount of damages may appeal to the county court. The decision of the jury shall be final. Notice of the appeal must be filed within one month after the decision of the county commissioners.
- Sec. 8: If the return of the examiners is rejected, the petitioners shall pay the costs. If the return is confirmed, the county commissioners shall pay the costs and damages.
- Sec. 9: Confirmed plats and returns and decisions of the county commissioners shall be recorded among the land records by the county court clerk.
- Sec. 11: Acts of 1829, Ch. 234 is repealed as far as it relates to WA.

### **Acts of 1831, Ch. 37**

An act supplemental to Acts of 1823, Ch. 107, re gates in QA, passed 1-25-1832

- Sec. 2: Road supervisors shall file with the QA Levy Court a list of gates on public roads and to whom they belong. Owners shall remain charged with the gate tax until the gates are removed. Annually road supervisors shall file a list of gates put up since the last return.

### **Acts of 1831, Ch. 60**

An act supplemental to Acts of 1825, Ch. 219, re roads in BA, passed 2-17-1832

- Sec. 1: Damages to be paid by the petitioners must be rendered within six months. If not, the BA Board of County Commissioners shall consider the petition withdrawn.

### **Acts of 1831, Ch. 77**

An act re bridges in BA, passed 2-7-1832

- Sec. 1: BA Board of County Commissioners may levy sums for building or repairing bridges.
- Sec. 2: For new construction the county commissioners may levy up to \$800 annually for any one bridge.

### **Acts of 1832, Ch. 292**

An act supplemental to Acts of 1785, Ch. 49, re private roads, passed 3-22-1833

- On application of the owners, the county courts may grant a private road to a quarry or mine.

### **Acts of 1834, Ch. 253**

## An act re private roads, passed 3-20-1835

- Sec. 1: Levy courts and county commissioners shall handle applications for private roads. The agency shall appoint three commissioners to lay out the road and assess compensation to be paid the owners of the lands through which the road shall pass. The agency shall hear and determine objections to the route of the road. After the survey of the road, the agency shall record the application and return. Compensation to landowners and survey costs shall be paid by the applicant who shall also maintain the road. Decisions of the agency may be appealed to the county court where a trial by jury may be had. The decision of the court shall be final.
- Sec. 2: Applicants shall give public notice before the commissioners are appointed.
- Sec. 3: The commissioners may appoint a surveyor to assist them.
- Sec. 5: Acts of 1785, Ch. 49 is repealed.

## Acts of 1834, Ch. 298

### An act supplemental to Acts of 1821, Ch. 2, re roads in SM, passed 3-20-1835

- Sec. 1: Annually on or before June 1 the SM Levy Court may contract with the lowest bidder for the repair of public roads or parts of them and appoint road supervisors for the remainder. Road supervisors may employ laborers under terms and regulations determined by the levy court. Levy court may levy to defray expenses of this act.
- Sec. 2: Three weeks public notice of the bidding shall be given.
- Sec. 3: Each contractor shall file with the levy court a written contract, designating the roads and terms. Contractors shall be subject to the same penalties, fines, and forfeitures as road supervisors.

## Acts of 1834, Ch. 304

### An act re roads in TA, passed 3-30-1835

- Sec. 1: Annually in April the TA Board of County Commissioners shall ascertain, describe, and record public roads, if not already done satisfactorily, and appoint road supervisors, each to have eight to ten miles of road.
- Sec. 2: Clerk of the county commissioners shall record the road proceedings and issue warrants of appointment to the road supervisors.
- Sec. 3: No one shall be compelled to act as road supervisor more than once in three years without consent.
- Sec. 4: County commissioners shall fill vacancies among the road supervisors.
- Sec. 5: Annually in April the county commissioners shall levy for the expenses of repairing roads.
- Sec. 6: Road supervisors shall call upon taxable persons to provide one-half of their able bodied colored hands between the ages of eighteen and forty-five and may employ persons not chargeable with taxes.
- Sec. 9: Road supervisors may remove stones, gravel, and dirt from lands adjoining the roads and trees from lands adjoining bridges, provided no enclosure is entered without permission from the landowner, due compensation is made for trees, and notice is given to the owners. Supervisors

shall file returns with the county commissioners, showing the amount of timber taken, estimate of its value, and names of the landowners.

- Sec. 10: Annually the road supervisors shall report to the county commissioners an account of work done and by whom. County commissioners shall allow tax credits to the taxable inhabitants and pay the employed laborers.
- Sec. 11: County commissioners shall employ persons to maintain frame bridges over 15' long.
- Sec. 13: Road supervisors may call on free blacks between ages eighteen and forty-five and not employed by a taxable inhabitant to work on roads.

## **Acts of 1835, Ch. 220**

An act re roads in MO, passed 3-22-1836

- Sec. 1: Five or more freeholders may file a petition to open, alter, straighten, or close a road with the MO Levy Court which shall appoint three examiners to investigate the matter. If they determine that the request is unwarranted, the examiners shall file their return with the levy court and the proceedings shall end with a dismissal of the petition. If the report is favorable, the examiners shall have the road located, including adjacent roads and streams, have a plat made, and file it with the report of their proceedings and reasons for the decision to the levy court.
- Sec. 3: The examiners shall give thirty days notice before acting.
- Sec. 5: The examiners shall assess damages to the owners of land over which the road shall pass and include this information, including the acreage involved, in their report.
- Sec. 6: Thirty or more days after the filing of the report, the levy court shall hold a final hearing, after giving public notice.
- Sec. 7: Levy court may amend, reject, or confirm the plat and report. Levy court may increase or decrease damages, but only with written consent of the landowners.
- Sec. 8: Parties aggrieved by the proposed compensation may appeal to the county court where the decision of the jury shall be final.
- Sec. 9: If the levy court rejects the report of the examiners, the costs shall be paid by the petitioners, county, or both. If the report is confirmed, the levy court shall pay the costs and damages. The latter shall be paid before the road is opened.
- Sec. 10: Confirmed reports and plats and proceedings of the levy court shall be filed with the county court clerk for recording in the land records.
- Sec. 12: All road applications now pending in the county court shall be discontinued and resumed by the levy court.
- Sec. 15: Acts of 1818, Ch. 89 is repealed as far as it related to MO.

## **Acts of 1836, Ch. 144**

An act re roads in PG, passed 3-9-1837

- Sec. 1: PG Levy Court may contract for keeping public roads in repair during the whole year.
- Sec. 2: Levy court shall have the power to appoint road supervisors for the repair of roads it cannot contract for in the same manner as now authorized by law.

**Acts of 1836, Ch. 255**

An act re railroads, passed 3-18-1837

- Sec. 1: Owners of a mill, factory, distillery, quarry, or lime kiln located within 500 yards of a railroad may apply to the county court, levy court, or county commissioners to lay out a public or private road from the business to the railroad. The agency may have the road laid out and opened as a public or private road.
- Sec. 2: If the owners want a railway laid out, the agency shall have the commissioners consider whether additional damages should be awarded and determine where crossings shall be made over the tracks.
- Sec. 3: If the railroad company or proprietor agrees, the applicants may lay down the railway, having first paid the assessed damages.

**Acts of 1838, Ch. 55**

An act re roads in CR, passed 2-9-1839

- Provisions of Acts of 1825, Ch. 219, re roads in BA, shall apply in CR. CR Commissioners of the Tax shall exercise all powers vested in the BA Board of County Commissioners by this act.

**Acts of 1838, Ch. 201**

An act re roads in BA, passed 3-18-1839

- Sec. 6: When petitions to open new roads, alter or straighten roads, or construct or repair bridges are rejected, the BA Board of County Commissioners shall endorse that fact and reasons on the petitions.

**Acts of 1838, Ch. 308**

An act supplemental to Acts of 1834, Ch. 298, re roads in SM, passed 4-2-1839

SM Levy Court has been unable to let out roads on contract.

- Sec. 1: SM Board of County Commissioners [established by other legislation in 1838] shall appoint road supervisors within divisions and districts as designated by the board. Road supervisors may employ laborers under terms and regulations set by the county commissioners
- Sec. 2: County commissioners may levy for the expenses of this act.

**Acts of 1839, Ch. 75**

An act re road records in SO, passed 3-2-1840

- After final ratification, all proceedings of the SO Board of County Commissioners relating to public roads, causeways, and landings shall be sent to the county court clerk for recording and indexing.

**Acts of Mar. 1841, Ch. 3**

An act supplemental to Acts of 1836, Ch. 144, re roads in PG, passed 3-29-1841

- Hereafter road repairs in PG shall be made whenever road supervisors deem it necessary.

**Acts of Dec. 1841, Ch. 144**

An act supplemental to Acts of 1826, Ch. 227, re roads in MO, passed 2-28-1842

- Sec. 1: MO Levy Court shall annually in April appoint road supervisors, as many as deemed necessary, for each election district and shall fill vacancies. Levy court shall apportion the roads in an election district among the supervisors.

**Acts of 1843, Ch. 204**

An act re roads in PG, passed 3-1-1844

- Sec. 1: Annually in May the PG Levy Court shall contract with the lowest bidders for road maintenance for one or more years.
- Sec. 5: For any roads not put out on contract the levy court shall provide for maintenance in the manner now used.

**Acts of 1844, Ch. 123**

An act supplemental to Acts of 1800, Ch. 58, re roads in KE, passed 2-21-1845

Sec. 7 of Acts of 1800, Ch. 58, re road petitions, is proving burdensome and expensive.

- Sec. 1: When all owners of land through a road passes apply for alterations, the KE Levy Court shall appoint one or more of themselves to view the road and make a report which shall be rejected or confirmed. Expenses shall be paid by the petitioners.

**Acts of 1846, Ch. 30**

An act re roads in PG, passed 1-28-1847

- Sec. 1: Acts of 1843, Ch. 204 is repealed.
- Sec. 2: Public roads in PG shall be repaired according to the method before enactment of Acts of 1843, Ch. 204.
- Sec. 3: Road supervisors shall hire laborers at rates specified in this act.

**Acts of 1846, Ch. 211**

An act supplemental to Acts of 1844, Ch. 123, re roads in KE, passed 3-23-1847

- The expenses and damages to landowners for road alterations in KE shall be paid by the petitioners, county, or both.

## **Acts of 1847, Ch. 60**

An act supplemental to 1804, Ch. 51, re turnpikes in BA, passed 1-28-1848

Doubts have arisen about the true location of the turnpike roads in BA established under Acts of 1804, Ch. 51, Acts of 1813, Ch. 122, and Acts of 1821, Ch. 31 [which incorporated several turnpike companies]

- Sec. 1: After giving two months notice any of the turnpike companies incorporated in the above acts may apply to the BA Court for a commission to survey a turnpike road within the county. The court shall appoint three commissioners.
- Sec. 2: The commissioners shall give thirty days notice of their meeting.
- Sec. 3: The commissioners shall file the plat, description, and proceedings with the court. The return shall be recorded.
- Sec. 4: If no one contests the commission return within five years or if it is confirmed by a jury, the plat and proceedings shall be conclusive evidence of the original location of the road. Individuals with legal disabilities shall have five years after removal of the disability to file an objection.

## **Acts of 1849, Ch. 25**

An act re roads in DO, passed 1-28-1850

- Sec. 1: DO Board of County Commissioners shall collate a synopsis of the laws concerning the duties and powers of road overseers and have it printed in pamphlet form.
- Sec. 2: Each road overseer shall receive a copy.

## **Constitution of 1851, Art. VII**

- Sec. 9: General Assembly shall provide by law for the election of road supervisors by voters in election districts.

## **Acts of 1853, Ch. 220**

An act re public roads, passed 5-17-1853

- Sec. 1: County commissioners are authorized to open, alter, and close roads according to the provisions of this act.
- Sec. 2: Applications shall be by petitions to the county commissioners, after giving thirty days public notice.
- Sec. 3: County commissioners may appoint examiners to determine whether the public convenience will be served by opening, altering, or closing the road. For opening or altering petitions the examiners shall locate the road and have the old and new ones surveyed. The examiners shall return the plats, proceedings, and decisions to the county commissioners.
- Sec. 6: If no objections are filed, the county commissioners may affirm, reject, or amend the return or continue the proceedings.

- Sec. 7: The examiners shall ascertain the damages to be awarded landowners which shall be part of the return and subject to confirmation, rejection, or amendment by the county commissioners.
- Sec. 8: County commissioners shall decide whether the damages shall be paid by the petitioners, county, or both.
- Sec. 9: The damages shall be paid before the road is opened.
- Sec. 11: Any road opened or altered under this act shall be a public road.
- Sec. 12: Decisions of the county commissioners may be appealed to the circuit court.

### **Acts of 1853, Ch. 300**

An act re road supervisors, passed 5-27-1853

- Sec. 1: In November 1853 and every two years thereafter one road supervisor shall be elected for each election district in the counties. The supervisors shall superintend and direct the repair of public roads and bridges under the supervision of the county commissioners.
- Sec. 2: Circuit court clerks shall certify the election returns to the county commissioners who shall issue commissions. Supervisors may employ deputies or agents.
- Sec. 4: The term of office shall begin on January 1.
- Sec. 5: Annually each road supervisor shall report to the county commissioners on the general conditions of roads and bridges and amount of money and labor expended on roads and bridges.
- Sec. 6: County commissioners shall determine the salary of each supervisor sixty days before an election.
- Sec. 7: Where public roads form the boundaries of election districts, the county commissioners shall divide them among the supervisors.
- Sec. 10: County commissioners shall have the authority to revoke commissions and fill vacancies.

### **Acts of 1854, Ch. 208**

An act re roads in DO, passed 3-10-1854

- Sec. 1: Road supervisors in DO shall keep public roads cleared and grubbed, make and keep bridges over the heads of rivers, creeks, branches, and swamps, and causeway places where needed.
- Sec. 3: Road supervisors may remove stone, gravel, or earth from land adjoining roads and cut down trees from adjoining lands for bridges, provided they obtain permission from the landowner or tenant and agree upon compensation. If they cannot agree, a jury shall decide the matter. Road supervisors shall maintain accounts for these materials and file them with the county commissioners.
- Sec. 4: Road supervisors and their deputies or agents may call on able bodied male residents and slaves between the ages of eighteen and fifty to work on the roads and may employ carts and teams.
- Sec. 5: Road supervisors shall list all such males.
- Sec. 6: Every laborer summoned shall attend in person, provide a substitute, or pay a fee.
- Sec. 7: Road supervisors shall annually account to the county commissioners for fines recovered from delinquent laborers and expended on road repairs.

- Sec. 8: Aggrieved parties may appeal to the circuit court.

### **Acts of 1856, Ch. 157**

An act re public landings in KE, passed 3-8-1856

- Sec. 1: Upon a petition for the establishment, alteration, or closing of a public landing the KE Board of County Commissioners may appoint three examiners. The petitioners shall give thirty days public notice.
- Sec. 2: The examiners shall follow the procedures specified for roads in Acts of 1853, Ch. 220.
- Sec. 3: County commissioners shall also follow the procedures specified for roads in Acts of 1853, Ch. 220. No lot condemned for a public landing shall exceed one acre.
- Sec. 4: Aggrieved persons may appeal to the circuit court.

### **Acts of 1856, Ch. 308**

An act re bridges, passed 3-10-1856

- Sec. 1: County commissioners shall have the authority to build and repair bridges and levy for the expenses.
- Sec. 2: Petitions for bridges, after giving public notice as required for roads, shall be filed with the county commissioners who shall hear and determine the matter.
- Sec. 4: All bridges shall built or repaired by contract let out by bid.
- Sec. 5: County commissioners shall inspect the work on the bridges before opening them for public use.
- Sec. 6: For a bridge over a place dividing two adjoining counties, the county commissioners handling the petition shall obtain the concurrence of the other county. County commissioners of both counties shall appoint three examiners to determine the expedience of building or repairing the bridge, location, plan, materials, cost estimates, and portions to be paid by each county. The report shall be filed with both counties for their approval. County commissioners shall direct the examiners to advertise for bids, award the contract, and inspect the work.
- Sec. 7: If agreement cannot be reached on the portions of the costs to be paid by each county, the examiners shall appoint three arbitrators to decide the matter. If they cannot agree, they shall appoint an umpire.
- Sec. 8: County commissioners shall not construct a bridge over navigable waters.
- Sec. 9: Before a contract is awarded, any citizen may appeal the decisions of the county commissioners to the county circuit court.

### **Acts of 1856, Ch. 317**

An act to amend Acts of 1853, Ch. 300, re roads in PG, passed 3-10-1856

Road supervisors in PG are unable to procure the needed labor for road repairs.

- Sec. 1: Road supervisors in PG, unable to procure the necessary labor for road repairs, shall call on landholders to send hands working on their land for not more than two days per year.



- Sec. 3: The landholders shall be paid for the labor furnished.

### **Acts of 1858, Ch. 242**

An act re roads in WO, passed 3-2-1858

- Sec. 1: Voters in Election District 1 in WO shall elect two road supervisors.
- Sec. 2: One supervisor shall be responsible for the northern part of the district, and the other the southern part.

### **Acts of 1860, Ch. 286**

An act re streets in BA, passed 3-5-1860

- Sec. 1: BA Board of County Commissioners shall have the authority to lay out, condemn, and open for up to one mile any BC street that has been paved to the BC line.
- Sec. 2: Two-thirds of the property owners along a proposed street may apply to the county commissioners to have the street extended. The county commissioners shall appoint three persons to value and assess damages, survey the street, and estimate costs. The plat and proceedings shall be filed with the county commissioners for hearing objections and ratification. Damages and expenses shall be levied on the property long the proposed street. Ratified returns shall be recorded.

### **Acts of 1860, Ch. 288**

An act to add sections to Art. 14, Public Local Laws, re roads in KE, passed 3-5-1860

- Sec. 1: Road supervisors in KE may enter adjacent lands for the drainage of roads.
- Sec. 2: KE Board of County Commissioners may make allowances for damages to landowners.

### **Acts of 1864, Ch. 253**

An act to add a section to Art. 17, Public Local Laws, re roads in QA, passed 3-10-1864

- Sec. 75A: QA Board of County Commissioners may levy funds for the use of the commissioners of Centreville to repair roads and streets.

### **Constitution of 1864, Art. III**

- Sec. 32: General Assembly shall not pass local or special laws for the establishment, location, or construction of roads or the repair or construction of bridges.

### **Constitution of 1864, Art. VII**

- Sec. 6: General Assembly shall provide by law for the appointment of road supervisors by county commissioners who shall determine the number for each election district and their powers and

duties.

### **Acts of 1867, Ch. 289**

An act re roads in CA and TA, passed 3-22-1867

- Sec. 1: County commissioners of CA and TA shall have the authority to subdivide any election district into road districts and to appoint a road supervisor for each road district.
- Sec. 2: Able bodied residents between the ages of twenty-one and fifty, who reside outside incorporated towns, shall be compelled to labor on the roads two days a year.
- Sec. 5: Persons failing to work shall pay a penalty to the road supervisor who shall use the sums to hire laborers and shall account to the county commissioners.
- Sec. 8: County commissioners shall have placed at the forks of public roads signs showing prominent points or places and distances thereto.

### **Acts of 1867, Ch. 290**

An act to add a new article to Public General Laws, re public roads passed 3-6-1867

- Sec. 1: County commissioners shall have the authority to divide each election district into road districts and to appoint a supervisor for each road district.
- Sec. 2: All able-bodied male residents between the ages of eighteen and fifty who reside outside an incorporated town shall be compelled to labor on the roads at least two days per year.
- Sec. 5: Every person who fails to perform road work or provide a substitute shall pay a penalty to the road supervisor who shall use the funds to hire laborers. Quarterly the supervisors shall report on receipts and expenditures to the county commissioners.
- Sec. 8: County commissioners shall have placed at the forks of public roads signs showing prominent places and distances thereto.
- Sec. 9: This act shall apply only in AA, CV, MO, PG, SO, and WO.

### **Acts of 1868, Ch. 192**

An act re roads in CA and TA, approved 3-28-1868

- Sec. 1: Acts of 1867, Ch. 289, re roads in CA and TA, is repealed.

### **Acts of 1868, Ch. 277**

An act re roads in WI, approved 3-30-1868

- Sec. 1: Road supervisors in WI shall examine all public roads in their respective districts and, if necessary to widen them, shall have the authority to remove fences, fill up and remove ditches, and remove trees and other obstructions.
- Sec. 2: Aggrieved persons may call on the county surveyor to ascertain the center of the road.

### **Acts of 1868, Ch. 287**

An act to add a section to Art. 10, Public Local Laws, re roads in DO, approved 3-30-1868

- Sec. 185: DO Board of County Commissioners is authorized to appoint supervisors for roads and subdivisions of roads. No one shall be compelled to serve more than once in three years.

### **Acts of 1868, Ch. 299**

An act repeal and reenact Acts of 1867, Ch. 290, re public roads, approved 3-30-1868

- Sec. 2: County commissioners shall have the authority to divide each election district into road districts and to appoint a supervisor for each road district.
- Sec. 3: Every male resident over age twenty-one and possessing taxable property worth \$500 or more and every other male resident between the ages of twenty-one and fifty and residing outside an incorporated town shall labor two days per year on the public roads. Authorities of incorporated towns shall maintain roads for one mile from corporate limits and may apply the provisions of this act to their residents.
- Sec. 6: Every person who fails to perform road work or provide a substitute shall pay a penalty to the road supervisor who shall use the funds to hire laborers. Quarterly the supervisors shall report on receipts and expenditures to the county commissioners.
- Sec. 9: County commissioners shall have placed at forks of public roads signs showing prominent places and distances thereto.
- Sec. 10: This act shall apply only in AA, CV, PG, SO, TA, and WO.

### **Acts of 1868, Ch. 329**

An act re roads in CA and TA, approved 3-30-1868

- Sec. 1: County commissioners of CA and TA shall have the authority to subdivide any election district into road districts and to appoint a road supervisor for each road district.
- Sec. 2: Able bodied residents over age of twenty-one shall be compelled to labor on the roads one day a year.
- Sec. 5: Persons failing to work shall pay a penalty to the road supervisor who shall use the sums to hire laborers and shall account to the county commissioners.
- Sec. 8: For services rendered by any taxpayer the road supervisor may issued a certificate which may be received by the tax collector as credit for county and road taxes.
- Sec. 10: Road supervisors shall maintain accounts of funds expended and services rendered and by whom and report them monthly to the county commissioners.
- Sec. 15: County commissioners shall have placed at the forks of public roads signs showing prominent points or places and distances thereto.

### **Acts of 1868, Ch. 363**

An act re roads in MO, approved 3-30-1868

- Sec. 1: Biennially the MO Board of County Commissioners shall appoint two persons in each

election district who in conjunction with one county commissioner shall constitute a board of road of commissioners for that district.

- Sec. 2: Road commissioners shall divide the public roads in their district into sections of not over five miles long, draw specifications for each section, number the sections, and apportion labor. Annually in April the road commissioners shall contract the sections for repair to the lowest responsible bidders. If the bids are rejected, the road commissioners may appoint a supervisor for a section.
- Sec. 3: Contractors shall erect guide posts on roads directing the way and distance to prominent points.
- Sec. 4: All male residents over age twenty-one, unless living in incorporated towns, shall labor on the roads for one day per year.
- Sec. 5: Road commissioners shall prepare a list of such residents and proportion their labor among the road sections.
- Sec. 6: Every person who fails to work or provide a substitute shall pay a penalty to the contractor or supervisor who shall use the money to hire laborers and shall report the sums to the road commissioners.
- Sec. 7: County commissioners shall annually levy for roads.

### **Acts of 1868, Ch. 402**

An act to add a section to Art. 19, Public Local Laws, re roads in SO, approved 3-30-1868

- Sec. 1: In April and every two years thereafter the SO Board of County Commissioners shall appoint road supervisors.

### **Acts of 1868, Ch. 411**

An act to repeal and reenact Sec. 149-157 of Art. 3, Public Local Laws, re roads and bridges in BA, approved 3-30-1868

- Sec. 149: Each election district in BA shall be designated a primary road district. Within twenty days after passage of this act an election shall be held in each road district for selecting five supervisors of roads and bridges who shall constitute the district board of supervisors. By lottery they shall determine which ones shall hold office for one, two, three, four, or five years. Thereafter, one supervisor shall be elected annually for a five year term. The district board shall fill its own vacancies. Each one shall select a chair, treasurer, secretary, and collector from their members. The district board shall divide each district into five subdistricts. Their numbers and boundaries shall be recorded by the district board.
- Sec. 150: The chairs of the district boards shall constitute the BA Board of Review and Control of Roads and Bridges which shall hear appeals arising from differences of opinion between the district boards, decide amounts to be paid by each district board for road and bridge work spanning more than one district, take charge of improvements that cannot be agreed upon by the district boards, and hear appeals in regard to damages.
- Sec. 151: The district boards shall handle the opening, construction, repair, closing, and alteration of roads within the respective districts. When such matters concern more than one district, the

boards shall act as a joint board with the right of appeal to the county board. The district boards shall estimate expenses for the ensuing year and levy and collect a tax.

- Sec. 152: Each taxpayer shall be permitted to work out 80% or all of the tax by agreement with the district board. Within thirty days after the election each district board shall divide the public roads and bridges into sections of not more than one mile in length and number and describe each section in a district road book. The record shall include a description of needed repairs and improvements. Within sixty days thereafter and after public notice, each district board shall offer at public auction to the lowest and best bidder each road and bridge section to kept repaired for five years. Not more than five sections may be taken by any one contractor. Unsold sections shall be let out at private sale for one year, then offered at public sale. When a contract is not fulfilled, the district board shall cancel it and relet the contract. In the road book shall be recorded the sections purchased, by whom, and for what amount.
- Sec. 154: Whenever a majority of landowners along a road want more improvements than contemplated under this act, they may form a joint stock company to convert it into a turnpike. When three-fifths of the capital stock has been subscribed, the district boards of the affected districts may subscribe the sum that would have been expended annually in repairs or construction of the road.
- Sec. 155: The county board shall meet in February, April, June, August, October, and December.
- Sec. 156: When a district board wants to alter a road and cannot agree with the affected landowner on the value of the land, the aggrieved party may have the nearest magistrate summon a jury to award the damages. Its decision shall be final if the value in dispute does not exceed \$100. Over that amount appeals may be made to the county board.
- Sec. 157: District supervisors and contractors shall have the right to enter adjoining lands for materials and drainage. District boards shall compensate the affected landowners. The decision on the amount may be appealed to the county board. Applications for opening a new road shall be made to the district board which shall determine the necessity of the road and assess damages upon the interested parties. County commissioners shall furnish each district board with a list of persons assessed in that district and the valuations of the properties.

### **Acts of 1868, Ch. 471**

An act to repeal and reenact Art. 26, Public General Laws, re turnpikes and railroads, approved 3-30-1868

These sections concern turnpike or plank roads or passenger railways outside BC and not over twelve miles long.

- Sec. 107: Turnpike or plank roads may be built on county roads with the consent of the county commissioners in writing and recorded in their proceedings.
- Sec. 108: When one mile is completed, the turnpike company shall report the cost to the county commissioners who shall appoint three persons to examine the road as to construction and public interest and make a report. If the county commissioners determine that the road is properly made, the turnpike company may erect a toll gate and charge rates to yield 8% per annum of the cost. The same procedure shall be followed for each subsequent mile.
- Sec. 109: Turnpike company shall revise toll rates every six months for three years after

completion of the road. County commissioners may demand reports on revenue and expenditures and reduce tolls if they are netting more than 8%. In all cases toll rates must be approved by the county commissioners and recorded in their proceedings.

- Sec. 110: If a turnpike or plank road goes through more than one county, a report on costs for the whole road shall be made to the Comptroller of the Treasury to forward to the governor who shall appoint five commissioners to examine the road and report on it. If the report is favorable, the governor shall issue a warrant to the turnpike company authorizing toll gates and specific toll rates. The company shall report annually to the comptroller, and the governor may change the location of the gates and toll rates.
- Sec. 111: When a turnpike is proposed through an incorporated town, the company must get the consent of the municipal authorities.
- Sec. 112: When putting a turnpike on private property, the company may agree with the owners for a right of way or obtain it by condemnation.
- Sec. 113: Every right of way must be recorded with the clerk of the county circuit court within six months.
- Sec. 114: Before constructing a turnpike the company shall file a plat with the clerk of the county circuit court for recording.
- Sec. 115: If a company fails to maintain a turnpike for twenty days, anyone may file a petition in the circuit court. The court shall order a jury to examine the road and file an inquisition. Court may order that the tolls not be collected on that part of the road until repairs are completed. Before confirmation of the inquisition the company may demand a jury trial or move to quash the proceedings on the matter of law.
- Sec. 117: If not repaired within six months of the court order, the turnpike shall be forfeited by the company and vested in the county commissioners who may collect the tolls or transfer the road to another company.
- Sec. 118: A turnpike company wanting to build a bridge must obtain the consent of the county commissioners.
- Sec. 119: A company may agree with owners for land, earth, and stone necessary to build a bridge and have the agreement recorded by the circuit court clerk. Condemnation proceedings may be used if necessary.
- Sec. 120: For a bridge located in one county the procedures outlined in Sec. 108 shall be followed.
- Sec. 121: For reports and revisions concerning a bridge the procedures outlined in Sec. 109 shall be followed.
- Sec. 122: For a bridge located in two counties the procedures outlined in Sec. 110 shall be followed.
- Sec. 124: No bridge shall be constructed over navigable waters unless authorized by the General Assembly.
- Sec. 126: For a bridge not kept in repair the procedures outlined in Sec. 115 shall be followed.
- Sec. 139: Corporations of classes 7-10 may build railroads near their workings and to some convenient point.
- Sec. 141: General Assembly may regulate such railroads.
- Sec. 142: No such railroad shall pass through an incorporated town without written consent of the

municipal authorities.

- Sec. 143: A company may agree with owners for land, earth, and stone necessary for the railroad and have the agreement recorded by the circuit court clerk. Condemnation proceedings may be used if necessary.
- Sec. 144: Companies may connect with existing railroads with the consent of the county commissioners,
- Sec. 170: If a corporation authorized to acquire land, earth, or stone by condemnation cannot agree with the owners or any of them are under legal disability, it may apply to the county circuit court or BC Supreme Bench. Judge shall direct the sheriff to summon a jury.
- Sec. 172: Jury shall determine the damages the owners will sustain and find whether condemnation is necessary.
- Sec. 173: Sheriff shall return the inquisition to the clerk of the county circuit court or BC Superior Court. If the court confirms the findings, the court clerk shall record the inquisition. If it is set aside or the jury cannot agree, the court may order another inquisition.
- Sec. 174: Each inquisition shall include a description of the property taken or the bounds of the land condemned, quantity or duration of interest in the land, and valuation to be paid by the corporation. After payment of the valuation, the corporation shall be entitled to the land or interest therein.

## **Acts of 1870, Ch. 99**

An act re streets in BA, approved 3-23-1870

- Sec. 1: BA Board of County Commissioners shall annually appoint three persons as street commissioners who shall survey that part of the county within one or two miles of the BC line and lay out streets, avenues, squares, or alleys in conformity with BC streets. Street commissioners shall file the plats and descriptions with the county commissioners who shall record them.
- Sec. 2: County commissioners shall give public notice when the survey is filed. If no objections are filed, the survey shall be ratified. County commissioners shall hear and determine any objections and may amend locations. After ratification, the streets shall be opened, graded, and paved. Appeals may be taken to the circuit court.
- Sec. 3: Owners of land along a proposed street may petition the county commissioners to have it opened. County commissioners shall direct the street commissioners to do so. The landowners shall not be entitled to damages.
- Sec. 4: Before opening a street, the street commissioners shall determine damages and benefits landowners may sustain, determine the costs of the work which shall be apportioned among the landowners, and have a plat made showing the names and locations of the landowners. These proceedings shall be filed with the county commissioners for hearing objections and ratification. The damages shall be a lien on the property and be collected by the street commissioners as are county taxes.
- Sec. 5: Owners of land fronting on a street may petition the county commissioners for grading, paving, graveling, or curbing. County commissioners shall direct the street commissioners to receive bids and make contracts for the work. The costs shall be paid by a tax levied on the

landowners by the street commissioners, which shall be a lien on the property and collected by the street commissioners as are county taxes. Street commissioners shall file with the county commissioners a plat of the street, list of landowners, and amount assessed on each.

- Sec. 6: Landowners aggrieved by the taxes and apportionment of damages under Secs. 4-5 may file objections with the county commissioners and appeal the latter decision to the circuit court.
- Sec. 8: County commissioners shall fill vacancies among the street commissioners.

### **Acts of 1870, Ch. 187**

An act re roads in MO, passed 4-4-1870

- Sec. 1: Annually in April the MO Board of County Commissioners shall divide each election district into road districts and appoint a supervisor for each road district.
- Sec. 2: Annually in May each road supervisor shall report to the county commissioners on necessary road repairs.
- Sec. 3: Road supervisors may hire teams and carts and laborers.
- Sec. 4: Each road supervisor shall maintain an account of days worked on roads, number of laborers per day, number of days worked by each worker, and number of days teams and carts were used. This information shall be reported to the county commissioners.
- Sec. 5: A county commissioner in each election district shall have general supervision over roads and bridges.
- Sec. 10: Acts of 1868, Ch. 363 is repealed.

### **Acts of 1870, Ch. 301**

An act re roads in PG, approved 4-4-1870

- Sec. 1: Acts of 1868, Ch. 299 is repealed as far as it relates to PG.

### **Acts of 1870, Ch. 309**

An act to repeal and reenact Acts of 1868, Ch. 411, re roads and bridges in BA, approved 4-4-1870

- Sec. 3: Within thirty days after passage of this act BA Board of County Commissioners shall appoint for each election district three road supervisors for two year terms, computing from January 1, 1870. Thereafter, appointments shall be made biennially in January.
- Sec. 4: Road supervisors in each district shall constitute a board. County commissioners shall designate the chairs.
- Sec. 5: The chairs shall maintain records of road work and other road transactions. The chairs shall furnish the county commissioners with monthly statements on the amount of labor performed or materials furnished, their costs, and to whom paid.
- Sec. 6: County commissioners shall fill vacancies.
- Sec. 7: County commissioners shall maintain a record for each election district to show its roads and bridges, surveys, and other road proceedings.
- Sec. 8: Road supervisors shall divide each election district into three subdistricts and assign a



supervisor to each one.

- Sec. 9: Road supervisors shall keep roads and bridges clear of obstructions.
- Sec. 10: The opening, construction, repair, closing, and alteration of roads shall be under the control of the respective road supervisor boards, subject to the approval of the county commissioners.
- Sec. 11: Annually the county commissioners shall levy for roads and bridges.
- Sec. 12: County commissioners shall reserve two-thirds of that sum for a special road and bridge fund, to be used in the election district where it was collected, and one-third for the general road and bridge fund, to be used countywide.
- Sec. 14: Twenty or more taxable inhabitants may apply to the county commissioners to open, alter, or close a road. The county commissioners shall give public notice and direct the appropriate road supervisor board to examine the matter. Upon agreement with the petition, the supervisors shall have a plat made.
- Sec. 15: Road supervisors shall file the plat and their proceedings with the county commissioners. If a road affects more than one election district, the supervisors shall act as a joint board.
- Sec. 16: Road supervisors shall also estimate the cost of the road, assess damages and benefits upon interested parties and the district, proportionally, and report these findings to the county commissioners. If anyone files an objection, the county commissioners shall have the sheriff summon a jury to determine the matter. Their judgment shall be final. County commissioners shall pay the damages. The benefits shall be considered a tax on the property assessed and shall be paid to the county commissioners. Anyone wanting a road improved beyond that contemplated by the road supervisors may apply to the county commissioners who shall direct the supervisors to examine the matter. The petitioners and county commissioners shall share the costs. If necessary, the road supervisors may have the road surveyed. The building and repair of bridges shall be under the control of the county commissioners. Twenty or more taxable inhabitants may apply to the county commissioners for bridge construction or repair. The county commissioners shall direct three chairs of the road supervisor boards to determine the matter and probable costs and report to the commissioners. Upon agreement with the report the county commissioners shall advertise for bids and award a contract.
- Sec. 17: Road supervisors shall erect and maintain guide posts and finger boards at crossroads, designating prominent places and distances thereto.
- Sec. 19: Acts of 1868, Ch. 411 shall continue in force in Election District 1 until March 1, 1872.

## **Acts of 1870, Ch. 315**

An act re roads in PG, approved 4-4-1870

- Sec. 1: At the next April term the PG Circuit Court shall divide the county into road districts, not to exceed the number of election districts, and appoint a road supervisor for each for a one year term.
- Sec. 3: Road supervisors shall keep roads cleared and drained, make and repair bridges and culverts where necessary, and erect guide boards at forks and crossroads that give directions and distances to prominent places.
- Sec. 4: If the costs of working on roads, bridges, and culverts exceeds \$20, the road supervisor

shall report it to the county commissioners who shall authorize the official to hire laborers and teams or make a contract with someone else.

- Sec. 6: Road supervisors shall report in June and November to the county commissioners on expenses incurred by them and amounts paid out, with vouchers.
- Sec. 7: Upon a petition from thirty or more landowners in a road district, the county commissioners shall have the authority to levy a special tax for road improvements.
- Sec. 9: With the consent of the county commissioners, road supervisors may contract with proprietors of land adjacent to a road for keeping it repaired for one year.

### **Acts of 1870, Ch. 396**

An act re roads in CA and TA, approved 4-4-1870

- Sec. 1: Acts of 1868, Ch. 329, re roads in CA and TA, is repealed.

### **Acts of 1870, C. 431**

An act to repeal part of Sec. 10 of Acts of 1868, Ch. 299, re roads in TA, approved 4-4-1870

- Sec. 1: TA removed from the list of counties in Sec. 10 of Acts of 1868, Ch. 299, thus removing the county from the provisions of that act.

### **Acts of 1872, Ch. 78**

An act supplemental to Acts of 1870, Ch. 99, re streets in BA, approved 3-28-1872

- Sec. 2: Upon a determination that a main street leading out of BC shall be extended beyond two miles into BA and upon application of the landowners, the street commissioners may have it laid off and proceed per the provisions of Acts of 1870, Ch. 99.

### **Acts of 1872, Ch. 177**

An act re roads in WI, approved 4-1-1872

- Sec. 1: WI Board of County Commissioners shall divide the public roads into road districts and appoint a road supervisor for each.
- Sec. 2: Able bodied male citizens between ages eighteen and fifty shall be compelled to work on the roads when summoned by the road supervisors.
- Sec. 3: Each road supervisor shall enroll the names of persons in the district liable for road service and keep separate lists of those who work and those who fail to appear.

### **Acts of 1872, Ch. 352**

An act to repeal and reenact Acts of 1870, Ch. 315, re roads in PG, approved 4-1-1872

- Sec. 2: At the first court term after passage of this act the PG Circuit Court shall appoint a road supervisor for each election district for a one year term.

- Sec. 4: Each road supervisor shall lay off the public roads into sections of one to four miles and submit to the county commissioners an estimate of repair costs for the year. County commissioners shall then allocate the road fund of each election district among the road sections.
- Sec. 5: Road supervisors shall keep roads cleared and drained and build and repair bridges and culverts where necessary.
- Sec. 6: If the costs of working on roads, bridges, and culverts exceeds \$20, the road supervisor shall report it to the county commissioners who shall authorize the official to hire laborers and teams or make a contract with someone else.
- Sec. 8: Upon a petition from the majority of the landowners in a road district, the county commissioners shall have the authority to levy a special tax for road improvements.
- Sec. 10: With the consent of the county commissioners, road supervisors may contract with proprietors of land adjacent to a road for keeping it repaired for one year.
- Sec. 13: Road supervisors shall report in June and November to the county commissioners on expenses incurred by them and amounts paid out, with vouchers.

### **Acts of 1874, Ch. 125**

An act re roads in WI, approved 3-27-1874

- Sec. 1: WI Board of County Commissioners may subdivide election districts into road districts and appoint a road supervisor for each.
- Sec. 2: Able bodied male citizens between ages twenty-one and fifty, who reside outside of incorporated towns, shall be compelled to work on roads for one or two days per year..
- Sec. 7: Each road supervisor shall enroll the names of persons in the district liable for road service and keep separate lists of those who work and those who fail to appear.
- Sec. 12: County commissioners shall have erected at crossroads finger boards or signs showing prominent places and distances thereto.

### **Acts of 1874, Ch. 205**

An act to repeal and reenact Acts of 1870, Ch. 315, approved 4-1-1874

- Sec. 2: PG Board of Commissioners shall provide for the repair of public roads and bridges. They may divide the county into road districts or roads into sections and appoint road supervisors and other road officials who shall hold office for the term of the county commissioners.
- Sec. 3: County commissioners may employ not over eleven permanent laborers to be supervised by a road official.

### **Acts of 1874, Ch. 274**

An act to repeal and reenact Acts of 1870, Ch. 309, re roads and bridges in BA, approved 4-11-1874

- Sec. 2: Within thirty days after passage of this act BA Board of County Commissioners shall appoint for each election district three road supervisors for two year terms, computing from January 1, 1870. Thereafter, appointments shall be made biennially in January.

- Sec. 3: Road supervisors in each district shall constitute a board. County commissioners shall designate the chairs.
- Sec. 4: The chairs shall maintain records of road work and other road transactions. The chairs shall furnish the county commissioners with statements on the amount of labor performed or materials furnished, their costs, and to whom paid. The reports shall be filed when deemed necessary by the supervisors. County commissioners may reject items in the statements that are deemed incorrect.
- Sec. 5: The chair of each road supervisors board shall exercise general supervision over the care of roads and report conditions to the county commissioners when necessary or requested.
- Sec. 7: County commissioners shall maintain a record for each election district to show its roads and bridges, surveys, and other road proceedings.
- Sec. 8: Road supervisors shall divide each election district into three subdistricts and assign a supervisor to each one.
- Sec. 9: Road supervisors shall keep roads and bridges clear of obstructions.
- Sec. 10: The opening, construction, repair, closing, and alteration of roads shall be under the control of the respective road supervisor boards, subject to the approval of the county commissioners.
- Sec. 11: Annually the county commissioners shall levy for roads and bridges.
- Sec. 12: County commissioners shall reserve two-thirds of that sum for a special road and bridge fund, to be used in the election district where it was collected, and one-third for the general road and bridge fund, to be used countywide.
- Sec. 14: Twenty or more taxable inhabitants may apply to the county commissioners to open, alter, or close a road. The county commissioners shall give public notice and appoint three persons to examine the matter. Upon agreement with the petition, the examiners shall have a plat made.
- Sec. 15: The examiners shall file the plat and their proceedings with the county commissioners.
- Sec. 16: The examiners shall also estimate the cost of the road, assess damages and benefits upon interested parties and the district, proportionally, and report these findings to the county commissioners. County commissioners shall ratify, reject, or alter the reports and returns. Appeals may be taken to the circuit court. County commissioners shall pay the damages. The benefits shall be considered a tax on the property assessed and shall be paid to the county commissioners. Anyone wanting a road improved beyond that contemplated by the road supervisors may apply to the county commissioners who shall appoint three persons to examine the matter. The petitioners and county commissioners shall share the costs. All road work resulting from these petitions shall be under the direction of the road supervisors who may have the road surveyed, if necessary. The building and repair of bridges shall be under the control of the county commissioners. Twenty or more taxable inhabitants may apply to the county commissioners for bridge construction or repair. The county commissioners shall appoint three persons to determine the matter and probable costs and report to the commissioners. Upon agreement with the report the county commissioners shall advertise for bids and award a contract.
- Sec. 19: Road supervisors shall erect and maintain guide posts and finger boards at crossroads, designating prominent places and distances thereto.

**Acts of 1874, Ch. 441**

An act to repeal Acts of 1870, Ch. 99 and 1872, Ch. 78 and to enact new provisions, re streets in BA, approved 4-11-1874

- Sec. 1: Acts of 1870, Ch. 99 and 1872, Ch. 78 are repealed.
- Sec. 2: Owners of land along a proposed street in BA may petition the county commissioners to have it opened. County commissioners shall appoint three persons to examine the matter, after giving ten days public notice. The examiners shall determine damages and benefits landowners may sustain, determine the costs of the work which shall be apportioned among the landowners, and have a plat made showing the names and locations of the landowners. These proceedings shall be filed with the county commissioners for hearing objections and ratification. After three public notice county commissioners shall ratify, reject, or amend the report. Decisions may be appealed to the circuit court.
- Sec. 3: The damages shall be a lien on the property and be collected by the county treasurer as are county taxes.
- Sec. 4: County commissioners shall have surveyed all that part of BA within two miles of the BC line and not already surveyed and have streets, avenues, squares, and alleys laid out in conformity with BC streets and those already laid out in BA. County commissioners shall award a contract for doing the work which shall be completed within twelve months.
- Sec. 5: The contractor shall return the plats and descriptions to the county commissioners, which shall be recorded. Before ratification the county commissioners shall hear objections, with the right of appeal to the circuit court.
- Sec. 6: The present street commissioners, county surveyor, and any other surveyor shall file with the county commissioners all surveys and plats, field notes, and other papers made under provisions of Acts of 1870, Ch. 99 and 1872, Ch. 78.

**Acts of 1876, Ch. 48**

An act re roads in PG, approved 3-9-1876

- Sec. 1: PG Board of County Commissioners may not close or abandon a public road that has been open to public travel for twenty-one years without the consent of the majority of persons owning land adjacent to the road.

**Acts of 1876, Ch. 99**

An act to repeal and reenact Sec. 81 of Art. 14, Public Local Laws, re roads in KE, approved 3-23-1876

- Sec. 81: KE Board of County Commissioners shall have the general supervision of public roads and shall at their first meeting in January after their election assign themselves to districts to supervise roads.

**Acts of 1876, Ch. 238**

An act re roads in SM, approved 4-3-1876

- Sec. 1: SM Board of County Commissioners shall divide the public roads in each election district into sections of not less than four miles and not more than six miles long and shall describe and number them. Sections may include bridges of not more than 20' long. All this information shall be recorded in a road book.
- Sec. 2: In April 1876 and every two years thereafter the county commissioners shall advertise the road sections to let out for repair to the lowest bidder, setting forth the manner of the repairs.
- Sec. 3: County commissioners may reject any bid for good cause and advertise anew or contract with other suitable persons. Preference shall be given to taxpayers.
- Sec. 5: Each contractor shall report to the county commissioners on the character and amount of work done and condition of the road section, subject to the right of a majority of the taxpayers along the section to controvert the report. The ruling of the county commissioners shall be final.
- Sec. 7: For any sections needing work and not let out the county commissioners shall appoint residents along the road as road supervisors to keep it in repair.
- Sec. 8: Annually in May these road supervisors shall report expenditures and work done to the county commissioners.
- Sec. 9: Road supervisors and contractors may take materials for repairs within 15' from the center of the road and may straighten a road where it can be done without damages to landowners or with their consent.
- Sec. 11: County commissioners shall annually levy for road expenses.

### **Acts of 1876, Ch. 399**

An act to repeal and reenact Acts of 1874, Ch. 441, re streets in BA, approved 4-8-1876

- Sec. 2: Proceedings re streets in BA begun under Acts of 1874, Ch. 441 shall be completed according to the provisions of that act, including the opening and construction of Edmondson Avenue, now in progress.
- Sec. 3: Streets, avenues, and alleys laid out under Acts of 1870, Ch. 99, Acts of 1872, Ch. 78, and this act and ratified by the county commissioners or circuit court shall be condemned, opened, graded, and constructed as hereinafter provided.
- Sec. 4: Property owners along a street they want extended beyond its present terminus may apply to the county commissioners who shall appoint one or three examiners to lay it off. The examiners shall file the plat and descriptions with the county commissioners who shall ratify the documents, if no objections are filed. Objections shall be heard by the county commissioners. Their decisions may be appealed to the circuit court. Property owners may apply to the county commissioners to have surveyed a street within two miles of the BC line and not already laid off. County commissioners shall appoint one or three examiners to perform the task. The procedures shall be the same as those for the extension of streets. The expenses of proceedings under this section shall be taxed proportionally upon the petitioners and must be paid before the plats are filed.
- Sec. 5: Property owners may apply to the county commissioners for the condemnation, opening, grading, and construction of a street. The county commissioners shall appoint one or three examiners who shall make an explanatory plat of the street that shows the fronting property and

land for which damages have been awarded or to which benefits have been assessed. If necessary, the examiners shall establish grades. The examiners shall determine the amounts of damages and benefits and estimate costs. After giving public notice, the examiners shall hear and determine objections and then file the plat, profile, and statement of damages, benefits, and costs with the county commissioners. Persons dissatisfied with the damages or benefits may appeal to the circuit court. If no appeal is filed or is dismissed, the county commissioners shall ratify the report. The examiners shall advertise the street work for bids and award a contract.

- Sec. 7: When any assessment for benefits exceeds the amount for damages, the former shall be credited with the latter and the difference shall be the amount due and collectable for benefits. If the opposite occurs, the difference shall be the amount due and payable. Any assessment for benefits shall be a tax and lien on the property. The examiners shall collect the taxes and have the authority to sell property if the taxes are not paid within sixty days.
- Sec. 10: Property owners wanting a street macadamized, graveled, or paved may apply to the county commissioners who shall appoint one or three examiners. The examiners shall estimate costs, make a plat of the street and ground fronting it, and assess the costs upon the ground. The examiners shall collect the taxes and have the authority to sell property if the taxes are not paid within sixty days.

### **Acts of 1876, Ch. 404**

An act to add a section to Art. 11, Public Local Laws, re roads in FR, approved 4-8-1876

- Sec. 45A: FR Board of County Commissioners shall not assign more than ten miles of road to any one road supervisor.

### **Acts of 1876, Ch. 406**

An act to repeal and reenact Acts of 1874, Ch. 274, re roads and bridges in BA, approved 4-8-1876

- Sec. 2: In November 1876 and biennially thereafter voters in each election district in BA shall elect the following number of road supervisors: five in Election Districts 1, 3, 9, and 12-13, three in Election District 8, and one each in the remainder.
- Sec. 3: Within sixty days after the election the road supervisors shall make a general survey of the roads in their districts, divide them into sections, and record this information. By April 1 they shall give public notice for bids for road repairs on these sections for one year. In election districts having three or five road supervisors, one shall be selected as chair.
- Sec. 4: Road supervisors shall keep records of all road work and other transactions and shall furnish the county commissioners with statements showing contracts, amount of work done, money due on the contracts, road conditions, and cost estimates for repairs. The statements shall be examined and approved by the county commissioners and county auditor.
- Sec. 6: County commissioners shall maintain a record for each election district to show its roads and bridges, surveys, and other road proceedings.
- Sec. 8: The opening, construction, repair, closing, and alteration of roads shall be under the control of the road supervisors, subject to the approval of the county commissioners.
- Sec. 9: Annually the county commissioners shall levy for roads and bridges.

- Sec. 10: County commissioners shall reserve two-thirds of that sum for a special road and bridge fund, to be used in the election district where it was collected, and one-third for the general road and bridge fund, to be used countywide.
- Sec. 13: Twenty or more taxable inhabitants may apply to the county commissioners to open, alter, or close a road. The county commissioners shall give public notice and appoint three persons to examine the matter. Upon agreement with the petition, the examiners shall have a plat made.
- Sec. 14: The examiners shall file the plat and their proceedings with the county commissioners.
- Sec. 15: The examiners shall also estimate the cost of the road, assess damages and benefits upon interested parties and the district, proportionally, and report these findings to the county commissioners. County commissioners shall ratify, reject, or alter the reports and returns. Appeals may be taken to the circuit court.
- Sec. 16: County commissioners shall pay the damages. The benefits shall be considered a tax on the property assessed and shall be paid to the county commissioners. Anyone wanting a road improved beyond that contemplated by the road supervisors may apply to the county commissioners who shall appoint three persons to examine the matter. The petitioners and county commissioners shall share the costs. All road work resulting from these petitions shall be under the direction of the road supervisors who may have the road surveyed, if necessary. The building and repair of bridges shall be under the control of the county commissioners. Twenty or more taxable inhabitants may apply to the county commissioners for bridge construction or repair. The county commissioners shall appoint three persons to determine the matter and probable costs and report to the commissioners. Upon agreement with the report the county commissioners shall advertise for bids and award a contract.
- Sec. 18: Road supervisors shall erect and maintain guide posts and finger boards at crossroads, designating prominent places and distances thereto.

### **Acts of 1878, Ch. 108**

An act re road signs in GA, approved 3-20-1878

- Sec. 20: GA Board of County Commissioners shall direct the road supervisors to erect and maintain at public crossroads and forks fingerboards showing prominent places and distances thereto.

### **Acts of 1878, Ch. 190**

An act re bridges in TA, approved 3-29-1878

- Sec. 1: TA Board of County Commissioners is authorized to appoint two persons to examine and report on the condition of the Miles River Bridge and appraise it. Commissioners may then purchase it at that amount.
- Sec. 3: Then county commissioners shall control and manage the bridge as a free facility and annually in April shall appoint a keeper for the bridge.



## **Acts of 1878, Ch. 236**

An act re private roads in KE, approved 4-1-1878

- Sec. 1: Owners of a private road may apply to the KE Board of County Commissioners to have it altered or widened. County commissioners shall appoint three commissioners to do the work and assess the damages to be paid by the landowners.
- Sec. 3: County commissioners shall record the application and commission return.
- Sec. 4: Applicants shall pay the damages and costs of the work and shall maintain the road at their expense.
- Sec. 6: Appeals may be taken to the circuit court.

## **Acts of 1878, Ch. 318**

An act to repeal and reenact Acts of 1876, Ch. 48, approved 4-5-1878

- Sec. 2: PG Board of County Commissioners by May 1, 1878 shall appoint three persons in each election district to determine and report what roads may be closed and which ones may be straightened. County commissioners may adopt or reject the reports.
- Sec. 3: County commissioners may permit any road closed per Sec. 2 to remain open as a private road, to be maintained by the persons wanting to use the road.

## **Acts of 1878, Ch. 340**

An act to repeal and reenact Acts of 1876, Ch. 406, re roads and bridges in BA, approved 4-5-1878, effective 12-1-1878

- Sec. 1: In December 1878 the BA Board of County Commissioners shall appoint three road commissioners for each election district for two year terms beginning January 1, 1879. Thereafter, the county commissioners shall make the appointments biennially in January. Appointees shall constitute a board of road commissioners for that district, one of whom shall be the chair.
- Sec. 3: Road boards shall adopt a system for the repair and improvement of roads and may allot roads in sections to interested parties in the area. Road boards may grant taxpayers the privilege of paying two-thirds of their road taxes by work on the roads or supplying materials. The boards shall grant certificates of this fact to the taxpayers for presentation to the tax collector.
- Sec. 4: Each road board shall divide the election district into three subdistricts and assign one to each commissioner.
- Sec. 5: Road commissioners shall maintain records of all transactions and furnish the county commissioners with monthly statements.
- Sec. 7: County commissioners shall maintain a record for each election district to show its roads and bridges, surveys, and other road proceedings.
- Sec. 8: Road commissioners shall keep roads and bridges clear of obstructions.
- Sec. 9: The opening, construction, repair, closing, and alteration of roads shall be under the control of the respective road boards, subject to the approval of the county commissioners.

- Sec. 10: Annually the county commissioners shall levy for roads and bridges.
- Sec. 11: County commissioners shall reserve two-thirds of that sum for a special road and bridge fund, to be used in the election district where it was collected, and one-third for the general road and bridge fund, to be used countywide
- Sec. 13: Twenty or more taxable inhabitants may apply to the county commissioners to open, alter, or close a road. The county commissioners shall appoint a person designated by the petitioners and two road commissioners in the affected district(s) to examine the matter.
- Sec. 14: The examiners shall return to the county commissioners a plat and report of their findings and opinions. County commissioners shall give each new road a name or number.
- Sec. 15: The examiners shall determine and return to the county commissioners an estimate of costs, proportions to be paid by interested parties and district(s), and assessment of damages and benefits. County commissioners shall hear objections to the returns of the examiners and then ratify, reject, or amend them. Appeals may be taken to the circuit court.
- Sec. 17: Damages shall be paid by the county commissioners. Benefits shall be considered a tax and lien on the property assessed, to be paid to the county commissioners or county treasurer. Unpaid taxes shall be collected as are other delinquent taxes. When all taxes are paid, the road commissioners shall advertise for bids and award a contract.
- Sec. 18: Persons wanting a road improved beyond that contemplated by the road commissioners may apply to the county commissioners. County commissioners shall direct the road commissioners to consider the matter and file a report on their determination and estimate of costs. County commissioners may approve or disapprove the report. Costs shall be shared by the county commissioners and petitioners. If necessary, the road commissioners may have the road surveyed. Objections may be filed with the county commissioners, and appeals may be taken to the circuit court.
- Sec. 19: The construction and repair of bridges shall be under the control of the county commissioners. Twenty or more taxable inhabitants may apply to the county commissioners for the construction or repair of a bridge. The county commissioners shall appoint a person designated by the petitioners, road commissioner, and bridge superintendent to examine the matter. They shall file a report and cost estimates with the county commissioners for their approval or rejection. Upon approval of a proposal for a new bridge or extensive repairs the county commissioners shall advertise for bids and award a contract.
- Sec. 20: Biennially in January, beginning in 1879, the county commissioners shall appoint a bridge superintendent who shall provide drawings and specifications for new bridges and repairs, supervise such construction and repairs, and examine and report on them.
- Sec. 21: County commissioners may order minor bridge repairs done under the direction of the road commissioners.
- Sec. 22: Road commissioners shall erect and maintain guide posts and finger boards at crossroads, designating prominent places and distances thereto.

### **Acts of 1878, Ch. 477**

An act to repeal and reenact Secs. 154-185 of Art. 10, Public Local Laws, re roads in DO, approved 4-5-1878

- Sec. 154: DO Board of County Commissioners shall have general supervision of public roads, may divide election districts into road districts, and shall appoint a road supervisor for each road district. No one shall be compelled to serve more than once in three years.
- Sec. 155: All able bodied male residents, between the ages of twenty and fifty and not a resident of an incorporated town, shall labor in repairing roads at least two days per year. Any such man owning horse or oxen teams shall labor at least three days. These requirements can be met by hiring a substitute or paying a fee to the road supervisor.
- Sec. 156: Each road supervisor shall keep a list of delinquents and report them to a justice of the peace who may impose fines.
- Sec. 158: The fines and fees shall be used by the road supervisors for hiring laborers and teams and other repair expenses. Road supervisors shall report to the county commissioners a statement of funds collected and expended and days devoted to road work.
- Sec. 159: Road supervisors shall maintain bridges over the heads of rivers, creeks, branches, and swamps and drain roads.
- Sec. 160: Road supervisors shall remove stone, gravel, earth, or timber from lands adjoining roads and bridges, provided the landowners are paid by the county commissioners.
- Sec. 164: Road supervisors shall notify the county commissioners when it is necessary to open a water course through private property to secure proper drainage. If the landowner consents or agreement is reached on the land value and the amount of compensation, the county commissioners shall record this fact and open the water course. If agreement cannot be reached, the county commissioners shall have the road supervisor summon a jury to value and condemn the land, deducting any value that may accrue to the landowner.
- Sec. 166: After the next general election when five county commissioners shall be elected, each one shall act as a general road supervisor in the commissioner district from which elected. The county commissioners shall supervise the road supervisors, inspect the roads and report conditions to the full board for their action, examine and report on road accounts, and notify road supervisors of needed road work.

## **Acts of 1878, Ch. 499**

An act re roads in SM, approved 4-5-1878

- Sec. 1: Acts of 1876, Ch. 238 is repealed.
- Sec. 2: SM Board of County Commissioners is authorized to control and regulate public roads. They shall levy for road repairs, but not over \$5000 per year.
- Sec. 3: County commissioners shall establish rules and regulations to secure repairs and shall appoint district road commissioners and other agents and supervisors as deemed necessary.
- Sec. 4: County commissioners shall apportion the road taxes among the election districts and provide lists of taxables to the tax collectors.
- Sec. 5: County commissioners shall establish rules and regulations for the appointment and duties of district road commissioners and other officials, allow compensation to owners for materials needed for repairs or for damages caused by ditches, and regulate the means of ascertaining values in cases of dissatisfied landowners.

**Acts of 1880, Ch. 329**

An act to add sections to Acts of 1876, Ch. 399, re streets in BA, approved 4-10-1880

- Sec. 16: Property owners in BA wanting an alley laid off, opened, and constructed in an area where streets and avenues have been laid off may apply to the county commissioners. The procedures shall be same as those for opening a street.

**Acts of 1880, Ch. 381**

An act to repeal and reenact Acts of 1878, Ch. 318, re roads in PG, approved 4-10-1880

- Sec. 2: PG Board of County Commissioners by July 1, 1888 and annually thereafter as long as necessary shall appoint three persons in each election district to determine and report what roads may be closed and which ones may be straightened. County commissioners may adopt or reject the reports.
- Sec. 3: County commissioners may permit any road closed per Sec. 2 to remain open as a private road, to be maintained by the persons wanting to use the road.

**Acts of 1882, Ch. 49**

An act to repeal and reenact Sec. 21 of Acts of 1878, Ch. 340 and to add sections, re roads and bridges in BA, approved 3-21-1882

- Sec. 21: BA Board of County Commissioners may have any bridge repairs done under the direction of the road commissioners of the affected election district.
- Sec. 2: When property owners have opened or graded an avenue or road and are willing to dedicate it to public use by a deed, the county commissioners may accept it and thereafter deem it a county road.
- Sec. 3: When a road has been in use for twenty years, although not condemned or granted as a public road, the county commissioners may declare it to be a public highway, after giving public notice.

**Acts of 1882, Ch. 172**

An act to repeal and reenact Sec. 12 of Acts of 1876, Ch. 399, re streets in BA, approved 3-30-1882

- Sec. 12: The examiners in BA shall maintain an itemized account of receipts and disbursements and file it, with vouchers, with the county commissioners every three months for their approval.

**Acts of 1882, Ch. 425**

An act re roads in TA, approved 5-3-1882

- Sec. 1: When necessary to open a water course through private property to secure drainage, the road supervisor or contractor shall inform the TA Board of County Commissioners. If the landowners consent or if they and the county commissioners agree on the value and price to be

paid, the information shall be recorded and the water course opened. If they cannot agree, the county commissioners shall have the road supervisor or contractor summon a jury to value and condemn the water course.

### **Acts of 1882, Ch. 456**

An act to repeal and reenact Sec. 31 of Art. 26, Public General Laws, re turnpikes, approved 5-3-1882

- Sec. 31: The twelve mile limitation [imposed by Acts of 1868, Ch. 471] shall apply to passenger railways, not turnpike and plank roads.

### **Acts of 1884, Ch. 94**

An act re landings in TA, approved 3-27-1884

- Sec. 1: TA Board of County Commissioners may lease the privilege of building wharves at or upon any of the county public landings.
- Sec. 2: That person or firm may charge tolls and wharfage.

### **Acts of 1884, Ch. 114**

An act to repeal and reenact Sec. 50 of Art. 28, Public General Laws, re bridges, approved 3-31-1884

- Sec. 50: Sealed bids and contracts shall not be necessary for the construction and repair of bridges where costs do not exceed \$200. If done by contract anyway, the county commissioners shall determine the manner of awarding it.

### **Acts of 1884, Ch. 182**

An act re roads in PG, approved 4-8-1884

- Sec. 1: Upon a petition from thirty or more landowners in a road district, the county commissioners shall have the authority to levy a special tax for road improvements.

### **Acts of 1884, Ch. 340**

An act to repeal Sec. 10 of Acts of 1868, Ch. 299, re roads in SO and WO, approved 4-8-1884

- Sec. 1: Sec. 10 of Acts of 1868, Ch. 299 is repealed as far as it relates to SO and WO, thus making all of that act inoperative in the counties.

### **Acts of 1884, Ch. 364**

An act to repeal and reenact Sec. 15 of Art. 28, Public General Laws, re rights of way, approved 4-8-1884

- Sec. 15: When opening a road, the county commissioners may contract with owners for the lands needed for the right of way. They shall have a plat of the road made and file it with the clerk of

the county circuit court for recording. County commissioners may follow the same procedure for public wharves, drains for county roads, and other public uses. If necessary, the county commissioners may appoint three examiners to view the land proposed for the road. County commissioners may condemn lands by following the condemnation procedures outlined in Secs. 170-174 of Acts of 1868, Ch. 471.

### **Acts of 1886, Ch. 219**

An act re streets in CA, approved 4-7-1886

Citizens of incorporated towns in CA do not receive any benefits from road taxes.

- Sec. 1: CA Board of County Commissioners shall annually pay to officials of incorporated towns funds sufficient to assist in improving and repairing road beds in the towns.

### **Acts of 1886, Ch. 294**

An act re railroad crossings, approved 4-7-1886

- Sec. 1: When a railroad crosses a public road outside the corporate limits of a town, the county commissioners may order the railroad company to set up safety devices, such as flag men, alarm bells, or safety gates, or change the grade crossing.

### **Acts of 1888, Ch. 96**

An act re roads in SO, approved 3-23-1888

- Sec. 2: SO Board of County Commissioners shall biennially appoint a road supervisor for each election district.
- Sec. 3: Road supervisors shall keep roads, bridges, and drains in good repair.
- Sec. 4: All able bodied male residents between ages twenty-one and fifty-five shall be compelled to labor two days per year on the roads.
- Sec. 8: On June 1 and December 1 each road supervisor shall report to the county commissioners on the times and places of road work, names of persons summoned, times each worked, money received for road purposes, and disbursements.
- Sec. 9: Persons summoned to work may furnish substitutes or pay fees to the road supervisors.
- Sec. 11: County commissioners shall annually levy for a public road fund.
- Sec. 12: Upon a petition of twenty or more freeholders in a road district, the county commissioners may levy an additional road tax on property in that area.

### **Acts of 1888, Ch. 230**

An act re roads in PG, approved 3-31-1888

- Sec. 2: PG Board of County Commissioners shall divide the county into road districts, not over fourteen, and appoint a road supervisor for each, who shall have charge of repairing roads and bridges, except those bridges to be repaired by contract.

- Sec. 3: Annually in May each road supervisor shall report to the county commissioners on needed repairs.
- Sec. 4: Road supervisors may hire teams, carts, and laborers.
- Sec. 5: Each road supervisor shall maintain an account of the time spent on road work and times and numbers of laborers and carts and teams and report this information to the county commissioners.
- Sec. 10: County commissioners shall fill vacancies among the road supervisors.

### **Acts of 1888, Ch. 300**

An act re roads in WO, approved 4-4-1888

- Sec. 1: WO Board of County Commissioners shall have the authority to divide any election district into road districts and to appoint a road supervisor for each.
- Sec. 2: Every male resident over age eighteen and possessing at least \$500 worth of taxable property and every other male inhabitant between ages of twenty and fifty-five shall be required to labor two days per year on roads.
- Sec. 4: County commissioners may substitute labor for teams and wagons.
- Sec. 5: Persons who refuse to obey the summons of road supervisors or furnish substitutes shall pay fines to the supervisors. Fines shall be accounted for to the county commissioners and used for hiring laborers. The report shall be made annually and also contain an account of all receipts and expenditures, names of persons who worked on roads, and for each the number of days worked and which roads.
- Sec. 8: County commissioners shall have placed at forks of public roads finger boards or signs showing prominent places and distances thereto.
- Sec. 10: Officials of incorporated towns shall maintain roads to the distance of one mile from the town limits and may apply this act to town residents.

### **Acts of 1888, Ch. 361**

An act re records in QA, approved 4-4-1888

- Sec. 1: QA Board of County Commissioners shall record all papers and proceedings concerning the opening, altering, condemning, and locating of public roads and landings and the building and purchase of joint public bridges.
- Sec. 3: The record shall continue to be maintained.

### **Acts of 1888, Ch. 467**

An act to add sections to Art. 28, Public General Laws, re public roads and streets, approved 4-5-1888

- Sec. A: County commissioners shall have control over all public roads, streets, and alleys, except in incorporated towns, prescribe rules and regulations for repairing and clearing them, and provide for paying costs.
- Sec. D: County commissioners may make rules and regulations for the erection or removal of

gates and fences across or obstructing public highways.

- This act shall not apply in PG.

## **Acts of 1888, Ch. 542**

An act to amend Sec. 7 of Acts of 1876, Ch. 399, re streets in BA, approved 4-5-1888

- Sec. 7: When any assessment for benefits exceeds the amount for damages for a street in BA, the former shall be credited with the latter and the difference shall be the amount due and collectable for benefits. If the opposite occurs, the difference shall be the amount due and payable. Any assessment for benefits shall be a tax and lien on the property. The examiners shall collect the taxes and have the authority to sell property if the taxes are not paid within sixty days. The examiners may also collect benefits by an action of assumpsit in the BA Circuit Court, a court in BC having that jurisdiction, or, if the amount is less than \$100, a justice of the peace. When real property is sold under this section, the sale shall be reported to the circuit court for ratification procedures. Owners may redeem property within two years by paying the purchaser the purchase price with interest.

## **Acts of 1890, Ch. 34**

An act to repeal and reenact Sec. 290 of Art. 17, Public Local Laws, re roads in PG, approved 2-18-1890

- Sec. 290: Upon a petition from thirty or more landowners in a road district, the county commissioners shall have the authority to levy a special tax for road improvements. If the taxpayers of the district designate three persons to act as a board of special road commissioners, the county commissioners shall ratify the appointment and the road board shall receive and expend the special tax.

## **Acts of 1890, Ch. 75**

An act to repeal and reenact Secs. 280-288 of Art. 17, Public Local Laws, re roads in PG, approved 4-14-1890

- Sec. 280: PG Board of County Commissioners shall divide the county into road districts, not to exceed the number of election districts, and appoint a road supervisor for each, who shall have charge of repairing roads and bridges, except those bridges to be repaired by contract.
- Sec. 281: Annually in April each road supervisor shall report to the county commissioners on needed repairs and estimated costs. Monthly reports shall be filed on the conditions of roads and bridges and newly required repairs.
- Sec. 282: Road supervisors may hire teams, carts, and laborers.
- Sec. 283: Each road supervisor shall maintain an account of the time spent on road work and times and numbers of laborers and carts and teams and report this information to the county commissioners.
- Sec. 287: County commissioners shall keep separate accounts for road repairs.
- Sec. 288: County commissioners shall appoint for each road district three district road



commissioners who shall examine and report monthly on the conditions of roads and bridges and needed repairs and supervise the progress of road work.

### **Acts of 1890, Ch. 113**

An act to repeal and reenact Sec. 2 of Acts of 1888, Ch. 96, re roads in SO, approved 3-14-1890

- Sec. 2: SO Board of County Commissioners shall biennially appoint for each election district enough road supervisors so that each has between fifteen and thirty miles of road. When any election district has not over sixty miles of road, only one supervisor shall be appointed.

### **Acts of 1890, Ch. 330**

An act to repeal and reenact Secs. 189, 196, and 199-203 of Art. 3, Public Local Laws, re roads in BA, approved 4-8-1890

- Sec. 189: BA road commissioners shall adopt a system for the repair and improvement of roads in their respective election districts, subject to the direction and approval of the county commissioners. County commissioners may require all road work be done by contract subject to their approval. Taxpayers shall have the privilege of hauling stones worth up to two-thirds of their road taxes. One-third of the road taxes in each election district shall be used for the purchase of material for macadamizing or making hard roads.
- Sec. 196: County commissioners shall annually impose a road tax and beginning in 1890 shall make a special levy for macadamizing county roads. This special tax shall be imposed only upon a petition to the county commissioners from fifty or more taxpayers in an election district, representing at least one-sixth of the taxable base. If a petition against the proposal is filed by an equal or greater number of taxpayers, the county commissioners shall refuse to impose the special tax. Taxpayers in election districts where this levy is made may work it out by hauling materials.
- Sec. 199: Twenty or more taxable inhabitants may apply to the county commissioners to open, alter, or close a road. The county commissioners shall appoint three persons to examine the matter.
- Sec. 203: Damages shall be paid by the county commissioners. Benefits shall be considered a tax and a lien on the property assessed, to be paid to the county commissioners or county treasurer. Unpaid taxes shall be collected as are other delinquent taxes. When all taxes are paid, the county commissioners shall advertise for bids and award a contract.
- This act shall not apply in Election District 1 where the current law shall remain in effect.

### **Acts of 1890, Ch. 555**

An act to repeal Secs. 225-234 of Art. 24, Public Local Laws, re roads in WO, approved 4-8-1890

- Sec. 1: Secs. 225-234 of Art. 24, Public Local Laws, re roads in WO, [as enacted by Acts of 1888, Ch. 300] are repealed.

**Acts of 1892, Ch. 346**

An act to repeal Secs. 41-43 and 48 of and enact a section in Art. 20, Public Local Laws, re roads in SO, approved 4-7-1892

- Sec. 48: SO Board of County Commissioners is authorized to adopt a system of drainage and general improvement of public roads. They may employ a surveyor and engineer to superintend the work. On the complaint of three or more citizens and taxpayers the surveyor or engineer shall examine and report to the county commissioners what, if any, drainage and improvements are needed for a road, along with cost estimates. If the work is deemed necessary, the county commissioners shall order the surveyor or engineer to lay off the ditches and outlets and advertise and contract for the work. County commissioners shall have the authority to condemn land for outlets per provisions of Public General Laws for the condemnation of land for public roads.

**Acts of 1892, Ch. 426**

An act to add sections to Art. 11, Public Local Laws, re roads in FR, approved 4-7-1892

- Sec. 95A: When petitions are filed for the opening, altering, or closing of public roads in FR under provisions of Art. 25, Public General Laws, the county commissioners shall first determine if public convenience requires the action by examining the locality themselves. They may change locations, if necessary, and have it surveyed.
- Sec. 95B: County commissioners may contract with landowners for rights of way, and have the deed and survey of the proposed road recorded by the circuit court clerk. County commissioners shall record the survey of the road and other road proceedings in their own records.
- Sec. 95C: In the same manner the county commissioners may contract for land for the drainage for roads. They may also use the condemnation procedures specified in Secs. 248-253 of Art. 23, Public General Laws.
- Sec. 95D: When agreements cannot be reached with landowners or any of them are non compos mentis or minors, the county commissioners shall appoint three examiners to appraise damages.
- Sec. 95E: The examiners shall report their findings to the county commissioners.
- Sec. 95F: Above sections shall be a substitute for FR for Secs. 86-90 of Art. 25, Public General Laws.
- Sec. 95G: Persons aggrieved by any order or determination of the county commissioners may appeal to the circuit court.

**Acts of 1892, Ch. 431**

An act to repeal and reenact Sec. 277 of and to add a section to Art. 10, Public Local Laws, re roads in DO, approved 4-7-1892

- Sec. 277: DO Board of County Commissioners is authorized to adopt a scientific and thorough system of drainage and general improvement for county roads and employ a surveyor and engineer to superintend the plans. Upon a petition by three or more citizens the road engineer shall examine and report to the county commissioners on improvements needed and estimated

costs. After approval, the county commissioners shall order the road engineer to lay off the ditch (es) and outlet(s), advertise and contract for the work, and superintend the job. County commissioners shall have the authority to condemn outlets through private property per provisions of Public General Law for the condemnation of land for public roads.

- Sec. 277A: County commissioners may issue road bonds.

### **Acts of 1892, Ch. 463**

An act to add a section to Art. 16, Public Local Laws, re roads in MO, approved 4-7-1892

- Sec. 117A: One-third of the sums levied for roads in MO each year shall be used for macadamizing roads. Annually in May the county commissioners shall report the roads in their respective election districts needing such repair and estimate costs. County commissioners shall decide where to expend the available funds. Each county commissioner may superintend the work directly or let it out by contract.

### **Acts of 1894, Ch. 40**

An act to add sections to Art. 19, Public Local Laws, re alcoholic beverages and roads in SM, approved 2-28-1894, effective 5-1-1894

- Sec. 79A: Persons in SM may apply for and obtain licenses for the sale of liquor and lager beer from the clerk of the circuit court. One-half of the liquor license fees shall be paid to the county commissioners to be used for roads. If bonds for roads are issued, the county commissioners shall use the fees to first pay the interest and then to create a sinking fund for paying the bonds.

### **Acts of 1894, Ch. 564**

An act to repeal and reenact Secs. 100-101 and 103 of and to add sections to Art. 19, Public Local Laws, re roads in SM, approved 4-6-1894

- Sec. 100: Annually in April the SM Board of County Commissioners shall appoint a county road supervisor and a district road supervisor for each election district, except for Election District 3 which shall have two. County supervisor shall examine the roads at least once a month when they are being worked on and direct how, when, and where the work should be done. District supervisors, subject to the advise of the county supervisor, shall have control over the laborers, teams, and equipment, but can employ no more than six laborers or less than three at a time. Each district supervisor shall keep an account of materials purchased, number of days worked, and number of days worked by laborers and report it monthly to the county supervisor who shall report it to the county commissioners. Road work shall be done between May 1 and November 1. No work, except for emergencies, shall be done after money for a district has been expended.
- Sec. 101: County commissioners may purchase teams and implements for road repair and may levy an extra sum above the \$6000 tax limit for them.
- Sec. 103B: In 1894 the county commissioners may levy a sufficient sum to pay off the outstanding road accounts. Thereafter they may levy not over \$6000 for road repairs.

- Sec. 103D: Road supervisors may provide for drainage, with minimal damage to landowners.

### **Acts of 1894, Ch. 607**

An act to repeal and reenact Sec. 242, Public General Laws, re turnpikes, approved 4-6-1894

- Sec. 242: If a company fails to maintain a turnpike for twenty days, anyone may file a petition in the county circuit court or BC Superior Court. The court shall order a jury to examine the road and file an inquisition. The court may order that the tolls not be collected on that part of the road until repairs are completed. Before confirmation of the inquisition the company may demand a jury trial or move to quash the proceedings on the matter of law.

### **Acts of 1896, Ch. 85**

An act to repeal and reenact Sec. 267 of Art. 10, Public Local Laws, re roads in DO, approved 3-23-1896

- Sec. 267: DO Board of County Commissioners shall levy a tax for the repair and improvement of roads and bridges and opening of new roads. Funds shall be apportioned among the election districts according to needs. County commissioners shall manage and control repairs and improvements. They may contract for any road or bridge work. The contractors shall be called road supervisors.

### **Acts of 1896, Ch. 93**

An act to repeal and reenact Sec. 100 of Art. 19, Public Local Laws, re roads in SM, approved 3-27-1896

- Sec. 100: Annually in April the SM Board of County Commissioners shall appoint a county road supervisor and two district road supervisors for each election district. County supervisor shall examine the roads at least once a month when they are being worked on and direct how, when, and where the work should be done. District supervisors, subject to the advise of the county supervisor, shall have control over the laborers, teams, and equipment, but can employ no more than six laborers or less than three at a time. Each district supervisor shall keep an account of materials purchased, number of days worked, and number of days worked by laborers and report it monthly to the county supervisor who shall report it to the county commissioners. Road work shall be done between May 1 and November 1. No work, except for emergencies, shall be done after money for a district has been expended.

### **Acts of 1898, Ch. 153**

An act to repeal and reenact Sec. 100 of Art. 19, Public Local Laws, re roads in SM, approved 4-7-1898

- Sec. 100: Annually in April the SM Board of County Commissioners shall appoint three district road supervisors for each election district, or four if deemed necessary. Each county commissioner shall examine the roads in the election district from which elected at least once a month when they are being worked on and direct how, when, and where the work should be done. District supervisors, subject to the advise of the county commissioner, shall have control

over the laborers, teams, and equipment, but can employ no more than six laborers or less than three at a time. Each district supervisor shall keep an account of materials purchased, number of days works, and number of days worked by laborers and report it monthly to the county commissioner. Road work shall be done between May 1 and November 1. No work, except for emergencies, shall be done after money for a district has been expended.

## **Acts of 1898, Ch. 181**

An act to add a section to Art. 23, Public Local Laws, re roads in WI, approved 4-2-1898

- Sec. 127A: WI Board of County Commissioners shall have the authority to condemn land for, lay out, open, and construct new roads, alter or close existing roads, remove obstructions, and lay out public drains, water courses, and public landings without previous application or petition. They may contract with landowners for rights of way and shall have a plat made and recorded by the circuit court clerk. For the condemnation of land the county commissioners shall appoint three persons to determine benefits and damages. They shall locate boundaries and prepare an explanatory map that describes the road, drain, water course, or landing and the land sustaining damages or receiving benefits. They shall return the map and amounts of damages and benefits to the county commissioners who may ratify, reject, or amend them. Appeals may be taken to the circuit court. County commissioners shall pay the damages. The benefits shall be liens on the affected property and may be collected as are county taxes or by action of law. After final ratification the plat shall be recorded by the circuit court clerk.

## **Acts of 1898, Ch. 498**

An act re roads in WO, approved 4-9-1898

- Sec. 1: WO Board of County Commissioners shall have the authority to divide each election district into three road districts and to appoint a road supervisor for each.
- Sec. 2: Every male resident over age eighteen and possessing at least \$500 work of taxable property and every other male inhabitant between ages twenty and fifty-five shall be required to labor two days per year on roads.
- Sec. 4: County commissioners shall purchase and supply each road supervisor with machines, tools, horses, and carts.
- Sec. 5: Persons who refuse to obey the summons of road supervisors or furnish substitutes shall pay fines to the supervisors. Fines shall be accounted for to the county commissioners and used for hiring laborers. The report shall be made annually and also contain an account of all receipts and expenditures, names of persons who worked on roads, and for each the number of days worked and which roads.
- Sec. 8: County commissioners shall have placed at forks of public roads finger boards or signs showing prominent places and distances thereto.
- Sec. 9: County commissioners may widen and straighten roads. If necessary land may be condemned as now provided by law for roads.
- Sec. 12: County commissioners may levy funds for roads.

## Acts of 1900, Ch. 346

An act to repeal and reenact Secs. 278-290 of Art. 17, Public Local Laws, and to repeal Secs. 1-2, 13, and 19-24 of Art. 25, Public General Laws, as far as they relate to PG, re roads in PG, approved 4-10-1900

- Sec. 279: Matters affecting roads and bridges in PG, except in incorporated towns, shall be under the control of the PG Board of County Road Commissioners.
- Sec. 280: Matters affecting roads and bridges of a road district shall be under the supervision of a board of district road trustees.
- Sec. 281: County commissioners shall appoint three road commissioners, one from each of the following groups of election districts and to hold office until February 1902
  - Laurel, Vanville, Bladensburg, Bowie, and Kent
  - Queen Anne, Marlboro, Melwood, Nottingham, and Aquasco
  - Brandywine, Piscataway, Surratts, Spalding, and Oxon Hill
- Sec. 282: In November 1901 and every two years thereafter voters in the above groups of districts shall elect one road commissioner whose term of office shall begin the following February.
- Sec. 283: Annually in April the road commissioners shall appoint three road trustees for each road district, and shall fill vacancies. Road trustees shall elect one of themselves as chair.
- Sec. 284: Road commissioners shall elect one of themselves as president of the board.
- Sec. 285: Road commissioners shall be agents of the county commissioners and have general supervision and control of roads and bridges and the purchase and distribution of tools, machinery, and materials. Title to roads and bridges and road equipment shall be vested in the county commissioners.
- Sec. 286: County commissioners shall annually levy for road repairs and construction. The amounts shall be paid to the order of the road commissioners.
- Sec. 287: Road commissioners shall apportion three-fourths of the road fund among the road districts and one-fourth to their own expenses and incorporated towns.
- Sec. 288: Road commissioners shall use the money received from liquor license fees in the construction of highways, beginning at the DC line. The work shall be done under the direction of the state Geological Survey Commission.
- Sec. 289: Annually in December the road commissioners shall report to the county commissioners on work done on roads and bridges and on receipts and disbursements.
- Sec. 291: The construction and repair of bridges where the cost exceeds \$200 shall be done by contract, let out by the road commissioners.
- Sec. 294A: Governor shall fill vacancies among the road commissioners. Road commissioners may dismiss one of its members for just cause, after a hearing. Appeals may be taken to the county commissioners whose decision shall be final.
- Sec. 294B: Road commissioners shall divide the county into road districts. None shall be composed of more than one election district, but an election district may be divided into a number of road districts. Each road district shall be numbered and its boundaries recorded.
- Sec. 294D: Road trustees shall attend to repairs on roads and bridges, whether done by contract or otherwise. They shall keep a record of their actions and report them annually by November 1

to the road commissioners.

### **Acts of 1902, Ch. 25**

An act to repeal and reenact Secs. 227-228 of Art. 20, Public Local Laws, re roads in SO, approved 3-5-1902

- Sec. 227: SO Board of County Commissioners is authorized to annually appoint for each election district enough road supervisors so that each has between fifteen and sixty miles of road.
- Sec. 228: Road supervisors shall keep roads in good repair. County commissioners shall have control over public roads, except in incorporated towns.

### **Acts of 1902, Ch. 354**

An act to repeal and reenact Secs. 100-103 of and to add sections to Art. 19, Public Local Laws, re roads in SM, approved 4-8-1902

- Sec. 100: Biennially in April the SM Board of County Commissioners shall appoint in each election district and precinct a road inspector who shall be a practicing physician or someone who often travels the roads. County commissioners shall also annually appoint a road supervisor for each election district and precinct.
- Sec. 101: Bridges costing over \$100 shall be built by contract after the county commissioners advertise for bids.
- Sec. 102: County commissioners shall divide the road taxes among the election districts and precincts in proportion to the assessed basis of each and shall furnish each road inspector with a statement of the amount for that district.
- Sec. 103A: Road inspectors shall travel over the roads, advise and direct supervisors on road work to be done, approve or disapprove the accounts of the supervisors, and notify the county commissioners about supervisors not doing their work.
- Sec. 103B: Road supervisors shall be subject to the direction of the road inspectors. Road supervisors shall employ laborers and teams and furnish an account monthly to the county commissioners, showing the number of days worked by themselves, laborers, and teams and costs of materials, together with the approval or disapproval of the road inspectors.
- Sec. 103E: Road supervisors may take gravel, sand, and timber from lands adjoining roads and bridges with consent of the owners. County commissioners shall pay compensation if demanded by the landowners.
- Sec. 103F: Road supervisors shall go over all public roads twice annually in March or April and November or December.

### **Acts of 1902, Ch. 567**

An act to repeal and reenact Sec. 282 of Art. 17, Public Local Laws, re roads in PG, approved 4-11-1902

- Sec. 282: PG Board of County Road Commissioners shall be elected biennially, one from each of the following groups of election districts. The present board shall remain in office until February

1904.

- Laurel, Vanville, Bladensburg, Hyattsville, and Kent
- Bowie, Queen Anne, Marlboro, Melwood, Nottingham, and Aquasco
- Brandywine, Piscataway, Surratts, Spalding, and Oxon Hill

## **Acts of 1902, Ch. 628**

An act to repeal and reenact Secs. 113-129 of Art. 23, Public Local Laws, re roads in WI, approved 4-11-1902

- Sec. 113: WI Board of County Commissioners shall control and regulate public roads and bridges.
- Sec. 114: Annually in January, beginning in 1903, the county commissioners shall appoint one road supervisor for each election district. County commissioners shall fill vacancies. Before any supervisor can be removed from office, the county commissioners shall hold a hearing, with a right of appeal to the circuit court.
- Sec. 115: Road supervisors shall superintend the construction and repair of roads, bridges, and culverts, including work done under contract. For work not under contract the supervisors shall employ laborers and teams.
- Sec. 116: Each road supervisor shall divide the assigned district into sections and number them. Each supervisor shall keep an account of all road work and other transactions, showing the kind of work done on each section, by whom, and at what cost. The accounts shall be filed monthly with the county commissioners.
- Sec. 117: County commissioners shall keep a record book for each election district in which to record roads and bridges, surveys, and other proceedings.
- Sec. 119: County commissioners shall annually levy taxes for roads and bridges. Part shall be a general road, bridge, and ferry fund. The rest shall be a special fund for the election districts from which collected. General funds shall be used for ferries and the repair and construction of bridges over \$100.
- Sec. 120: When incorporated towns bear the expenses of their streets and roads, one-half of the special road tax collected with the town limits shall be paid to the municipal officials.
- Sec. 121: Anyone wanting to improve a road beyond that contemplated by the county commissioners and road supervisor may apply to the county commissioners. The petition shall state the location of the road, improvement sought, and estimated costs. If the county commissioners agree with the petition, the costs shall be shared equally by the county and petitioners.
- Sec. 122: County commissioners may receive any new road by deed or grant which shall be recorded by the circuit court clerk.
- Sec. 123: For the condemnation of land the county commissioners shall appoint three persons to determine benefits and damages. They shall locate boundaries and prepare an explanatory map that describes the road, drain, water course, or landing and the land sustaining damages or receiving benefits. They shall return the map and amounts of damages and benefits to the county commissioners who may ratify, reject, or amend them. Appeals may be taken to the circuit court. County commissioners shall pay the damages. The benefits shall be liens on the affected property and may be collected as are county taxes or by action of law. After final ratification the plat shall



be recorded by the circuit court clerk. County commissioners may also condemn land near roads for materials.

- Sec. 128: County commissioners shall enroll every male citizen over age twenty-one who does not pay taxes and does not reside in an incorporated town and require each to work on roads for one or two days per year or furnish a substitute.
- Sec. 129: County commissioners shall have erected at forks of roads finger boards or signs showing prominent places and distances thereto.

### **Acts of 1904, Ch. 30**

An act to repeal and reenact Sec. 233 of Art. 20, Public Local Laws, re roads in SO, approved 3-3-1904

- Sec. 233: Annually in June each road supervisor shall report to the SO Board of County Commissioners the names and color of all able bodied residents in the assigned district who are between ages twenty-one and fifty-five and liable for labor on the roads. In June and December the supervisors shall report to the county commissioners on the times and places of road work, names and color of persons summoned, funds received, and disbursements.

### **Acts of 1904, Ch. 63**

An act to add sections to Art. 18, Public Local Laws, re roads in QA, approved 3-15-1904

- Sec. 230A: QA Board of County Commissioners shall appoint a road commissioner to serve until April 1, 1906. In November 1905 and biennially thereafter a road commissioner shall be elected to serve two years from the next April 1.
- Sec. 230B: Road commissioner shall annually examine all public roads and bridges and report to the county commissioners on the work that needs to be done. Road commissioner shall supervise the work of laborers and road supervisors and report periodically on the progress of work to the county commissioners.
- Sec. 230C: County commissioners shall approve all bills of the road supervisors. Road supervisors may ask the county commissioners to investigate unapproved bills. Their decision may be appealed to the circuit court. County commissioners shall fill vacancies in the road commissioner office.

### **Acts of 1904, Ch. 225**

An act re county roads, approved 4-2-1904, effective 1-1-1905

- Sec. 1: Upon declaring an intention to build or improve a road under this act, the county commissioners shall notify the state Geological and Economic Survey Commission by March 1 and request plans and specifications and cost estimates.
- Sec. 2: Whenever the owners of two-thirds of the lands along a public road, one mile or more in length, petition for construction or repair of the road under this act and state a willingness to pay 10% of the cost, the county commissioners shall make a request as outlined in Sec. 1 after the petitioners pay their share or give bond.

- Sec. 3: If the proposal is deemed beneficial and there is sufficient state money, the geological commission shall make the necessary surveys, prepare plans and specifications, and estimate costs in detail.
- Sec. 5: County commissioners shall pay the costs for the actions outlined in Sec. 3.
- Sec. 6: County commissioners shall advertise for bids for the road work. The state shall pay no more than 50% of the estimated costs.
- Sec. 7: The contract shall be awarded to lowest responsible bidder. The contractor shall execute a contract and give bond.
- Sec. 8: Contracts shall be subject to the approval of the geological commission.
- Sec. 9: Geological commission shall maintain supervision of the execution of the contracts.
- Sec. 10: State funds shall be sent to the county commissioners only after the work is satisfactorily completed.
- Sec. 11: The state shall not pay for the acquisition of land or damages paid landowners.
- Sec. 12: No county shall receive a larger proportion of the total state appropriation than the proportion of the existing miles of public roads in the county bears to the total mileage of all counties applying for aid, unless a balance remains unallotted.
- Sec. 13: Any road built under this act shall be a county road and be maintained by the county. Geological commission shall notify the county commissioners about needed repairs. If the county commissioners fail to act within thirty days, the county shall receive no further assistance until the repairs are made. Any five taxpayers of a county may apply to the county circuit court for a writ of mandamus to compel the county commissioners to make repairs.
- Sec. 14: If an agency other than the county commissioners has control over county roads, that body shall have the powers and privileges conferred on the county commissioners by this act.

### **Acts of 1904, Ch. 407**

An act to repeal and reenact Secs. 100-103 and to repeal Secs. 103A-103F of Art. 19, Public Local Laws, re roads in SM, approved 4-7-1904

- Secs. 103A-103F of Art. 19, Public Local Laws, are repealed.
- Sec. 101: In May 1904 and annually thereafter the SM Board of County Commissioners shall appoint as many road supervisors for each election district and precinct as deemed necessary.
- Sec. 103: County commissioners shall divide the road taxes among the election districts and precincts in proportion to the assessed basis of each.

### **Acts of 1904, Ch. 583**

An act to repeal and reenact Secs. 113-129 of Art. 23, Public Local Laws, re roads in WI, approved 4-12-1904

- Sec. 113: WI Board of County Commissioners shall control and regulate public roads and bridges.
- Sec. 114: County commissioners may subdivide election districts into road districts and appoint a road supervisor for each.
- Sec. 115: Able bodied male citizens between ages twenty-one and fifty, who reside outside of incorporated towns, shall be compelled to work on roads for one or two days per year.

- Sec. 117: Citizens may provide teams and wagons instead of labor.
- Sec. 118: Anyone who fails to appear or find a substitute when summoned to work on the roads shall pay a fine to the road supervisor who shall forward it to the county commissioners.
- Sec. 120: Each road supervisor shall enroll the names of persons in the district liable for road service and keep lists of those who work and those who fail to appear.
- Sec. 125: County commissioners shall have erected at forks of roads finger boards or signs showing prominent places and distances thereto.
- Sec. 126: Road supervisors shall examine all public roads in their respective districts and, if necessary to widen them, shall have the authority to remove fences, fill up and remove ditches, and remove trees and other obstructions.
- Sec. 127: Aggrieved persons may call on the county surveyor to ascertain the center of the road.
- Sec. 128: County commissioners shall have the authority to condemn land for, lay out, open, and construct new roads, alter or close existing roads, remove obstructions, and lay out public drains, water courses, and public landings without previous application or petition. They may contract with landowners for rights of way and shall have a plat made and recorded by the circuit court clerk. For the condemnation of land the county commissioners shall appoint three persons to determine benefits and damages. They shall locate boundaries and prepare an explanatory map that describes the road, drain, water course, or landing and the land sustaining damages or receiving benefits. They shall return the map and amounts of damages and benefits to the county commissioners who may ratify, reject, or amend them. Appeals may be taken to the circuit court. County commissioners shall pay the damages. The benefits shall be liens on the affected property and may be collected as are county taxes or by action of law. After final ratification the plat shall be recorded by the circuit court clerk.

### **Acts of 1904, Ch. 591**

An act to repeal Sec. 281 and to repeal and reenact Secs. 280, 287-288, 291, and 294D-294E of and to add sections to Art. 17, Public Local Laws, re roads in PG, approved 4-12-1904

- Sec. 280: Matters affecting bridges shall be under the control of the PG Board of County Road Commissioners.
- Sec. 282A: On May 1, 1904 and every four years thereafter the county commissioners shall appoint a county roads superintendent who may be removed only upon charges presented to the county commissioners. Roads superintendent shall supervise and direct work on bridges and culverts, prepare all contracts and specifications for road and bridge work when done by contract, assist road trustees on request, and approve bills of the trustees before they are paid by the road commissioners. Road superintendent may suspend any road employee or contractor, subject to the approval of the road commissioners. On request of the roads commissioners the superintendent shall examine and report on road conditions and annually by January 1 shall report to the road commissioners and county commissioners on disbursements and road and bridge work done. Superintendent shall act as the clerk of the road commissioners.
- Sec. 287: Road commissioners shall apportion the road fund as follows: one-fourth for the repair and reconstruction of roads and bridges, one-half for road repairs, and one-fourth to incorporated towns and for expenses of board members.

- Sec. 288: Road commissioners may use funds from liquor license fees as a county contribution for state or national highways, provided incorporated towns receive back one-half of the fees derived from licenses issued to persons within their limits.
- Sec. 291: Road superintendent shall have exclusive charge of all bridges which shall be built and repaired by contract awarded by the road commissioners, except when the cost is under \$200.
- Sec. 294D: Road trustees shall attend to repairs on roads, whether done by contract or otherwise. They may call on the roads superintendent for assistance. They shall keep a record of their actions and report them annually by November 1 to the road commissioners.
- Sec. 294E: Road commissioners may require persons hauling timber in PG for commercial purposes between December 1 and May 1 to pay a license fee.

## **Acts of 1904, Ch. 644**

An act to repeal and reenact Secs. 205-213 of Art. 6, Public Local Laws, re roads in CA, approved 4-12-1904, effective 7-1-1904

- Sec. 205: CA Board of County Commissioners shall control and regulate public roads and bridges.
- Sec. 206: County commissioners shall levy for the repair and construction of roads and bridges.
- Sec. 207: County commissioners shall appoint a road engineer who shall take office on July 1.
- Sec. 208: Road engineer may be removed from office only for incompetence or willful neglect of duty, upon the complaint of ten or more taxpayers or the clerk of the county commissioners. County commissioners shall hold a hearing. Appeals may be taken to the circuit court.
- Sec. 209: Road engineer shall control and supervise the repair and improvement of roads and bridges, make specifications for building new ones, employ laborers, and have charge of county owned teams, machinery, and tools. Road engineer shall report monthly to the county commissioners on the work done and expenditures. Road engineer shall examine and certify the correctness of bills and account for labor and materials before the county commissioners pay them. Annually in July the road engineer shall report to the county commissioners on work done, showing the names of the laborers and amount due each.
- Sec. 210: Road engineer may appoint a district road supervisor in each election district.
- Sec. 212: Anyone wanting a road improved beyond that contemplated by the road engineer may apply to the county commissioners and show the location, character of improvements, and probable cost. County commissioners shall order the road engineer to investigate the matter and file a report, including cost estimates. Upon approval of the report, the county commissioners shall authorize the county to pay one-half the costs. The petitioners shall pay the other half.
- Sec. 213: County commissioners shall not open a new road until the road engineer surveys it and estimates the costs.
- Sec. 213A: County commissioners shall fill vacancies in the office of the road engineer.
- Sec. 213B: Road engineer shall notify the county commissioners when it is deemed necessary to open an outlet or water course through private property for drainage. If the owners consent and they and the county commissioners reach an agreement on compensation, the drainage record shall be recorded by the county commissioners. If an agreement cannot be reached, the county commissioners may condemn the property per provisions of Public General Laws for

condemning land for public roads. County commissioners shall appoint three examiners to determine damages. Road engineer shall provide them with a plat of the location and profile of the outlet or water course.

### **Acts of 1906, Ch. 249**

An act to repeal Acts of 1900, Ch. 346, Acts of 1902, Ch. 567, and Acts of 1904, Ch. 591 and to reenact Sec. 278-190 of Art. 17, Public General Laws, and to revive Secs. 1-2, 13, and 19-24 of Art. 25, Public General Laws, as far as they relate to PG, re roads in PG, approved 3-31-1906

- Sec. 278: Matters affecting roads and bridges shall be under the control of the PG Board of County Commissioners, except in incorporated towns and where control is conferred on the highway commissioners.
- Sec. 279: County commissioners shall annually levy for roads and bridges.
- Sec. 281: County commissioners shall apportion three-fourths of the road taxes collected in incorporated towns back to the municipalities.
- Sec. 282: County commissioners shall deliver liquor license fees to the highway commissioners. The fees shall be used as a county contribution for state or national highways, provided incorporated towns receive back one-half of the fees derived from licenses issued to persons within their limits.
- Sec. 283: County commissioners are hereby constituted as a board of highway commissioners who shall have control of the construction and repair of county roads, bridges, and culverts. The highway commissioners shall contract for laborers, equipment, and materials.
- Sec. 284: PG is hereby divided into five road districts:
  - District 1, composed of Vansville Election District 1, Laurel Election District 10, and Bowie Election District 14
  - District 2, composed of Bladensburg Election District 2, Kent Election District 13, and Hyattsville Election District 16
  - District 3, composed of Spaulding Election District 6, Surratts Election District 9, Oxon Hill Election District 12, and Melwood Election District 15
  - District 4, composed of Piscataway Election District 5, Aquasco Election District 8, and Brandywine Election District 11
  - District 5, composed of Marlboro Election District 3, Nottingham Election District 4, and Queen Anne Election District 7
- Sec. 284 (continued): Each highway commissioner shall be assigned to a road district. They may reassign themselves every two years thereafter.
- Sec. 285: Bridge work over \$200 shall be let out on contract by bid by the highway commissioners.
- Sec. 286: Highway commissioners may purchase gravel, stone, or other materials and lease or purchase gravel banks and stone quarries.
- Sec. 290: Most road work shall be done by contract under sealed bids. Highway commissioners shall meet monthly between April 1 and October 1 and report monthly to the county commissioners on expenditures, materials furnished, and work done.

**Acts of 1906, Ch. 306**

An act re roads in QA, approved 4-2-1906, effective 4-1-1908

- Sec. 1: Office of QA Road Commissioner is abolished.

**Acts of 1906, Ch. 314**

An act re roads in QA, approved 4-3-1906

- Sec. 3: Each QA county commissioner shall supervise the work of road laborers and supervisors in the election district from which elected and shall periodically report to the full board on the progress of road work.

**Acts of 1906, Ch. 503**

An act to repeal and reenact Sec. 255 of Art. 23, Public General Laws, re turnpikes, approved 4-3-1906

- Sec. 355: If within six months a turnpike road has not been repaired, the road shall be forfeited and vested in the county commissioners who shall repair it and collect the tolls or transfer it to another company. When court proceedings concern a turnpike company incorporated under a special legislative act containing provisions for penalties and forfeitures other than those prescribed in Art. 23, Public General Laws, the court clerk after passage of the order prescribed in Sec. 353 shall certify to the governor that the order was passed and the turnpike charter stands unrevoked. The governor shall direct the states attorney of that county to file a petition in the circuit court for forfeiture of the charter. Thereafter, proceedings shall be as prescribed in Secs. 367-372 and 374. Upon issuance of the final order the road shall be vested in the county commissioners.

**Acts of 1906, Ch. 775**

An act to repeal parts of Acts of 1898, Ch. 498, re roads in WO, approved 4-5-1906

- Sec. 1: Secs. 2 and 5 of Acts of 1898, Ch. 498, re road workers and fines in WO, are repealed.

**Acts of 1908, Ch. 141**

An act to add sections to Art. 91, Public General Laws, re state roads, approved 3-25-1908

- Sec. 32A: Governor shall appoint three persons and designate two persons from the state Geological and Economic Survey Commission, who with the governor shall constitute the State Roads Commission and who shall hold office until the work of the commission is completed.
- Sec. 32B: SRC shall improve the system of main roads in the state, including those extending into BC. It shall select the roads to be improved by May 1, 1909 and file with the county commissioners for public inspection a map of the state showing those roads. SRC shall be responsible for all the work, plans, acquisition of property, and maintenance.
- Sec. 32C: If a decision is made to take over a turnpike or public county road, or any part thereof,

to form a continuous thoroughfare, the SRC shall file the plan with the appropriate county commissioners.

- Sec. 32D: When planning to construct or improve a state highway, the SRC shall file the plans and specifications with the appropriate county commissioners.

### **Acts of 1908, Ch. 381**

An act to repeal and reenact Secs. 100-103 and to add sections to Art. 19, Public Local Laws, re roads in SM, approved 4-6-1908

- Sec. 102: SM Board of County Commissioners shall divide the road taxes among the election districts and precincts in proportion to the assessed basis of each.
- Sec. 103A: In May 1908 the county commissioners shall appoint a road engineer who shall have road engineering knowledge.
- Sec. 103B: In May 1908 the county commissioners shall appoint a road supervisor for each election district and precinct, subject to the approval of the road engineer.
- Sec. 103C: Road engineer shall have control and supervision of road and bridge work, except that done by the state, and shall prepare specifications for the construction of new roads and bridges. Road engineer shall monthly present to the county commissioners an account of work done and expenditures. Road engineer shall examine and certify the correctness of all bills and accounts for labor and materials.
- Sec. 103D: Anyone wanting road improvements beyond that contemplated by the road engineer may apply to the county commissioners. The petition shall set forth the location of the road, improvements sought, and cost estimates. County commissioners shall order the road engineer to examine the location and purpose. Upon agreement with the petition the road engineer shall report to the county commissioners the reasons and cost estimates. Upon approval of the report the county commissioners shall authorize the expenditure of one-half of the estimated costs. The petitioners shall pay the other half in cash or labor.

### **Acts of 1908, Ch. 443**

An act to repeal and reenact Secs. 227-237 of Art. 20, Public Local Laws, re roads in SO, approved 4-6-1908

- Sec. 227: SO Board of County Commissioners shall control and regulate public roads and bridges.
- Sec. 228: County commissioners shall annually levy for this purpose.
- Sec. 229: County commissioners shall appoint a road engineer who shall hold office from April 15, 1908.
- Sec. 230: Road engineer may be removed from office only for incompetence or willful neglect of duty upon the complaint of ten or more resident taxpayers or the clerk of the county commissioners. County commissioners shall conduct a hearing. Either party may appeal decisions to the circuit court.
- Sec. 231: Road engineer shall control and supervise the repair and construction of roads and bridges, make specifications for new ones, employ laborers and equipment, and control supplies and equipment purchased by the county commissioners. Engineer shall report monthly to the

county commissioners on work done and expenditures. Engineer shall examine and certify the correctness of all bills and accounts for work done and materials furnished before the county commissioners pay them. Annually in July the engineer shall report for the year ending June 30 to the county commissioners on work done, names of laborers, and amount due each.

- Sec. 232: Road engineer with consent of the county commissioners may appoint district road supervisors, not more than one for any precinct, who shall manage road work under the direction of the engineer.
- Sec. 234: County commissioners shall not open any new roads until they have been surveyed by the engineer who shall also estimate costs.
- Sec. 235: County commissioners shall fill vacancies in the office of the road engineer.
- Sec. 236: When necessary to open an outlet or water course through private property to secure drainage, the road engineer shall inform the county commissioners. If the landowners consent and they and the county commissioners agree on the values and prices to be paid, the county commissioners shall record the information and open the outlet or water course. If they cannot agree, the county commissioners shall have the authority to condemn the land per provisions of Public General Laws for the condemnation of land for roads. County commissioners shall appoint three examiners to estimate damages. Road engineer shall furnish them with a plat of the location and profile of the outlet or water course.

### **Acts of 1908, Ch. 530**

An act to repeal Sec. 284 of Acts of 1906, Ch. 249, re roads in PG, approved 4-6-1908

- Sec. 1: Sec. 284 of Acts of 1906, Ch. 249, re road districts in PG, is repealed.

### **Acts of 1910, Ch. 35**

An act to add sections to Art. 18, Public Local Laws, re roads in QA, approved 4-1-1910

- Sec. 230A: QA Board of County Commissioners shall control and regulate public roads and bridges.
- Sec. 230B: County commissioners shall annually levy for roads and bridges.
- Sec. 230C: By June 1, 1910 and every six years thereafter the county commissioners shall appoint a road engineer.
- Sec. 230D: Road engineer may be removed from office only for incompetence or neglect of duty upon a complaint from ten or more resident taxpayers or the clerk of the county commissioners. County commissioners shall hold a hearing. Appeals may be taken to the circuit court.
- Sec. 230E: Road engineer shall control and supervise work on roads and bridges, prepare specifications for new ones, employ laborers and tools, and inspect materials purchased by the county commissioners. Road engineer shall monthly report to the county commissioners on work done and expenditures. Road engineer shall examine and certify the correctness of bills and accounts before being paid by the county commissioners. Road engineer shall file with the county commissioners an annual report for the year ending May 31 on work done, names of laborers, and amount due each.
- Sec. 230F: Road engineer may appoint a district road supervisor for each election district to



manage road and bridge work.

- Sec. 230H: Persons wanting to improve a road beyond that contemplated by the road engineer shall apply to the county commissioners. The petition shall state the location, extent, and character of the improvements and provide cost estimates. County commissioners shall order the road engineer to examine the location and purpose. If the report is favorable, the road engineer shall prepare cost estimates. Upon approval of the report of the engineer the county commissioners shall authorize the county to pay one-half of the costs. The petitioners shall pay the other half.
- Sec. 230I: County commissioners shall not open a new road until the road engineer has surveyed it and estimated costs. Road engineer shall inspect roads being built under contract.
- Sec. 230J: County commissioners shall fill vacancies in the office of road engineer.
- Sec. 230K: When necessary to open an outlet or water course through private property to secure drainage, the road engineer shall inform the county commissioners. Upon consent of the landowner and agreement on the value of the land and price to be paid, the county commissioners shall record the information and the outlet or water course opened. If an agreement is not reached, the county commissioners may condemn the land per provisions of Public General Laws for the condemnation of land for public roads and shall appoint three examiners to estimate damages. Road engineer shall furnish the examiners with a plat of the location and profile of the outlet or water course.

## **Acts of 1910, Ch. 90**

An act to repeal Acts of 1906, Ch. 249 and Acts of 1908, Ch. 530 and enact sections in Art. 17, Public Local Laws, re roads in PG, approved 4-5-1910

- Sec. 278: Matters relating to roads and bridges, except in incorporated towns, shall be under the control of the PG Board of Road Directors.
- Sec. 279: The board shall consist of four members. [Law does not specify how the first members were to be selected.]
- Sec. 280: The first members shall serve until March 1, 1912, when the governor with consent of the Senate shall appoint successors to serve for two years. Thereafter they shall be elected for four year terms, beginning in November 1913. There shall be one member from each road district. Any member may be removed by the governor upon written charges and after a hearing.
- Sec. 281: The county shall be divided into four road districts as follows:
  - District 1, composed of Laurel, Vansville, Hyattsville, Chillum, Bladensburg, and north part of Bowie Election Districts
  - District 2, composed of Kent, Queen Anne, Marlboro, and south part of Bowie Election Districts
  - District 3, composed of Spaldings, Oxon Hill, Surratts, and Melwood Election Districts
  - District 4, composed of Piscataway, Brandywine, Nottingham, and Aquasco Election Districts
- Sec. 282: Road directors shall have general supervision over roads and bridges except state and state-aid roads; open, construct, and close roads and bridges per provisions of Public General Laws; work roads the entire year; regulate the hours of labor and wages; and purchase equipment.

Road directors shall have the authority to advertise for bids for the construction of bridges and culverts with the approval of the road engineer and award contracts, purchase or lease gravel banks or stone quarries and otherwise acquire materials, and to condemn land for materials or for widening and straightening roads. Each road director shall have authority over the repair of roads and bridges in the assigned road district, employ and discharge laborers, and maintain accounts of expenditures in each election district, showing the names of the payees, dates, purposes, and amounts.

- Sec. 283: The terms of office shall begin on March 1 following the appointment or election. Each road director shall take an oath and give bond, to be filed with the circuit court clerk. Road directors shall elect one of themselves president and meet once a month.
- Sec. 284: Road directors shall appoint a road engineer for a two year term and may remove the official upon charges being filed and after a hearing. Road engineer shall act as secretary to the road directors, inspect roads and recommend repairs and improvements, and submit specifications and plans for roads and bridges when requested. No construction or repair costing over \$100 shall be done by the road directors without approval of the road engineer and then according to the specifications and plans of that official. Road engineer shall also approve road and bridge expenditures, purchase of equipment, and types of materials.
- Sec. 285: County commissioners shall annually levy for the use of roads and bridges. Road taxes shall be paid to the road directors who shall also receive liquor license fees from the liquor license commissioners. Road directors shall return parts of these fees to officials of incorporated towns.
- Sec. 286: An account of receipts and expenditures of the road directors shall be published annually in March.

### **Acts of 1910, Ch. 198**

An act to repeal and reenact Secs. 207-208 of and to add sections to Art. 6, Public Local Laws, re roads in CA, approved 4-11-1910

- Sec. 207: By early June 1910 and every four years thereafter the CA Board of County Commissioners shall appoint a road engineer.
- Sec. 208: Road engineer shall be removed from office only for incompetence or neglect of duty. Complaints shall be filed with the county commissioners who shall conduct a hearing. Road engineer may appeal the decision to the State Roads Commission whose decision shall be final.
- Sec. 213C: In April 1910 and annually thereafter by March 1 the road engineer shall present to the county commissioners a schedule of roads and bridges to be repaired and improved and the extent of the work to be done.
- Sec. 213E: When requested by the county commissioners, the road engineer shall supervise contract work on county roads and bridges entered into by the county commissioners and State Roads Commission or under the Shoemaker Act.

### **Acts of 1910, Ch. 217**

An act to repeal and reenact Secs. 33-50 of Art. 91, Public General Laws, re county roads, approved 4-11-1910, effective 6-1-1910

- Sec. 33: Upon declaring an intention to build or improve a road under this act, the county commissioners shall notify the State Roads Commission and request plans and specifications and cost estimates.
- Sec. 34: Whenever the owners of two-thirds of the lands along a public road, one mile or more in length, petition for construction or repair of the road under this act and state a willingness to pay 10% of the cost, the county commissioners shall make a request as outlined in Sec. 33 after the petitioners pay their share or give bond.
- Sec. 35: If the proposal is deemed beneficial and there is sufficient state money, the SRC shall make the necessary surveys, prepare plans and specifications, and estimate costs in detail.
- Sec. 37: County commissioners shall pay the costs for the actions outlined in Sec. 35.
- Sec. 38: County commissioners shall advertise for bids for the road work.
- Sec. 39: The contract shall be awarded to lowest responsible bidder. The contractor shall execute a contract and give bond.
- Sec. 40: Contracts shall be subject to the approval of the SRC.
- Sec. 41: SRC shall maintain supervision of the execution of the contracts.
- Sec. 42: As work under the contract progresses the SRC shall file with the county commissioners itemized financial statements that include the expenses incurred by the county for surveys, plans, and advertising for bids. The statements shall specify the amounts due from the state and county, 50% respectively. County commissioners may object to the accuracy of the accounts which shall then be adjusted.
- Sec. 43: State shall not pay for the acquisition of land or damages paid landowners.
- Sec. 44: No county shall receive a larger proportion of the total state appropriation than the proportion of the existing miles of public roads in the county bears to the total mileage of all counties applying for aid, unless a balance remains unallotted.
- Sec. 45: Any road built under this act shall be a county road and be maintained by the county. SRC shall notify the county commissioners about needed repairs. If the county commissioners fail to act within thirty days, the county shall receive no further assistance until the repairs are made. Any five taxpayers of a county may apply to the county circuit court for a writ of mandamus to compel the county commissioners to make repairs.
- Sec. 46: If an agency other than the county commissioners has control over county roads, that body shall have the powers and privileges conferred on the county commissioners by this act.

## **Acts of 1910, Ch. 218**

An act to repeal and reenact Sec. 32F of Art. 91, Public General Laws, re state roads, approved 4-11-1910

- Sec. 32F: SRC may contract with the county commissioners to grade, maintain, repair, or construct state roads within that county, but according to state specifications. Funds shall be paid to the county by monthly estimates as the work progresses. SRC may require that a county road engineer or superintendent be placed in charge of construction. With maintenance agreements the county commissioners shall be reimbursed by the SRC. If the county does not provide an engineer or superintendent, the county commissioners may appoint a county engineer of state

roads. SRC may designate the county commissioners or county road engineer or superintendent as its agent for the construction and maintenance of state roads in the county.

### **Acts of 1910, Ch. 274**

An act to repeal and reenact Secs. 227-237 of Art. 20, Public Local Laws, re roads in SO, approved 4-11-1910

- Sec. 227: SO Board of County Commissioners shall annually levy for roads.
- Sec. 228: County commissioners shall appoint a road engineer who shall hold office from April 15, 1910.
- Sec. 229: Road engineer shall be removed from office only for incompetence or willful neglect of duty upon the complaint of ten or more resident taxpayers or the clerk of the county commissioners. County commissioners shall conduct a hearing. Either party may appeal decisions to the circuit court.
- Sec. 231: Road engineer shall control and supervise the repair and construction of roads and bridges, make specifications for new ones, employ laborers and equipment, and control supplies and equipment purchased by the county commissioners. Engineer shall report monthly to the county commissioners on work done and expenditures. Engineer shall examine and certify the correctness of all bills and accounts for work done and materials furnished before the county commissioners pay them. Annually by July 1 the engineer shall report for the year ending March 1 to the county commissioners on work done, names of laborers, and amount due each.
- Sec. 232: Road engineer may appoint district road supervisors, not more than one for any precinct, who shall manage road work under the direction of the engineer.
- Sec. 234: County commissioners shall not open any new roads until they have been surveyed by the engineer who shall also estimate costs.
- Sec. 235: County commissioners shall fill vacancies in the office of the road engineer.
- Sec. 236: When necessary to open an outlet or water course through private property to secure drainage, the road engineer shall inform the county commissioners. If the landowners consent and they and the county commissioners agree on the values and prices to be paid, the county commissioners shall record the information and open the outlet or water course. If they cannot agree, the county commissioners shall have the authority to condemn the land per provisions of Public General Laws for the condemnation of land for roads. County commissioners shall appoint three examiners to estimate damages. Road engineer shall furnish them with a plat of the location and profile of the outlet or water course.

### **Acts of 1910, Ch. 403**

An act to to add sections to Art. 15, Public Local Laws, re roads in KE, approved 4-11-1910

- Sec. 167A: KE Board of County Commissioners is authorized to control and regulate public roads and bridges.
- Sec. 167B: County commissioners shall annually levy for roads and bridges.
- Sec. 167C: Within sixty days after this act takes effect the governor shall appoint a road engineer for KE for a six year term.

- Sec. 167D: Road engineer shall be liable to removal from office for incompetence, neglect of duty, or misconduct in office upon the complaint of ten or more taxpayers filed with the governor who shall hold a hearing.
- Sec. 167E: Road engineer shall control and supervise the repair and construction of roads and bridges and purchase of materials, prepare specifications for new roads and bridges, and employ laborers and implements. Monthly the road engineer shall report to the county commissioners on work done, materials furnished, and money expended. Road engineer shall examine and certify the correctness of bills and accounts before they are paid by the county commissioners. Annually the road engineer shall report to the county commissioners on work done, names of laborers and persons furnishing materials, and amount due each. The report shall cover the year ending May 31.
- Sec. 167F: Road engineer may appoint a district road supervisor for each election district or precinct to manage work on roads and bridges.
- Sec. 167H: Anyone wanting to improve a road beyond that contemplated by the road engineer may apply to the county commissioners. The petition shall specify the location, kind of improvement, and probable costs. County commissioners shall direct the road engineer to examine the matter and file a report that shall include cost estimates. Upon approval of a favorable report the county commissioners shall authorize the expenditure of one-half of the costs. The petitioner shall pay the other half.
- Sec. 167I: County commissioners shall not open a new road until the road engineer surveys it, estimates costs, and examines the completed work.
- Sec. 167J: Governor shall fill vacancies in the office of road engineer.
- Sec. 167K: Road engineer shall inform the county commissioners about the need to open an outlet or water course through private property to secure drainage. If the landowners agree and agreement is reached upon the value of damages and amount to be paid, the county commissioners shall record this information and open the outlet. If they cannot agree, the county commissioners may condemn the land per provisions of Public General Laws for the condemnation of land for roads. County commissioners shall appoint three examiners to determine damages. Road engineer shall provide them with a plat of the location and profile of the outlet or water course.

### **Acts of 1912, Ch. 100**

An act to repeal and reenact Secs. 228-229, Public Local Laws, re roads in SO, approved 4-4-1912, effective 12-1-1912

- Sec. 228: Annually in December the SO Board of County Commissioners shall appoint a road engineer who shall hold office from January 1.
- Sec. 229: Road engineer shall be removable from office at the discretion of the county commissioners.

### **Acts of 1912, Ch. 209**

An act re roads in SM, approved 4-8-1912

- Sec. 1: All matters affecting public roads and bridges shall be under the control of the SM Board of Road Commissioners, except for those to be built by the State Roads Commission.
- Sec. 2: There shall be three road commissioners.
- Sec. 3: The county shall be divided into three road commission districts: District 1 composed of Election Districts 1-2 and 8-9, District 2 composed of Election Districts 3 and 6, and District 3 composed of Election Districts 4-5 and 7. Persons named in this act shall serve until May 1, 1914. Vacancies shall be filled by the governor. At the election in November 1913 and every two years thereafter three road commissioners shall be elected to serve from the next May 1.
- Sec. 4: Road commissioners shall have supervision over all roads and bridges except for state roads and state-aid roads, open and construct new roads and bridges and close old ones per provisions of Public General Laws, grade roads from March 1 to November 1, and do other road work from November 1 to March 1. Road commissioners may purchase or lease gravel banks, acquire other materials, and condemn land per provisions of Sec. 90 of Art. 25, Public General Laws. Each road commissioner shall maintain accounts of expenditures in each election district, specifying the names of the persons paid, dates and purposes of the payments, and amounts.
- Sec. 5: Road commissioners shall give bond which shall be filed with the county circuit court. At their first meeting they shall elect one of themselves as president. They shall meet at least once a month.
- Sec. 7: All funds derived from the sale of bonds and road taxes shall be distributed among the road commissioner districts on the basis of road mileage.
- Sec. 10: Road commissioners shall begin their road construction on the Three-notched Road and complete it from the present state road in Election District 5 to the ridge in Election District 1. Then they shall proceed to the construction of mail roads and roads to principal wharves.

### **Acts of 1912, Ch. 331**

An act to repeal and reenact Acts of 1904, Ch. 583, re roads in WI, approved 4-11-1912

- Sec. 113: WI Board of County Commissioners shall control and regulate public roads, bridges, drains, water courses, and landings.
- Sec. 114: County commissioners shall annually levy a road tax.
- Sec. 115: In June 1912 and every four years thereafter the county commissioners shall appoint a road engineer.
- Sec. 116: Road engineer may be removed from office upon the complaint of ten or more resident taxpayers or the clerk of the county commissioners and after a hearing by the county commissioners. Either party may appeal to the circuit court.
- Sec. 117: Road engineer shall supervise repair and construction work and prepare specifications for the construction of new roads and bridges. Engineer may employ laborers, teams, and implements and control equipment purchased by the county commissioners. Engineer shall monthly report to the county commissioners on work done and expenditures. Engineer shall examine and certify to the correctness of all bills and accounts for road work and materials. Annually for the year ending May 31 the engineer shall report to the county commissioners on road work, showing expenditures in each election district and on each road.
- Sec. 118: With the consent of the county commissioners the road engineer may contract with and

appoint road supervisors for any roads.

- Sec. 119: County commissioners shall fill vacancies in the office of road engineer.
- Sec. 122: Persons wanting to improve a road beyond that contemplated by the road engineer may apply to the county commissioners. The petition shall state the location, improvements sought, and estimated costs. County commissioners shall order the engineer to examine the matter and return findings, including cost estimates. Upon approval of the report the county commissioners shall authorize the expenditure of one-half the cost, with the petitioners paying the rest.
- Sec. 123: For the condemnation of land the county commissioners shall appoint three persons to determine benefits and damages. They shall locate boundaries and prepare an explanatory map that describes the road, drain, water course, or landing and the land sustaining damages or receiving benefits. They shall return the map and amounts of damages and benefits to the county commissioners who may ratify, reject, or amend them. Appeals may be taken to the circuit court. County commissioners shall pay the damages. The benefits shall be liens on the affected property and may be collected as are county taxes or by action of law. After final ratification the return, plat, and proceedings shall be recorded by the clerk of the county commissioners. County commissioners may also condemn land near roads for materials.
- Sec. 126: County commissioners shall have erected at forks of roads finger boards or signs showing prominent places and distances thereto.

### **Acts of 1912, Ch. 514**

An act to repeal and reenact Secs. 267-279 of and to add sections to Art. 10, Public Local Laws, re roads in DO, approved 4-8-1912

- Sec. 268: Annually the DO Board of County Commissioners shall levy a tax for roads.
- Sec. 269: Within sixty days after passage of this act the county commissioners shall appoint a road engineer who shall hold office for four years.
- Sec. 270: Ten or more resident taxpayers or clerk of the county commissioners may file a complaint of incompetence or willful neglect of duty against the road engineer. County commissioners shall hold a hearing. Appeals may be taken to the circuit court.
- Sec. 271: Road engineer shall control and supervise road and bridge work, prepare specifications for building new roads and bridges, control county owned equipment, hire laborers and equipment if necessary, make monthly reports to the county commissioners on work done and expenditures, examine and certify the correctness of bills and accounts before payment by the county commissioners, and make an annual report to the county commissioners by July 15. The annual report shall encompass all the work done, names of persons working on the roads, and amount to which each is entitled.
- Sec. 272: County commissioners shall appoint, subject to the approval of the road engineer, a road assistant in each election district, who shall supervise road and bridge work under the direction of the road engineer.
- Sec. 275: County commissioners shall fill vacancies in the office of the road engineer.
- Sec. 277: Anyone wanting a road improved beyond that planned by the county commissioners and road engineer may petition the county commissioners. The petition shall state the location of the road, improvements sought, and probable costs. County commissioners shall order the road

engineer to examine the location and report a decision and cost estimates. Upon approval of these findings the county commissioners shall authorize the expenditure of one-half the costs, with the petitioners paying the other half.

- Sec. 278: County commissioners shall not open a new road until it has been surveyed by the road engineer.
- Sec. 279: Road engineer shall notify the county commissioners when it is necessary to open a water course through private property to secure proper drainage. If the landowner consents or agreement is reached on the land value and the amount of compensation, the county commissioners shall record this fact and direct the road engineer to open the water course. If agreement cannot be reached, the county commissioners may condemn the land per provisions of Public General Laws for the condemnation of land for public roads. County commissioners shall appoint three examiners to determine damages. Road engineer shall provide the examiners with a plat and profile of the proposed drainage.
- Sec. 279B: By June 1, 1912 and thereafter annually by April 1 the road engineer shall prepare a schedule of roads and bridges to be worked on and repaired during the coming year and present it to the county commissioners for their approval or rejection. County commissioners may add roads and bridges.
- Sec. 279D: When requested by the county commissioners, the road engineer shall supervise contract work on roads and bridges entered into with the State Roads Commission or under the Shoemaker Act.

### **Acts of 1912, Ch. 638**

An act to repeal and reenact Sec. 170-171 of and to add sections to Art. 21, Public Local Laws, and to repeal Secs. 1-2 of Art. 25, Public General Laws, as far as it relates to TA, re roads in TA, approved 4-11-1912

- Sec. 170: TA Board of County Commissioners shall have control and regulation over public roads and bridges.
- Sec. 171: County commissioners shall annually levy for roads and bridges.
- Sec. 171A: By July 1, 1912 county commissioners shall appoint a road engineer who shall hold office for four years.
- Sec. 171B: Vacancies shall be filled by the county commissioners. That person shall hold office for four years from the preceding July 1.
- Sec. 171C: Road engineer shall be liable to removal from office for incompetence or neglect of duty upon the complaint of six or more resident taxpayers. County commissioners shall conduct a hearing, and its decision shall be final.
- Sec. 171D: Road engineer shall control and supervise the maintenance and construction of roads and bridges, have charge of teams, machinery, and implements, and employ and discharges laborers and teams. Engineer shall monthly file with the county commissioners a statement of work done and amounts due each person for labor, teams, and tools. Engineer shall provide specifications for materials, supplies, teams, and tools to be purchased by the county commissioners. Annually by July 15 the road engineer shall file a report with the county commissioners, that shall be published. It shall show the work done, names of laborers, and



amount paid each.

- Sec. 171G: Persons wanting to improve a road beyond that contemplated by the road engineer may apply to the county commissioners. The petition shall state the location, extent and character of the improvements, and estimated costs. County commissioners shall order the road engineer to examine the location and purpose and make a recommendation that includes cost estimates. Upon agreement with a favorable recommendation, the county commissioners shall authorize the expenditure of one-half the costs. The petitioners shall pay the other half.
- Sec. 171H: County commissioners shall not open a new road until the road engineer has surveyed it and estimated costs.
- Sec. 171I: When requested by the county commissioners, the road engineer shall supervise contract work entered into by the commissioners with the State Roads Commission or under provisions of the Shoemaker Act.
- Sec. 171J: When necessary to open an outlet or water course through private property to secure drainage, the road engineer shall inform the county commissioners. If the landowners consent or if they and the county commissioners agree on the value and price to be paid, the information shall be recorded and the outlet or water course opened. If they cannot agree, the county commissioners may condemn the land per provisions of Public General Laws for the condemnation of land for roads. County commissioners shall appoint three examiners to estimate damages and file a return. Road engineer shall furnish the examiners with a plat of the location and profile of the outlet or water course.
- This act shall not affect Acts of 1904, Ch. 225 and Acts of 1908, Ch. 141, re county and state roads.

### **Acts of 1914, Ch. 230**

An act to add a section to Art. 25, Public General Laws, re streets, approved 4-1-1914

- Sec. 2A: All provisions of Art. 25, Public General Laws, re public roads shall be applicable to streets and alleys in unincorporated towns.

### **Acts of 1914, Ch. 523**

An act to repeal and reenact Sec. 392 of Art. 23, re turnpikes, approved 4-13-1914

- Sec. 392: If a company fails to maintain a turnpike for twenty days, anyone may file a petition in the county circuit court or BC Superior Court. The court shall order a jury to examine the road and file an inquisition. Court may order that the tolls not be collected on that part of the road until repairs are completed. Before confirmation of the inquisition the company may demand a jury trial or move to quash the proceedings on the matter of law.
- This act shall not apply in FR.

### **Acts of 1914, Ch. 801**

An act to repeal and reenact Secs. 279-286 of Art. 17, Public Local Laws, re roads in PG, approved 4-16-1914

- Sec. 278: Matters affecting roads and bridges shall be under the control of the PG Board of County Commissioners, except in incorporated towns and as conferred on the PG Board of Road Directors.
- Sec. 279: PG Board of Road Directors shall be composed of six members and shall meet once a month. Each road director shall have sole authority over maintenance of roads and bridges in the respective road district, have charge of equipment, employ and discharge laborers, and keep accounts of funds expended. Road directors shall appoint a clerk and secretary to file papers and keep accounts of the road fund which shall show the amounts expended generally and amounts expended in each road district and election district. The clerk shall annually prepare a statement of receipts and disbursements which the county commissioners shall publish in December.
- Sec. 280: County commissioners shall apportion the road fund among the road districts and election districts upon warrants from the road directors.
- Sec. 281: The county shall be divided into six road districts, grouped as follows:
  - Vansville Election District 1, Laurel Election District 10, Hyattsville Election District 16, and Chillum Election District 17
  - Bladensburg Election District 2, Kent Election District 13, Bowie Election District 14, and Riverdale Election District 19
  - Spaulding Election District 6, Oxen Hill Election District 12, north part of Melwood Election District 15, and Seat Pleasant Election District 18
  - Marlboro Election District 3, Queen Anne Election District 7, and south part of Melwood Election District 15
  - Piscataway Election District 5, Surratsville Election District 9, and west part of Brandywine Election District 11
  - Nottingham Election District 4, Aquasco Election District 8, and east part of Brandywine Election District 11
- Sec. 282: Named in this act are the six road directors who shall serve until March 1918. Any road director may be removed by the county commissioners after charges are filed and a hearing held. Appeals may be taken to the circuit court. In November 1917 and every four years thereafter the road directors shall be elected and serve from the next March. County commissioners shall fill vacancies.
- Sec. 283: County commissioners shall have the authority to open and close roads and construct bridges according to provisions of the Public General Laws. Expenses shall be charged to the election district where the road or bridge is located and the work shall be done by the road director of the district. For the construction of bridges and culverts costing over \$200, the county commissioners shall advertise for bids and award the work under contract and the costs shall be charged to the general road fund. County commissioners may purchase or lease gravel banks or stone quarries and condemn land for such purposes or for building or improving roads.
- Sec. 284: County commissioners shall annually levy for the use of roads and bridges. Liquor license commissioners shall pay license fees to the county commissioners, except for their expenses and rebates to incorporated towns. County commissioners shall pay three-fourths of the road tax collected within incorporated towns to the municipal officials.
- Sec. 286: County commissioners may employ a road engineer for the construction of roads and bridges in any election district.

## **Acts of 1916, Ch. 167**

An act re sidewalks in WI, approved 4-4-1916, effective 6-1-1916

- Sec. 1: WI Board of County Commissioners may grant permission to landowners to build sidewalks along public or county roads in front of their property.

## **Acts of 1916, Ch. 260**

An act to repeal and reenact Secs. 227-237 of Art. 20, Public Local Laws, and to repeal Secs. 1-2 of Art. 25, Public General Laws, as far as it relates to SO, re roads in SO, approved 4-18-1916, effective 6-1-1916

- Sec. 227: SO Board of County Commissioners shall annually levy for roads.
- Sec. 228: Annually in December the county commissioners shall appoint a road superintendent who shall hold office from April 1.
- Sec. 229: Road superintendent shall be removed from office only for incompetence or willful neglect of duty upon the complaint of ten or more resident taxpayers or the clerk of the county commissioners. County commissioners shall conduct a hearing. Either party may appeal decisions to the circuit court.
- Sec. 231: Road superintendent shall control and supervise the repair and construction of roads and bridges, make specifications for new ones, employ laborers and equipment, and control supplies and equipment purchased by the county commissioners. Superintendent shall report monthly to the county commissioners on work done and expenditures. Superintendent shall examine and certify the correctness of all bills and accounts for work done and materials furnished before the county commissioners pay them. Annually by July 1 the superintendent shall report for the year ending March 1 to the county commissioners on work done, names of laborers, and amount due each.
- Sec. 232: Road superintendent may appoint district road supervisors, not more than one for any precinct, who shall manage road work under the direction of the engineer.
- Sec. 234: County commissioners shall not open any new roads until they have been surveyed by the superintendent who shall also estimate costs.
- Sec. 235: County commissioners shall fill vacancies in the office of the road superintendent.
- Sec. 236: When necessary to open an outlet or water course through private property to secure drainage, the road superintendent shall inform the county commissioners. If the landowners consent and they and the county commissioners agree on the values and prices to be paid, the county commissioners shall record the information and open the outlet or water course. If they cannot agree, the county commissioners shall have the authority to condemn the land per provisions of Public General Laws for the condemnation of land for roads. County commissioners shall appoint three examiners to estimate damages. Road superintendent shall furnish them with a plat of the location and profile of the outlet or water course.

## **Acts of 1916, Ch. 304**

An act to repeal and reenact Secs. 167C-167D, 167F, and 167J of Art. 15, Public Local Laws, re roads in

KE, approved 4-26-1916, effective 6-1-1916

- Sec. 167C: On June 1, 1916 and every four years thereafter the KE Board of County Commissioners shall appoint a roads engineer.
- Sec. 167D: Road engineer shall be liable to removal from office for incompetence, neglect of duty, or misconduct in office upon the complaint of ten or more taxpayers filed with the county commissioners who shall hold a hearing. Clerk of the county commissioners may also file complaints. Appeals may be taken to the circuit court.
- Sec. 167F: Road engineer may appoint a district road supervisor for each election district to manage work on roads and bridges.
- Sec. 167J: County commissioners shall fill vacancies in the office of road engineer.

### **Acts of 1916, Ch. 446**

An act re road signs in SM, approved 4-11-1916, effective 6-1-1916

- Sec. 1: SM Board of County Commissioners shall have erected on the main roads at towns, crossroads, and forks sign boards showing the nearest town or place and distance thereto.

### **Acts of 1916, Ch. 586**

An act to repeal and reenact Secs. 279-282 and 284-286 of Art. 17, Public Local Laws, re roads in PG, approved 4-14-1916

- Sec. 279: There shall be six road directors in PG. Each road director shall have sole authority over maintenance of roads and bridges in the respective road district, have charge of equipment, employ and discharge laborers, and keep accounts of funds expended. Road directors shall keep accounts of the road fund which shall show the amounts expended in each road district and election district.
- Sec. 280: County commissioners shall meet at least twice a month for road purposes. They shall appoint a road clerk to keep records connected with roads and bridges and accounts of the road funds which shall show amounts expended generally, amounts spend in each road district and election district, and places where work was performed. All expenditures must be approved by the county commissioners.
- Sec. 281: The county shall be divided into six road districts, grouped as follows:
  - Vansville Election District 1, Laurel Election District 10, Hyattsville Election District 16, and Chillum Election District 17
  - Bladensburg Election District 2, Kent Election District 13, Bowie Election District 14, and Riverdale Election District 19
  - Spaulding Election District 6, Oxen Hill Election District 12, north part of Melwood Election District 15, and Seat Pleasant Election District 18
  - Marlboro Election District 3, Queen Anne Election District 7, and south part of Melwood Election District 15
  - Piscataway Election District 5, Surratsville Election District 9, and west part of

## Brandywine Election District 11

- Nottingham Election District 4, Aquasco Election District 8, and east part of Brandywine Election District 11
- Sec. 282: Named in this act are the six road directors who shall serve until March 1918. Any road director may be removed by the county commissioners after charges are filed and a hearing is held. Appeals may be taken to the circuit court. In January 1918 and annually thereafter the county commissioners shall appoint six road directors to begin serving in March. County commissioners shall fill vacancies.
- Sec. 284: County commissioners shall annually levy for the use of roads and bridges. Liquor license commissioners shall pay license fees to the county commissioners, except for their expenses and rebates to incorporated towns. County commissioners shall pay three-fourths of the road tax collected within incorporated towns to the municipal officials.
- Sec. 286: County commissioners may employ a road engineer for the construction of roads and bridges in any election district.

## Acts of 1916, Ch. 645

An act to repeal and reenact Sec. 67, Art. 91, Public General Laws, re county roads, approved 4-14-1916

- Sec. 67: Whenever the owners of two-thirds of the lands adjoining a public road, over one-half mile in length, shall petition for construction or repairs under the provisions of this subtitle of Art. 91, Public General Laws, the county commissioners shall hold a public hearing. If the petition is granted, the county commissioners shall assess 10% of the costs upon the landowners proportional to the amount of front feet, after a ratification hearing.

## Acts of 1920, Ch. 358

An act re roads in SM, approved 4-16-1920, effective 6-1-1920

- Sec. 6: Biennially in June the SM Board of County Commissioners shall appoint a road engineer who shall make surveys and specifications for public roads, bridges, and drains and do engineering work for bridges. County commissioners shall designate the roads and bridges to be constructed and repaired and shall designate whether the work is done by contract or day labor with input from the road engineer.
- Sec. 9: Road engineer shall appear before the county commissioners as often as requested to report on work done.
- Sec. 10: County commissioners shall have the authority to open new roads, alter or close old ones, remove obstructions, and build bridges and drains without previous application or petition. County commissioners may contract with landowners for these purposes and for rights of way. When so done, the county commissioners shall direct the road engineer to make a plat and file this with the right of way deeds with the circuit court clerk for recording. If land is taken by condemnation, the county commissioners shall appoint three persons, one being the road engineer, to determine the benefits and damages. They shall also locate the boundaries and prepare a map describing the road, bridge, or drain and return it to the county commissioners along with the amounts of damages awarded and benefits assessed to the landowners. County

commissioners shall ratify, reject, or amend the return. Aggrieved persons may appeal to the circuit court. The benefits shall be collected as are taxes or by action of law. When a report receives final ratification after a public hearing, the clerk of the county commissioners shall record the return, plat, and proceedings. County commissioners shall have the authority to condemn or acquire land adjacent to or near a public road for materials.

### **Acts of 1920, Ch. 430**

An act re roads in TA, approved 4-16-1920, effective 6-1-1920

- Sec. 1: The general road construction loan of 1920 by bond issue is created for a plan of road improvements, maintenance, or construction in TA.
- Sec. 9: Five persons named in this act shall constitute the TA Road Improvement Commission. It shall have charge of all work done under this act including the authority to purchase materials, award contracts, appoint assistants, select roads to be improved, and decide on the kind of construction work. Each member shall give bond.
- Sec. 10: Road commission shall select of one of its members as president and one as secretary and treasurer.
- Sec. 11: Road commission shall keep an account of receipts and disbursements and report them to the county commissioners twice a year.

### **Acts of 1920, Ch. 586**

An act to add a section to Art. 91, Public General Laws, re county roads, approved 4-9-1920

- Sec. 82S: Upon a request from the county commissioners, the SRC shall furnish plans and plats showing how the county road system may best be improved as a concomitant to the state road system. The plan shall suggest an annual program of county construction, based on funds available, and furnish cost estimates.

### **Acts of 1922, Ch. 200**

An act to repeal and reenact Secs. 278-286 of and to add sections to Art. 17, Public Local Laws, re roads in PG, approved 4-4-1922

- Sec. 278: Matters affecting roads and bridges shall be under the control of the PG Board of County Commissioners, except in incorporated towns and as conferred on district road committees and district road supervisors.
- Sec. 279: Each election district shall be a road district. Each district shall have a road supervisor who shall supervise road and bridge work, employ and discharge laborers, and with consent of the district road committee purchase and sell materials and equipment. Upon passage of this act the county commissioners shall appoint road supervisors and thereafter annually in March, upon the recommendations of the road committees. Road supervisors may be removed by the county commissioners on written charges and after a hearing. For the appointment of district road committees, five in each election district, the election districts are combined and appointment

vested in the county commissioners specified in this act. From and after April 1924 the county commissioners shall divide themselves for making the appointments.

- Sec. 280: County commissioners shall meet at least twice a month for road purposes. They shall appoint a road clerk to keep records connected with roads and bridges and accounts of the road funds which shall show amounts expended generally, amounts spend in each road district and election district, and places where work was performed. All expenditures must be approved by the road committees and county commissioners.
- Sec. 281: Each road district shall have a five member district road committee appointed annually in March by the county commissioners. Each committee shall select a chair, vice chair, and secretary. County commissioners shall fill vacancies.
- Sec. 283: County commissioners shall have the authority to open and close roads and construct bridges per provisions of Public General Laws. Expenses shall be charged to the affected road districts. County commissioners may purchase or lease gravel banks or stone quarries and condemn land for such purposes and for the construction and improvement of roads.
- Sec. 284: County commissioners shall annually levy for the use of roads and bridges.
- Sec. 289: 100 or more voters in a road district, exclusive of those in incorporated towns, may petition the election supervisors for a vote in the district on a special road tax. Results of the vote shall be certified to the county commissioners who shall impose the tax, if approved by the voters.
- Sec. 290: On their own or at the request of a road committee the county commissioners may employ an engineer for special tasks.

### **Acts of 1922, Ch. 280**

An act to add a section to Acts of 1920, Ch. 358, re roads in SM, approved 4-13-1922

- Sec. 10A: After the sale of road bonds on April 15, 1922, the SM road engineer shall submit to the county commissioners a building repair program for roads, bridges, and drains along with estimated costs, which the commissioners shall approve or amend.

### **Acts of 1922, Ch. 402**

An act to repeal and reenact Secs. 115-116 of Art. 23, Public Local Laws, re roads in WI, approved 4-13-1922

- Sec. 115: In June 1922 and every two years thereafter the WI Board of County Commissioners shall appoint a road engineer.
- Sec. 116: Road engineer may be removed from office upon complaint of ten or more resident taxpayers or clerk of the county commissioners and after a hearing by the county commissioners. Either party may appeal to the circuit court.

### **Acts of 1924, Ch. 68**

An act to repeal and reenact Secs. 6 and 9 of Acts of 1920, Ch. 430, re roads in TA, approved 4-9-1924, effective 6-1-1924

- Sec. 6: Proceeds of the road bond issue in TA may also be used for the construction of lateral post and state aid roads.
- Sec. 9: Five persons named in this act shall constitute the TA Road Improvement Commission. It shall have charge of all work done under this act including the authority to purchase materials, award contracts, appoint assistants, select roads to be improved, and decide on the kind of construction work. Each member shall give bond. The commission shall have no authority over lateral post and state aid roads built under the supervision of the State Roads Commission.

### **Acts of 1924, Ch. 315**

An act to repeal and reenact Secs. 228-229, 231, and 235 and to repeal Sec. 232 of Art. 20, Public Local Laws, re roads in SO, approved 4-9-1924, effective 6-1-1924

- Sec. 228: Annually in December the chair of the State Roads Commission and director of public works shall appoint a county road superintendent for SO to hold office from January 1.
- Sec. 229: Road superintendent shall be subject to removal from office by the same officials at their discretion.
- Sec. 231: Road superintendent shall control and supervise the repair and construction of roads and bridges, make specifications for new ones, employ laborers and equipment, and control supplies and equipment purchased by the county commissioners. Superintendent shall report monthly to the county commissioners on work done and expenditures. Superintendent shall examine and certify the correctness of all bills and accounts for work done and materials furnished before the county commissioners pay them. Annually by July 1 the superintendent shall report for the year ending March 1 to the county commissioners on work done, names of laborers, and amount due each. Monthly the road superintendent shall examine all public roads for needed repairs.
- Sec. 235: Vacancies in the office of road superintendent shall be filled by the same appointing officials.

### **Acts of 1924, Ch. 535**

An act to repeal and reenact Sec. 230C of Art. 18, Public Local Laws, re roads in QA, approved 4-9-1924, effective 6-1-1924

- Sec. 230C: On or before June 1, 1924 and every four years thereafter the QA Board of County Commissioners shall appoint a road engineer.

### **Acts of 1927, Ch. 104**

An act to repeal and reenact Secs. 230D and 230F of Art. 18, Public Local Laws, re roads in QA, approved 3-18-1927

- Sec. 230D: QA road engineer may be removed from office only for incompetence or neglect of duty upon a complaint from ten or more resident taxpayers filed with the county commissioners.
- Sec. 230F: Annually in May the road engineer with the consent of the county commissioners



shall appoint district road supervisors, not more than one per election district, who shall manage road and bridge work.

## **Acts of 1927, Ch. 118**

An act to add sections to Art. 56, Public General Laws, re road funds, approved 3-23-1927

- Sec. 212B: The gasoline tax shall be increased to create the lateral road gasoline tax fund. It shall be distributed as follows: one-fifth for the construction and maintenance of streets and roads in BC and the rest for the construction of lateral roads. After October 1, 1927 the state shall pay the full construction costs of lateral roads. Counties will no longer have to pay 50% of the costs. The proportion for each county shall be based on the ratio of its miles of public roads to that of the entire state.

## **Acts of 1927, Ch. 448**

An act re roads in MO and PG, approved 4-26-1927

- Sec. 1: The area in MO and PG, designated in this act, shall be known as the Maryland-Washington Metropolitan District.
- Sec. 2: The district shall be under the jurisdiction of the Maryland-National Capital Park and Planning Commission (MNCPPC), composed of six members, three each from MO and PG. The chair of the Washington Suburban Sanitary Commission shall be an ex officio a member and charged to the number allotted to the county where that person resides. Governor shall appoint the other five members, subject to confirmation by the county commissioners. The terms of office shall begin on May 1, 1927 with two serving two years, two from MO serving six years, and two from PG serving six years. Vacancies shall be handled in the same manner as the appointments. Governor shall designate the chair and shall appoint a general counsel to MNCPPC and a secretary treasurer.
- Sec. 4: MNCPPC shall develop a plan for the physical development of the district including streets, roads, parkways, viaducts, bridges, waterways, parks, forests, squares, aviation fields, general locations of public buildings and properties and public utilities, and zoning for buildings and premises, and other other factors of city and regional planning. The purpose is to accomplish systematic development in coordination with other parts of Maryland and DC. Public hearings shall be held on the plans. Actions taken shall be recorded on a map, plan, or descriptive matter, and a copies shall be filed with the circuit court clerks.
- Sec. 11: MNCPPC shall have surveys and plats made to show future locations of streets and roads on which public hearings shall be held before adoption. Adopted plats shall be filed with the circuit court clerk where the land is located. This action shall be deemed to be the opening of a road or street or the condemnation of property. County commissioners shall act as special boards of appeal to hear appeals from adopted plats.
- Sec. 14: No plat of any subdivision of land into streets, avenues, alleys, lots, and blocks in the district shall be recorded until approved by the MNCPPC so that the subdivision conforms to the general development plan. MNCPPC shall establish grades for streets, roads, and sidewalks including state and county roads.

- Sec. 15: After a plan for streets and roads has been adopted and certified to the circuit court clerks, no street or road shall be located or constructed until approved by the MNCPPC.
- Sec. 17: MNCPPC shall investigate and report to the 1929 General Assembly on transportation services and facilities in the district.

### **Acts of 1929, Ch. 3**

An act to repeal and reenact Sec. 115 of Art. 23, Public Local Laws, re roads in WI, approved 2-13-1929, effective 6-1-1929

- Sec. 115: In June 1929 and every two years thereafter the WI Board of County Commissioners shall appoint a road engineer.

### **Acts of 1933, Ch. 425**

An act to add sections to Art. 89B, Public General Laws, re road funds, approved 4-21-1933, effective 6-1-1933

- Sec. 7A: The lateral county and municipal road gasoline tax fund shall be used by the SRC for the construction and maintenance of lateral roads to the state roads system, county roads, and city streets and debt service of localities. Annually the county commissioners and other public road and street authorities shall present the SRC with recommendations on which matters to pursue.
- Sec. 7B: SRC may rent or buy road equipment from local authorities.
- Sec. 7C: For road construction the SRC shall first employ those persons working for local authorities.
- Sec. 7D: SRC may use part of the federal road funds for local roads.
- Sec. 7E: SRC may use part of the state gasoline and motor vehicle taxes for local roads.
- Sec. 7F: Local authorities are hereby relieved from the requirements of existing law to levy minimum funds for road maintenance.

### **Acts of 1935, Ch. 331**

An act to add a section to Art. 1, Public Local Laws, re roads in AL, approved 5-17-1935, effective 3-1-1935

- Sec. 1: AL Board of County Commissioners shall have the authority to establish grades for all streets, roads, and sidewalks except within incorporated towns.

### **Acts of 1939, Ch. 766**

An act to repeal and reenact Sec. 7A of Art. 86, Annotated Code, re road funds, approved 5-17-1939, effective 6-1-1939

- Sec. 7A: The gasoline tax shall be increased to create the lateral road gasoline tax fund. It shall be distributed as follows: 30% for the construction and maintenance of streets and roads in BC and the rest for the construction of lateral roads. The state shall pay the full construction costs of

lateral roads. Counties will no longer have to pay 50% of the costs. The proportion for each county shall be based on the ratio of its miles of public roads to that of the entire state. Based on recommendations from county commissioners or county road officials county funds may be used for the construction of lateral and farm to market roads as part of the state roads system. The SRC shall assume maintenance of county roads in AL, CV, CA, CR, CH, DO, GA, KE, QA, SM, SO, TA, WI, and WO. Counties taking care of their own road maintenance shall receive their share of state funds. Counties doing their own road construction must have approval of the SRC for specific projects.

## SECRETARY OF STATE

[For additional research notes, [MSA S1795-14](#)]

### Charitable Organizations

#### Acts of 1964, Ch. 135

An act to add sections to Art. 41, Annotated Code, approved 4-7-1964, effective 6-1-1964

- Sec. 103B: No charitable organization shall solicit contributions in Maryland until it provides the following information to the Secretary of State:
  - identity and address
  - by and for whom solicitations will be conducted
  - purposes of the contributions
  - name of the person who having custody of the contributions
  - name of the person responsible for distribution
  - time period for solicitation
  - methods of solicitation
  - whether voluntary unpaid or paid solicitors or both will be used
  - names and addresses of professional fund raisers, if used, and basis of payment and nature of arrangement
- Sec. 103C: Annually by March 31 every organization subject to this act, that has received contributions, shall file with the Secretary of State the following information - gross amount of contributions pledged or collected, amount given or to be given to the charitable purpose, amount paid and to be paid for expenses, and amount paid and to be paid fund raisers and solicitors. Secretary of State may require that an organization file a special report within ninety days after a special period of collection.

#### Acts of 1966, Ch. 639

An act to repeal and reenact Sec. 103C of Art. 41, Annotated Code, approved 5-6-1966, effective 6-1-1966

- Sec. 103C: Within ninety days after the close of its fiscal year every organization subject to this act, that has received contributions, shall file with the Secretary of State the following information - gross amount of contributions pledged or collected, amount given or to be given to the charitable purpose, amount paid and to be paid for expenses, and amount paid and to be paid fund raisers and solicitors. Secretary of State may require that an organization file a special report within ninety days after a special period of collection.

#### Acts of 1976, Ch. 679

An act to repeal and reenact Sec. 103A-103E of and to add sections to Art. 41, Annotated Code, approved 5-17-1976, effective 7-1-1976

- Sec. 103B(a): Every charitable organization located in Maryland which intends to solicit

contributions in this or other states shall file a registration statement with the Secretary of State thirty days prior to beginning the solicitations. Thereafter, the organization shall file a registration statement within three months after the close of its fiscal year. The registration statements shall contain the following information:

- name and purpose of the organization
- main address or address of its offices in the state, and, if there is no office in the state, the name and address of the person having custody of financial records
- names and address of chapters, branches, or affiliates
- place and date of establishment, form of the organization, and reference to its tax exempt status
- names and addresses of officers, directors, trustees, and main salaried staff officers
- balance sheet, income and expense statement, and financial report showing gross income raised, expenses of fund raising activities, and disbursements
- whether solicitation will be directly to the public or done by others
- existence of any government authorization to solicit contributions
- existence of any restraints or restrictions on fund raising activities imposed by a court or administrative agency
- purposes of the contributions
- names and addresses of depositories and persons having final custody of contributions
- names and addresses of persons responsible for final distribution
- Sec. 103B (b): Each chapter, branch, or affiliate, other than an independent member agency of a federated fund raising organization, shall either file a separate statement or report to its parent organization which shall then file a consolidated statement. An independent member agency shall file a separate statement unless it does not solicit except as a member.
- Sec. 103B(d): An organization intending to discontinue solicitation shall file an intention to terminate and a final financial statement, identical in content to the registration statement, within three months after the close of its fiscal year.
- Sec. 103C(a): The following persons and organizations shall be exempt from registration, provided they do not employ a professional solicitor and do not mail more than 500,000 solicitations per year:
  - education institutions approved by the state Department of Education; copies of annual fiscal reports that are filed with the department shall also be sent to the Secretary of State
  - organizations that do not solicit over \$5000 per year, if the fund raising is done by unpaid volunteers and no assets or income are paid to officers or members
  - hospitals that file annual financial annual reports with the Department of Health and Mental Hygiene, copies of which shall be sent to the Secretary of State
  - organizations soliciting only from their members
  - religious organizations that have a federal tax exempt status
  - veterans organizations, community or improvement associations, volunteer firemen, or volunteer rescue squads, provided the fund raising is done by unpaid volunteers
- Sec. 103C(b): Any organization claiming to be exempt shall submit to the Secretary of State the name, address, and purpose of the organization and the reason for the exemption. If the claim is correct, the Secretary of State shall issue a letter of exemption.

- Sec. 103C(c): Thereafter, the Secretary of State may request certification that the status of the organization has not changed.
- Sec. 103C(d): An organization claiming to be exempt shall report to the Secretary of State any change in its exempt status. Then it must file a registration statement per provisions of Sec. 103B.
- Sec. 103D(a): Organizations may not pay over 25% of funds raised as expenses. When deemed necessary, the Secretary of State may authorize payment over that percentage.
- Sec. 103D(c): Contracts and agreements between professional fund raisers and organizations shall be filed with the Secretary of State within ten days after their execution and prior to solicitations.
- Sec. 103F(a): Professional fund raisers, counsels, and solicitors must register with the Secretary of State. Companies performing such services must also register and include the names and addresses of the officers, agents, and employees.
- Sec. 103F(b): Bonds shall also be filed.
- Sec. 103F(c): Registrations must be renewed annually.
- Sec. 103F(d): Secretary of State may approve or deny the application for registration. If a denial is given, the applicant may request a hearing before the Secretary of State.
- Sec. 103G: All registration statements, reports, contracts, and other documents shall be retained at least two years.
- Sec. 103I: Secretary of State may enter into reciprocal agreements with other states for the exchange of information about charitable organizations and fund raisers. Pursuant to these agreements the Secretary of State may accept information filed with other states in lieu of data required by this act.
- Sec. 103J(e): A professional solicitor may not solicit in the name of or on behalf of a charitable organization without written authorization of the organization, a copy of which shall be filed with the Secretary of State.
- Sec. 103L(b): Secretary of State may investigate alleged violations of this act and then cancel the registration, refer the matter to the attorney general for civil enforcement, or refer it to the appropriate states attorney.
- Sec. 103L(d): Secretary of State shall adopt rules and regulations for the administration of this act.

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## Charters, County

### Acts of 1976, Ch. 431

An act to repeal and reenact Sec. 7 of and to add a section to Art. 25A, Annotated Code, approved 5-4-1976, effective 7-1-1976

- Sec. 3B: After a county has adopted or rejected a charter form of government, the following agencies shall be notified and sent a copy of the charter: Department of Legislative Reference, Secretary of State, Hall of Records, and State Library.
- Sec. 7(b): When county commissioners proclaim adoption or rejection of code home rule, they shall notify the same agencies.

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## Charters, Municipal

### Acts of 1955, Ch. 423

An act to add sections to Art. 23A, Annotated Code, approved 4-18-1955, effective 6-1-1955

- Sec. 17(b): When a charter amendment is adopted by a municipal legislative body or by the voters, the chief executive officer shall send to the Secretary of State and Department of Legislative Reference the following information: text of the amendment or statement that the charter in Art. 23B has been adopted, date of referendum if any, number of votes for and against, and effective date.
- Sec. 27: When the incorporation of a city is voted on, the county commissioners or county council shall send to the Secretary of State and Department of Legislative Reference the following information: text of the charter or statement that the charter in Art. 23B, Annotated Code, has been adopted, date of the referendum, number of votes for and against, and effective date.
- Sec. 41: The same offices shall be notified when an entire charter is repealed.
- Sec. 43: If a city subject to this article fails for three successive years to file with the state Fiscal Research Bureau a comprehensive financial statement as required by Sec. 126 of Art. 41, Annotated Code, the city does not appear to be actively operational, and the State Auditor certifies the city has no outstanding and unpaid obligations or debts, the Fiscal Research Bureau shall certify these facts to the Secretary of State who shall issue a proclamation declaring the charter repealed, effective on the first day of the month after the date of proclamation. Copies shall be filed with the clerk of the Court of Appeals, circuit court clerk where the city is located, and Department of Legislative Reference.

### Acts of 1961, Ch. 314

An act to repeal and reenact Sec. 27 of Art. 23A, Annotated Code, approved 4-24-1961, effective 6-1-1961

- Sec. 27: When the incorporation of a city is voted on, the county commissioners or county council shall send to the Secretary of State and Department of Legislative Reference the following information: text of the charter, date of the referendum, number of votes for and against, and effective date.

### Acts of 1976, Ch. 628

An act to add a section to Art. 23A, Annotated Code, approved 5-17-1976, effective 7-1-1976

- Sec. 9A(a): When created or implemented, the following municipal documents shall be registered:
  - code or compilation containing all or part of a charter
  - charter amendment adopted by the legislative body or voters including the text of the amendment, date of referendum if any, number of votes for and against, and effective date
  - list of measures which enact, amend, or repeal sections of the charter

- devise by which boundaries are changed including the full text, statement of original and new boundaries, date of referendum if any, number of votes for and against annexation, and effective date
- merger of municipalities including the full text, date of referendum if any, number of votes for and against, and effective date
- charter creating a municipality including the full text, date of referendum if any, number of votes for and against, and effective date
- repeal of a charter including the full text, date of referendum if any, number of votes for and against, and effective date.
- Sec. 9A(b): Copies of the documents shall be sent to the Department of Legislative Reference, Secretary of State, Hall of Records, and State Library.

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## Commissions and Appointments

### Acts of 1843, Ch. 284

An act re commissions, passed 3-7-1844

- Sec. 1: Secretary of State shall send to the county court clerks all civil commissions from the governor for persons within their respective jurisdictions, to be delivered to the appointees.

### Acts of 1976, Ch. 1

An act to repeal and reenact Sec. 86 of Art. 41, Annotated Code, vetoed in 1975, overridden 1-20-1976

- Sec. 86(a): Secretary of State shall record all commissions to civil officers issued by the governor and send them to the clerks of the county circuit courts and BC Superior Court.
- Sec. 86(b): Annually in January the Secretary of State shall compile a list of civil officers appointed by the governor the previous year and approved by the General Assembly. The list shall include names, positions, terms of office, and salary. Secretary of State shall compile a similar list of officers whose terms expire in the next twelve months. Each member of the legislature shall be sent copies.

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## Compacts

### Acts of 1972, Ch. 468

An act to add a section to Art. 41, Annotated Code, approved 5-26-1972, effective 7-1-1972

- Sec. 46A: All interstate compacts shall be kept for public record by the Secretary of State.

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## Corporations



## **Acts of 1870, Ch. 476**

An act re railroads, approved 4-4-1870

- Sec. 2: Persons forming a company to construct a railroad shall prepare a certificate showing the company name, termini of the railroad, counties and cities through which it will pass, and amount of capital stock. The certificate shall be acknowledged before a justice of the peace and certified by the clerks of the counties and cities through which it will pass. On the same geographical basis the certificate shall be submitted to circuit court judges to determine if the certificate conforms with the laws. The judges shall certify the compliance and send the certificate to the Secretary of State for recording.
- Sec. 21: Two or more railroad corporations may consolidate with the approval of stockholders.
- Sec. 22: A copy of the consolidation agreement shall be filed with the Secretary of State.

## **Acts of 1876, Ch. 242**

An act to repeal and reenact Acts of 1870, Ch. 476, re railroads, approved 4-7-1876

- Sec. 3: A company for the construction of a railroad shall prepare a certificate of incorporation specifying the name of the corporation, places of termini, counties and cities through which it will pass, and amount of capital stock needed. The charter shall be acknowledged before a justice of the peace and certified by the circuit court clerks of the counties through which the line will pass and then submitted to a judge of a county circuit court or BC Supreme Bench. Judge shall examine it for conformity to law and send it to the Secretary of State for recording.
- Sec. 22: Railroad companies may enter into consolidations agreements or sell or lease any of their lines only with authorization from the General Assembly.

## **Acts of 1886, Ch. 134**

An act re railroads, approved 3-31-1886

- Sec. 1: When a railroad is sold by virtue of a mortgage, deed of trust, or judicial proceeding, the purchasers and associates may incorporate by filing with the Secretary of State a certificate showing the name and style of the corporation, number of directors, names of the first directors, amount of capital stock, number of shares, and par value of the shares.
- Sec. 4: Agreements for the sale, lease, assignment, transfer, or consolidation of railroads must be sanctioned by two-thirds of the stockholders and, if so approved, filed with the Secretary of State.

## **Acts of 1890, Ch. 553**

An act to repeal and reenact Sec. 178 of Art. 23, Public General Laws, approved 4-8-1890

- Sec. 178: A railroad company may consolidate with another whose tracks form a continuous line. The agreement, if sanctioned by a majority of the stockholders, shall be filed with the Secretary of State.

## **Acts of 1898, Ch. 270**

An act to add sections to Art. 23, Public General Laws, approved 4-9-1898

- Sec 109A: Every corporation incorporated under the laws of other states or territories, except telephone, banking, insurance, railroad, electric, and oil or pipe line companies, now doing business in Maryland or intending to do so shall before continuing or commencing business file with the Secretary of State a copy of its charter together with a statement showing the amount of authorized capital stock, amount of issued capital stock, amount of assets and liabilities, character of business, and principal office(s) and name(s) of agent(s) residing in Maryland. Secretary of State shall record these documents.
- Sec. 109B: Secretary of State shall issue a certificate showing compliance with this act.
- Sec. 109C: Foreign corporations already operating in Maryland must comply with this act by July 1, 1898.

## **Acts of 1908, Ch. 240**

An act to revise Art. 23, Public General Laws, approved 3-31-1908

- Sec. 68: Every foreign corporation having an office or place of business in Maryland, except insurance companies, shall before doing business file with the Secretary of State for recording a copy of its charter and a certificate showing the corporate name, names and addresses of officers and directors, principal office in Maryland, state of incorporation, amount of capital stock authorized and issued, number and par value of shares, names and addresses of shareholders in Maryland and number of shares held by each, amount of capital employed in Maryland, and name and address of the resident agent. The certificate shall be renewed annually by April 1. Secretary shall issue a certificate showing compliance with this act.

## **Acts of 1910, Ch. 725**

An act to repeal and reenact Sec. 275 of and to add a section to Art. 23, Public General Laws, approved 4-13-1910

- Sec. 275: When a railroad is sold by virtue of a mortgage, deed of trust, or judicial proceeding, the purchasers and associates may incorporate by filing with the Secretary of State a certificate showing the name and style of the corporation, number of directors, names of the first directors, amount of capital stock, number of shares, and par value of the shares. When any part of the railroad is uncompleted, the company must give bond conditioned for building and placing in operation at least five miles of track each year until it is finished. Upon failure to meet this requirement the Attorney General may sue for forfeiture of its charter.
- Sec. 275A: This act shall also apply to corporations heretofore formed under Sec. 275.

## **Acts of 1914, Ch. 789**

An act to repeal and reenact Sec. 4 of Art. 23, Public General Laws, approved 4-16-1914

- Sec. 4: The certificate shall be submitted to a judge of a judicial circuit in which the main office will be located, who shall certify its execution in conformity with the law. Then the certificate shall be delivered to the Secretary of State who shall record it and sent an abstract to the Tax Commissioner for recording. The abstract shall show the names of the incorporators and directors, name of the corporation, and amount of authorized capital stock.

### **Acts of 1916, Ch. 596**

An act to revise Art. 23, Public General Laws, approved 4-18-1916, effective 6-1-1916

- Sec. 4: Two copies of the charter shall be filed with the Tax Commission who shall record it and send the original to the Secretary of State for recording and a copy to the county circuit court or BC Superior Court, based on the location of the main office, for recording there.
- Sec. 25: Charter amendments shall be recorded per provisions of Sec. 4.

### **Acts of 1918, Ch. 316**

An act to repeal and reenact Sec. 99 of Art. 81, Public General Laws, approved 4-10-1918, effective 6-1-1918

- Sec. 99: Upon failure of domestic corporations to pay a franchise tax, tax on capital stock, or gross receipts tax for two years, the Comptroller of the Treasury shall send a list of such companies to the governor who shall issue and publish a proclamation that their charters shall be forfeited after thirty days unless all taxes, interest, and penalties are paid. The charters of those not paying shall be ipso facto forfeited without civil or equity proceedings. Secretary of State shall send copies of the proclamation to the comptroller, State Treasurer, and Tax Commission which shall note the fact of forfeiture on their records. When sending the list to the governor, the comptroller shall also notify each corporation.

### **Acts of 1920, Ch. 235**

An act to repeal and reenact Sec. 93 of and to add a section to Art. 23, Public General Laws, approved 4-9-1920, effective 1-1-1921

- Sec. 93: Every foreign corporation, except insurance companies, wanting to do business in the state shall file with the Tax Commission a copy of its charter and certificate showing the corporate name, names and addresses of the officers and directors, location of the main office in Maryland, state where incorporated, amount of capital stock, number and par value of shares, names and addresses of shareholders in Maryland, amount of capital employed in Maryland, and name and address of its agent in Maryland. The certificate shall be renewed annually by March 1.
- Sec. 93A: Secretary of State shall deliver to the Tax Commission all records pertaining to foreign corporations heretofore filed under Sec. 93.

### **Acts of 1920, Ch. 327**

An act to repeal and reenact several sections of Art. 23, Public General Laws, approved 4-9-1920,

effective 10-1-1920

- [Secretary of State removed from any of the recording requirements for domestic corporations, except railroads.]

### **Acts of 1920, Ch. 366**

An act to repeal and reenact Sec. 99 of Art. 81, Public General Laws, approved 4-9-1920, effective 6-1-1920

- Sec. 99: Upon failure of domestic corporations to pay a franchise tax, tax on capital stock, or gross receipts tax for two years, the Comptroller of the Treasury shall send a list of such companies to the governor who shall issue and publish a proclamation that their charters shall be forfeited after thirty days unless all taxes, interest, and penalties are paid. The charters of those not paying shall be ipso facto forfeited without civil or equity proceedings. Secretary of State shall send copies of the proclamation to the comptroller, State Treasurer, and Tax Commission which shall note the fact of forfeiture on their records. When sending the list to the governor, the comptroller shall also notify each corporation. A corporation may revive its charter within six months after forfeiture by paying all taxes, interest, and penalties and an additional fee. Secretary of State shall send a list of these companies to the comptroller, State Treasurer, and Tax Commission which shall note the fact of revival on their records.

### **Acts of 1931, Ch. 381**

An act to repeal and reenact Sec. 144 of and to add a section to Art. 81, Public General Laws, approved 4-17-1931, effective 6-1-1931

- Sec. 144: Upon failure of domestic corporations to pay a franchise tax, tax on capital stock, or gross receipts tax for two years, the Comptroller of the Treasury shall send a list of such companies to the governor who shall issue and publish a proclamation that their charters shall be forfeited after sixty days unless all taxes, interest, and penalties are paid. The charters of those not paying shall be ipso facto forfeited without civil or equity proceedings. Secretary of State shall send copies of the proclamation to the comptroller, State Treasurer, and Tax Commission which shall note the fact of forfeiture on their records. If a company is mistakenly included in the proclamation, the governor shall notify the Secretary of State who shall notify the other three offices.
- Sec. 144 1/2: A charter forfeited for nonpayment of taxes may be revived in the following manner. The last acting officer shall sign articles of revival that contain the name of the corporation when its charter was forfeited, new corporate name, address of the main office which shall be in the same county or city as before, and name and address of the resident agent. If officers are unavailable, three of the last directors may sign the articles. Recording and filing shall be per provisions of Sec. 4. All back taxes, state and local, except on real estate, must first be paid.

## **Acts of 1939, Ch. 402**

An act to repeal and reenact Sec. 144 of Art. 81, Public General Laws, approved 5-11-1939, effective 6-1-1939

- Sec. 144: Upon failure of domestic corporations to pay a franchise tax, tax on capital stock, or gross receipts tax for nine months, the Comptroller of the Treasury shall send a list of such companies to the governor who shall issue and publish a proclamation that their charters shall be forfeited after sixty days unless all taxes, interest, and penalties are paid. The charters of those not paying shall be ipso facto forfeited without civil or equity proceedings. Secretary of State shall send copies of the proclamation to the comptroller, State Treasurer, and Tax Commission which shall note the fact of forfeiture on their records. If a company is mistakenly included in the proclamation, the governor shall notify the Secretary of State who shall notify the other three offices.

## **Acts of 1941, Ch. 912**

An act to repeal and reenact Sec. 152 of Art. 81, Annotated Code, approved 5-26-1941, effective 10-1-1941

- Sec. 152: Upon failure of domestic corporations to pay a franchise tax, tax on capital stock, or gross receipts tax or to file an annual report with the Tax Commission for nine months, the Comptroller of the Treasury shall send a list of such companies to the governor who shall issue and publish a proclamation that their charters shall be forfeited after sixty days unless all taxes, interest, and penalties are paid. The charters of those not paying shall be ipso facto forfeited without civil or equity proceedings. Secretary of State shall send copies of the proclamation to the comptroller, State Treasurer, and Tax Commission which shall note the fact of forfeiture on their records. If a company is mistakenly included in the proclamation, the governor shall notify the Secretary of State who shall notify the other three offices.

## **Acts of 1959, Ch. 822**

An act to add sections to Art. 23, Annotated Code, approved 5-5-1959, effective 6-1-1959

The purpose of this act is to create an independent corporation for the stimulation of business and industry by making available loans when they are not readily available. Funds shall be obtained by commitments of financial institutions as members, stock subscriptions, and other means.

- Sec. 412: Development Credit Corporation is established. If it fails to commence business by April 1, 1960, its existence and this act shall terminate. Upon compliance with the provisions of Sec. 415(b) and 415(c) and after the first meeting of the board of directors, a certificate shall be filed with the Secretary of State certifying the commencement of business.
- Sec. 415(I): The board of directors shall consist of fifteen persons, five each appointed by the governor, president of the Senate, and speaker of the House of Delegates. The appointments shall be filed with the Secretary of State who shall send the originals to the appointees who shall notify the Secretary of State of acceptance.

- Sec. 418: When any part of this subtitle is amended, deleted, or added to by an act of the legislature, it shall be submitted to the stockholders for their approval or disapproval. A certificate of their action shall be filed with the Secretary of State.
- Sec. 424: The annual audit and report shall be filed with the Secretary of State within thirty days after the end of its fiscal year.

## **Acts of 1960, Ch. 19**

An act to repeal and reenact Sec. 412 of Art. 23, Annotated Code, approved and effective 3-2-1960

- Sec. 412: Development Credit Corporation is established. If it fails to commence business by April 1, 1961, its existence and this act shall terminate. Upon compliance with the provisions of Sec. 415(b) and 415(c) and after the first meeting of the board of directors, a certificate shall be filed with the Secretary of State certifying the commencement of business.

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## **Elections**

See [Elections](#)

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## **Engineers and Surveyors**

## **Acts of 1939, Ch. 752**

An act to add Art. 75 1/2 to Annotated Code, approved 5-27-1939, effective 6-1-1939

- Sec. 3: Board of Registration for Professional Engineers and Land Surveyors is created.
- Sec. 10: Board shall keep a register of all applications for registration.
- Sec. 11: A roster showing the names and places of businesses of all registered engineers and registered surveyors shall be kept by the board, and a copy filed with the Secretary of State.

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## **Executive Orders**

## **Acts of 1973, Ch. 68**

An act to repeal and reenact Sec. 3A of and to add sections to Art. 41, Annotated Code, approved 4-26-1973, effective 6-1-1973

- Sec. 3A(B): A secretarial proposal, order, or directive changing the organization, placement, or name of a unit of state government within the jurisdiction of the secretary of the department shall not be effective until approval in writing by the governor or promulgation of an executive order.
- Sec. 15CA(B): An executive order means a written order, proclamation, or directive issued over the governor's signature:
  - pursuant to Art. II, Sec. 24 of the Constitution
  - pursuant to Secs. 3A, 14A, or 15B of Art. 41, Annotated Code

- pursuant to Sec. 15C of Art. 41, Annotated Code, or any other law dealing with the organization of the executive branch.
    - establishing a task force, board, commission, committee, or advisory or study unit
    - promulgating rules of conduct, procedure, or guidelines for state employees, state agencies, or persons dealing with them
    - changing the organization, placement, or name of a unit of state government as proposed by the secretary of the department
    - amending, modifying, or revoking any of the above
  - Sec. 15CB: An approved organizational proposal shall be treated as an executive order even if not so issued.
  - Sec. 15CC: Governor shall file the original executive order or a certified copy with the Secretary of State. Secretary shall maintain an index of the orders during the governor's term of office, along with the orders themselves. The executive orders shall be transferred to the Hall of Records.
  - Sec. 15CE(A): Secretary of State shall send copies of the orders to the Department of Legislative Reference for publication with the session laws. The orders shall also be published with the Annotated Code, except those issued under Sec. 15B of Art. 41.
  - By June 10, 1973 the Secretary of State shall deliver to legislative reference a copy of every executive order issued after January 7, 1969 and still in effect.
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## **Extraditions and Requisitions**

### **Acts of 1809, Ch. 125**

An act re extraditions, passed 1-6-1810

- Sec. 5: A prisoner charged by affidavit with treason or felony committed in another state or U.S. territory shall upon demand of the executive authority of that jurisdiction be delivered there. [A function assumed by the Secretary of State upon establishment of the office.]

### **Acts of 1809, Ch. 138**

An act re extraditions, passed 1-6-1810

- Sec. 7: Any convicted felon who escapes and is found in this state shall upon receipt of an authenticated record from the court in the state that sentenced him serve the sentence in the Maryland Penitentiary or, if demanded, be returned to the other state. [A function assumed by the Secretary of State upon establishment of the office.]

### **Acts of 1937, Ch. 179**

An act to add sections to Art. 41, Public General Laws, approved 5-18-1937, effective 5-18-1937

- Sec. 13C: A demand for extradition of someone charged with a crime in another state shall include a copy of the indictment or information supported by an affidavit, copy of a warrant,

copy of the conviction or sentence, and statement of the executive authority that the individual has escaped from confinement or broken terms of bail, probation, or parole.

- Sec. 13E: When it is desired to have returned to Maryland a person charged here with a crime and that individual is imprisoned or held on charges in another state, the governor may agree with the executive authority of the other state for extradition before the conclusion of criminal proceedings or term of sentence there upon the condition that the person be returned to the other state when the prosecution in Maryland is completed.
- Sec. 13G: Upon a decision to comply with a demand for extradition, the governor shall sign a warrant of arrest.
- Sec. 13J: The person so arrested shall be taken before a judge of a court of record in Maryland to be informed of the extradition demand, the charge, and the right to procure legal counsel. If the prisoner and counsel want to test the legality of the arrest, the judge shall allow them time to apply for a writ of habeas corpus.
- Sec. 13U: Upon a demand that a person charged with a crime or with escaping from prison or breaking the terms of bail, probation, or parole be returned from another state, the governor shall issue a warrant to some agent to receive the individual and deliver to the proper county or BC officer.
- Sec. 13V: When the return to Maryland of a person charged with a crime is required, the states attorney shall apply to the governor for a requisition which shall include the name of the individual, charge, time and place and circumstances of the charge, and state where the person is believed to be. When the return pertains to a person convicted in Maryland who has escaped from prison or broken the terms of bail, probation, or parole, the states attorney, parole commission, warden, or sheriff shall apply to the governor for a requisition which shall include the name of the individual, crime, circumstances of the escape or violation, and state where the person is believed to be. The application shall be executed in duplicate and be accompanied by two copies of the indictment, information and affidavit, complaint, or conviction or sentence. One set along with the action of the governor endorsed thereon shall be filed with the Secretary of State. The other set shall accompany the requisition.
- Sec. 13X: Any person arrested in Maryland and facing extradition may waive issuance and service of the warrant provided for in Sec. 13G and all other extradition proceedings by stating in writing a consent to return to the demanding state. Such consent shall be filed with the governor.

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## Financial Disclosure

### Acts of Special Session 1973, Ch. 3

An act to add sections to Art. 33, Annotated Code, approved and effective 8-24-1973

[Replaces Acts of 1973, Ch. 894 which was in effect for only a few weeks.]

- Sec. 29-3: All persons holding the following state offices and candidates running for them shall file financial disclosure statements: Governor, Lt. Governor, Attorney General, Deputy Attorney General, Comptroller of the Treasury, Deputy Comptroller, State Treasurer, Deputy Treasurer, Secretary of State, Secretary and Deputy Secretary of a principal executive department, State



Senator, State Delegate, States Attorney, clerks of the county circuit courts and BC Supreme Bench, registers of wills, and sheriffs.

- Sec. 29-4: Annually by April 15 each official shall file with the Secretary of State a statement of financial interests for the preceding calendar year. Except for a person who has already filed a statement, each candidate for the office of governor, Lt. governor, attorney general, comptroller, senator, or delegate shall file with the certificate of candidacy a financial statement for the preceding calendar year with the Administrative Board of Election Laws. The same shall apply to candidates for states attorney, court clerk, register of wills, and sheriff whose statements shall be filed with the local election boards. Within thirty days after receipt statements from candidates shall be forwarded to the Secretary of State. Secretary of State shall maintain all statement for at least two years. Secretary of State shall require anyone examining or copying such statements to record the name, home address, and name of the person whose statement was sought.
- Sec. 29-5: Disclosure statements shall contain the following information:
  - interests in real properties
  - interests in corporations
  - interests in entities that do business with the state
  - gifts of over \$50 from anyone who does business with the state or is regulated by the state
  - offices, directorships, and salaried employment held in any entity doing business with the state
  - liabilities to persons doing business with the state, excluding retail credit accounts
  - list of members of the immediate family employed by the state
- Sec. 29-7: Financial Disclosure Advisory Board shall consist of five members - two appointed by the governor and one each by the president of the Senate, speaker of the House of Delegates, and chief judge of the Court of Appeals. Board shall elect its own chair. The term of office shall be four years, co-extensive with that of the governor. Vacancies shall be filled by the authority making the original appointment. The first appointees shall serve until the third Wednesday of January 1975. Board shall recommend forms for filing statements, investigate complaints of violations, report violations to the Attorney General, and issue advisory opinions.
- Sec. 29-8: When receiving a violation report from the advisory board or a justified complaint from any other source, the Attorney General shall file a petition in the appropriate circuit court for a mandatory injunction ordering the violator to take corrective actions.
- Sec. 29-9: Court of Appeals shall periodically require all judges, including those of the orphans courts, to disclose financial information as deemed necessary. Candidates for elected judgeships shall file such statements with the State Administrative Board of Election Laws when certificates of candidacy are filed. The board shall send the statements to the official designated by the Court of Appeals to receive them.
- Sec. 29-10: Counties and municipalities are directed to enact public financial disclosure requirements regarding local officials and candidates. The standards and requirements shall be substantially those specified in this act.
- Sec. 29-11: Governor may by executive order require other persons holding state positions to file disclosure statements.

An act to add a section to Art. 41, Annotated Code, approved 5-26-1977, effective 7-1-1977

- Sec. 89A(A): Every business that enters into contracts, leases, or other agreements with the state or its agencies, under which it shall receive \$100,000 or more in a calendar year, shall within thirty days of the time that amount is reached, file with the Secretary of State a list of the names and address of its resident agent, if any, each officer, if any, and each person, corporation, trust, estate, or other entity who is the beneficial owner of 5% or more of the business or stock.

### **Acts of 1977, Ch. 938**

An act to repeal and reenact Sec. 29-7 of Art. 33, Annotated Code, approved 5-2-1977, effective 7-1-1977

- Sec. 29-7: Public Disclosure Advisory Board shall consist of five members - one appointed by the governor and two each by the president of the Senate and speaker of the House of Delegates. Board shall elect its own chairman. The term of office shall be four years, co-extensive with that of the governor. Vacancies shall be filled by the authority making the original appointment. The functions of the board shall include the following:
  - recommend forms for filing statements by officials, candidates, and lobbyists
  - review statements and investigate complaints of violations
  - report violations to the Attorney General and states attorneys
  - issue advisory opinions
  - adopt rules and regulations

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## **Laws**

### **Acts of 1884, Ch. 78**

An act to repeal and reenact Sec. 1 of Art. 42, Public General Laws, approved 3-20-1884

- Sec. 1: Every bill passed by the General Assembly shall be returned to the house where it originated and be sealed with its seal and presented to the governor for approval. Each house shall note on the back of each bill the day and hour it is presented to the governor.

### **Acts of 1945, Ch. 70**

An act to add a section to Art. 41, Annotated Code, approved 2-9-1945, effective 6-1-1945

- Sec. 42A: Governor shall deliver to the Secretary of State every bill approved on the day it is signed, every bill that becomes law without approval on the day it becomes law, and all bills not signed. Secretary of State shall assign chapter numbers to the bills in the order they are approved by the governor or otherwise become law and enter the numbers in a record book. Opposite each chapter number shall be entered the house or senate bill number, brief summary of the subject matter, date of presentation to the governor, and date of approval or on which it otherwise

becomes law. After the chapter numbers, the secretary of state shall enter the bills presented to the governor that fail to become law and include for each the house or senate bill number, brief summary of the subject matter, and date of presentation to the governor.

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## Lobbyists

### Acts of 1900, Ch. 328

An act to add sections to Art. 40, Public General Laws, approved 4-7-1900

- Sec. 4: Every person who employs a counsel or agent to promote or oppose legislation shall within one week of the employment have the name of counsel or agent entered in a legislative docket. The termination of such employment may also be entered.
- Sec. 5: Secretary of State shall maintain two legislative dockets - legislative counsel and legislative agent. Legislative counsel record shall contain the name of the counsel employed to appear at hearings before the General Assembly or any committee and names of the regular counsel of corporations and associations who act or advise in relation to legislation. The legislative agent record shall contain the names of agents employed in connection with any legislation. Both records shall include the name and address of the employer, residence and occupation of the person employed, date of employment or agreement, time period for the employment, and special subjects of legislation.
- Sec. 6: No person shall appear as counsel before the General Assembly or a committee unless registered per Secs. 4-5.
- Sec. 7: A person regularly or professionally employed as a legislative agent may register as such with the Secretary of State.
- Sec. 9: Within thirty days after adjournment of the General Assembly every agent and counsel shall report to the Secretary of State all expenses connected with such employment or with the promotion of or opposition to legislation.
- Sec. 10: Within ten days after a name is entered on a docket, the counsel or agent shall file with the Secretary of State a written authorization to act from the employer.

### Acts of 1970, Ch. 531

An act to repeal and reenact Legislative Agents subtitle of Art. 40, Annotated Code, approved 5-5-1970, effective 7-1-1970

- Sec. 5(1): Legislative agent means a person who for compensation from an employer appears before the General Assembly, legislative council, committee, subcommittee, or individual legislator to influence matters under consideration.
- Sec. 5(5): Docket means a record maintained by the Secretary of State in which are registered the name, residence, and occupation of the agent, name and business address of the employer, date of employment or agreement, length of time for employment, special subjects of legislation, and other information hereinafter required.
- Sec. 7: Every employer shall furnish a written authorization to act that shall be filed with the

Secretary of State by the agent at the time of registration and contain the information specified in Sec. 5(5).

- Sec. 8: Before acting each agent must be registered in the legislative agent docket. Under unusual circumstances this requirement may be waived by the chair of the committee before which the agent is to appear. Then the agent must register within three days. A change in the extent of employment or subject of representation must be reported to the Secretary of State.
- Sec. 10: Annually by May 15 an agent who has appeared before the legislature during the preceding year shall jointly with the employer file with the Secretary of State an itemized account of salaries, fees, and other expenses in connection with the employment. An agent working for more than one person or firm shall file a separate report for each employment.
- Sec. 12: Governor may require the filing of this report prior to May 15.

### **Acts of 1976, Ch. 459**

An act to repeal and reenact Secs. 10 and 12 of Art. 40, Annotated Code, approved 5-4-1976, effective 7-1-1976

- Sec. 10: Annually by May 31 an agent who has appeared before the legislature during the preceding year ending April 30 shall jointly with the employer file with the Secretary of State an itemized account of salaries, fees, and other expenses in connection with the employment. An agent working for more than one person or firm shall file a separate report for each employment.
- Sec. 12: Governor may require the filing of this report prior to May 31.

### **Acts of 1977, Ch. 938**

An act to repeal and reenact Secs. 5-13 of and to add sections to Art. 40, Annotated Code, approved 5-26-1977, effective 7-1-1977

- Sec. 5(b): Lobbyist means any person who in the presence of any official in the legislative or executive branch, including the governor, has communicated for the purpose of influencing any legislative action and who either incurs expenses of \$100 or more or receives \$500 or more as compensation, other than travel or subsistence expenses, for that purpose.
- Sec. 5(d): Executive branch lobbyist means any person who expends \$75 or more on an official in the executive branch for meals, beverages, special events, or gifts for the purpose of influencing executive actions.
- Sec. 5(h): Docket means a record maintained by the Secretary of State in which are registered the name, residence, and occupation of the lobbyist, name and business address of the employer, date of employment or agreement, length of time for employment, subjects of interests, and other information hereinafter required.
- Sec. 7: Every employer shall furnish a written authorization to act which shall be filed by the lobbyist when registering. The authorization shall contain the information specified in Sec. 5(h).
- Sec. 8(a): The following persons must register with the Secretary of State:
  - lobbyist
  - any person who is not exempt under Sec. 6(h) and in a reporting period has expended \$500 or more for compensation of one or more registrants

- any person who expends \$2000 in a reporting period for the purpose of soliciting others to communicate with legislative or executive officials to influence legislative action
- Sec. 8(b): Annually by January 10 or within five days after first performing an act requiring registration, persons required to register shall provide the Secretary of State with the following information:
  - name and address of the registrant
  - name and address of the person who will lobby on behalf of the registrant
  - name, address, and nature of the business of the person who compensates the registrant, and authorization required by Sec. 7
  - matters on which the registrant expects to act or employ someone to do so
- Sec. 8(d): Each registrant may file a notice of termination within thirty days after ceasing any activity requiring registration.
- Sec. 10(a): Each registrant shall file with the Secretary of State two reports concerning lobbying activities - one for November 1 to April 30, filed by May 31, and one for May 1 to October 31, filed by November 30. Each registrant shall file a separate activity report for each person from whom compensation is received. The report shall include:
  - information required by Sec. 8(b)
  - expenditures for compensation, office expenses, professional and technical research and assistance, publications, witness fees, meals and beverages, gifts, and special events
  - name of each official in the legislative branch or member of the immediate family who has benefited from gifts with a cumulative value of \$75 or more
- Sec. 10(c): Governor may require additional reports as necessary.
- Sec. 11: All reports shall be maintained by the Secretary of the State for at least two years. Secretary of State shall require anyone examining or copying reports to record the name, home address, and report accessed.
- Sec. 12: When an official's name and that of the immediate family is reported, the Secretary of State shall notify that person and keep the report confidential for thirty days. The official shall have thirty days in which to file an exception to the inclusion of the name(s).
- Sec. 13A: Upon receiving a report of violation of this act from the Public Disclosure Board or a justified complaint, the Attorney General shall file a petition in the appropriate circuit court for an injunction ordering the violator to take curative actions.
- The above sections shall expire 7-1-1980. Then Secs. 5-13 of Art. 40, as enacted by Acts of 1970, Ch. 531 and Acts of 1976, Ch. 459, shall be reenacted.

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## Motor Vehicles

### Acts of 1904, Ch. 518

An act for the registration of motor vehicles, approved 4-12-1904

- Sec. 1: Every state resident who owns a motor vehicle and every nonresident owner whose car shall be driven in the state shall file with the Secretary of State a declaration of competence to drive and a statement containing the name and address of the owner, description of the vehicle,

manufacturers number, and horse power. Secretary of State shall issue a numbered certificate stating that the car is registered and record the information from the statement in alphabetical order by the name of the owner.

- Sec. 2: The certificate or license number shall be placed on the rear of the vehicle.

### **Acts of 1906, Ch. 449**

An act to add a section to Art. 56, Public General Laws, approved 4-3-1906

- Sec. 139A: Every chauffeur shall file with the Secretary of State a statement showing the name and address of that person and trade name and motive power of the vehicle to be driven. Secretary of State shall register each chauffeur, assign each a registration number, and issue a numbered badge.

### **Acts of 1910, Ch. 207**

An act to repeal and reenact 131-140 of Art. 56, Public General Laws, approved 4-5-1910, effective 7-1-1910

- The registration of motor vehicles and licensing of chauffeurs is transferred to the Commissioner of Motor Vehicles.
- Sec. 131: The commissioners shall obtain pertinent records from the Secretary of State.

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## **Notaries Public**

### **Acts of 1801, Ch. 86**

An act re notaries public, passed 12-31-1801

- Sec. 2: Governor and council shall appoint and commission a sufficient number of notaries public.
- Sec. 5: Each notary shall keep a register of protests and other official acts.
- Sec. 6: Upon the death, resignation, or removal from office of a notary, the registers and public papers shall be filed with the county court clerk.

### **Acts of 1945, Ch. 14**

An act to repeal Sec. 6 of Art. 68, Annotated Code, approved 1-31-1945, effective 6-1-1945  
Provisions of Sec. 6 of Art. 68 [as enacted by Sec. 6 of Acts of 1801, Ch. 56] have not been followed for years.

- Sec. 6 of Art. 68, Annotated Code, re filing of records of notaries public, is repealed.

### **Acts of 1961, Ch. 642**

An act to repeal and reenact Sec. 1 of Art. 68, Annotated Code, approved 5-3-1961

- Sec. 1: Governor shall appoint and commission notaries public. For renewal of a commission a notary shall merely notify the Secretary of State.

### **Acts of 1968, Ch. 490**

An act to repeal and reenact Sec. 1 of Art. 68, Annotated Code, approved 5-7-1968, approved 7-1-1968

- Sec. 1: Governor shall appoint and commission notaries public. Appointments shall be for two years, beginning from July 1, 1969. Applications shall be approved by a state senator representing the district of the applicant. Senators shall send approved applications to the Secretary of State for approval by the governor. Secretary of State shall notify the senator and applicant of the appointment. Secretary of State shall send commissions to the clerk of the county circuit court or BC Superior Court where appointees reside. Appointees shall pick up the commissions and pay the fees due the Secretary of State. Governor may remove notaries for cause, but only after offering an opportunity for a hearing before the Secretary of State who shall submit recommendations to the governor.

### **Acts of 1969, Ch. 198**

An act to repeal and reenact Sec. 1 of Art. 68, Annotated Code, approved 4-23-1969

- Sec. 1: Governor, on approval of the application by a senator representing the district where the person resides, shall appoint and commission notaries public. Applications with the senators' approval shall be filed with the Secretary of State who shall notify the applicants of the appointments. The term of office shall be four years, beginning on July 1. The first term shall be until July 1, 1974. Terms which began after July 1, 1967 are extended to July 1, 1970. Secretary of State shall issue notices of renewal to notaries thirty days before the end of their terms. Notaries may renew their appointments by qualifying within that time before the appropriate court clerk. When a notary fails to qualify and pay the fees, the court clerk shall certify this fact to the Secretary of State who may for good cause reinstate the appointment. Governor may remove notaries for cause, but only after offering an opportunity for a hearing before the Secretary of State who shall submit recommendations to the governor.

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## **Oaths**

### **Acts of 1852, Ch. 172**

An act re oaths of office, passed 5-24-1852

- Sec. 3: Secretary of State, judges and clerk of the Court of Appeals, state reporter, state librarian, State Treasurer, Comptroller of the Treasurer, commissioner of the Land Office, commissioner of lotteries, and commissioner of public works shall take their oath of office before the governor. They shall be preserved in a book kept by the Secretary of State.
- Sec. 4: Clerks of county circuit courts and BC Superior Court shall report to the Secretary of State monthly the names and offices of persons who take oaths before them.

[Offices added and removed over time, but laws not abstracted.]

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## **Pardons and Paroles**

### **Acts of 1787, Ch. 17**

An act re pardons, passed 12-17-1787

- Sec. 1: Doubts have arisen about whether conditional pardons are effectual
- Sec. 2: Governor may grant pardons with conditions.

### **Acts of 1795, Ch. 82**

An act re powers in criminal cases, passed 12-24-1795

- Sec. 1: When a sentence of death is pronounced, the governor shall issue a warrant to the sheriff to execute the sentence.
- Sec. 2: Governor shall have the power to commute or change any death sentence into another punishment.
- Sec. 3: Governor shall have the power in granting any nolle prosequi before sentence or judgment to impose conditions, limitations, or restrictions.

### **Acts of 1870, Ch. 306**

An act to repeal and reenact Sec. 7 of Art. 42, Public General Laws, approved 4-4-1870

- Sec. 7: Upon giving notice required by the Constitution, the governor may commute any death sentence into confinement in the penitentiary or banishment for such period as deemed expedient. Governor may pardon any convicted person on condition or may upon like notice remit a sentence on condition without the remission operating as a full pardon.

### **Acts of 1914, Ch. 500**

An act to repeal and reenact Secs. 6-7 of and to add sections to Art. 41, Public General Laws, approved 4-16-1914

- Sec. 6: Governor with consent of the Senate shall appoint an Advisory Board of Parole. Governor may remove any member for just cause, after providing a copy of the charges and an opportunity to be publicly heard. If the member is removed, the governor shall file with the Secretary of State a statement of the charges and findings along with a complete record of the proceedings.
- Sec. 7C: Upon giving notice required by the Constitution, the governor may commute any death sentence into confinement in the penitentiary or banishment for such period as deemed expedient. Governor may pardon any convicted person on condition or may upon like notice remit a sentence on condition without the remission operating as a full pardon.
- Sec. 7D: Governor shall be the sole judge of whether a conditional pardon has been breached and



not subject to judicial review.

- Sec. 7F: Board of Parole shall collect information to aid in the determination of the advisability of recommending to the governor the conditional pardon any person. Board shall file its recommendations and reasons with the governor.
- Sec. 7G: Persons pardoned conditionally may be placed by the governor under the supervision of the board which shall report infractions to the governor.

### **Acts of 1918, Ch. 216**

An act to repeal and reenact Sec. 7F of Art. 41, Public General Laws, approved 4-10-1918, effective 6-1-1918

- Sec. 7F: Board of Parole shall collect information to aid in the determination of the advisability of recommending to the governor the conditional pardon any person. Board shall file its recommendations and reasons with the governor. Board shall collect information on all persons sentenced for one year or more to the Maryland Penitentiary or House of Correction upon the expiration of one-third of the term, without necessity of application to the board. Governor shall act on the recommendations of the board within sixty days.

### **Acts of 1922, Ch. 29**

An act to repeal and reenact sections of Art. 41, Public General Laws, re executive departments, approved 3-1-1922, effective 1-1-1923

- Sec. 6: Governor with consent of the Senate shall appoint a Parole Commissioner. Governor may remove the commissioner for just cause, after providing a copy of the charges and an opportunity to be publicly heard. If the person is removed, the governor shall file with the Secretary of State a statement of the charges and findings along with a complete record of the proceedings.
- Sec. 7B: The powers and duties of the Advisory Board of Parole shall be transferred to the Parole Commissioner.

### **Acts of 1939, Ch. 406**

An act to repeal and reenact Secs. 46-50 and 54-55 of and to add sections to Art. 41, Public General Laws, approved 5-17-1939, effective 6-1-1939

- Sec. 46(a): A pardon is an act of clemency, evidenced by an executive order of the governor, absolving the person from guilt of criminal acts and exempting the individual from penalties imposed by law.
- Sec. 46(b): A partial pardon is an act of clemency which is limited by the terms of the executive order.
- Sec. 46(c): A conditional pardon is an act of clemency dependent upon the performance of conditions specified in the executive order.
- Sec. 46(d): A commutation is an act of clemency, evidenced by an executive order, ordering that the person suffer a lesser penalty than that imposed. It may be absolute or dependent upon

compliance with conditions.

- Sec. 46(e): A parole is a conditional release from imprisonment, granted by the governor and evidenced by a written order. It shall entitle the recipient to serve the remainder of the term outside prison if the person complies with the terms of the parole order.
- Sec. 47: There shall be a Division of Parole and Probation. Its duties and powers shall be exercised by a Board of Parole and Probation and director of parole and probation, replacing the Parole Commissioner.
- Sec. 55: Director shall investigate the advisability of granting parole to persons sentenced for a term of one year or more and make recommendations to the governor.
- Sec. 55B: When requested by the governor, the director shall investigate applicants for executive clemency. The director shall supervise persons granted conditional pardons and report infractions to the governor.

### **Acts of 1953, Ch. 625**

An act to repeal Secs. 92-95 and 102 of, to repeal and reenact Sec. 91(e) of, and to add sections to Sec. 41, Annotated Code, approved 4-7-1953, effective 7-1-1953

- Sec. 91(e): A parole is a conditional release from imprisonment, granted by the Board of Parole and Probation and evidenced by a written order. It shall entitle the recipient to serve the remainder of the term outside prison if the person complies with the terms of the parole order.
- Sec. 91A: Department of Parole and Probation is hereby created, headed by the Board of Parole and Probation whose chair shall be the director of parole and probation.
- Sec. 91B: Governor may remove any member of the board for just cause, after providing a copy of the charges and an opportunity of being publicly heard. If the member is removed, the governor shall file with the Secretary of State a statement of the charges and findings along with a complete record of the proceedings.
- Sec. 91E(5): Board shall make investigations and prepare reports and recommendations required by the governor concerning persons who apply for pardon, commutation, or clemency or who have been granted such actions.

### **Acts of 1968, Ch. 457**

An act to repeal and reenact Sec. 107-127 of Art. 41, Annotated Code, approved 5-7-1968, effective 1-1-1969

Purpose is to separate the functions of the Board of Parole and Probation from the Department of Parole and Probation and to establish an independent Board of Parole.

- Sec. 108(b): Governor may remove a member of the Board of Parole for just cause after giving notice and holding a public hearing.
- Sec. 111(3): Board of parole shall make recommendations to the governor concerning persons whose applications for pardon, commutation, or clemency have been investigated and reported to the board by the Department of Parole and Probation.
- Sec. 118: Upon giving notice required by the Constitution, the governor may commute any death sentence into confinement in the penitentiary. Governor may pardon any convicted person on

condition or may upon like notice remit a sentence on condition without the remission operating as a full pardon.

- Sec. 119: Governor shall be the sole judge of whether conditional pardon has been breached and not subject to judicial review.

### **Acts of 1976, Ch. 540**

An act to repeal Secs. 108-113 and and 117 of and to add sections to Art. 41, Annotated Code, approved 5-17-1976, effective 7-1-1976

- Sec. 108(a): There shall be a Parole Commission [replacing the Board of Parole] within the Department of Public Safety and Correctional Services.
- Sec. 110(b)(3): Parole Commission shall review and make recommendations to the governor concerning applications for pardon, parole of a life sentence, commutation of a sentence, or clemency.

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## **Rules and Regulations**

### **Acts of 1943, Ch. 872**

An act to add a section to Art. 41, Annotated Code, approved 5-6-1943, effective 6-1-1943

- Sec. 7A: Executive agencies that have the power to adopt rules and regulations shall file copies with the clerk of the Court of Appeals and Department of Legislative Reference. Hereafter, no rule or regulation shall be effective unless so filed.

### **Acts of 1949, Ch. 738**

An act to repeal and reenact Sec. 7A of Art. 41, Annotated Code, approved 5-6-1949, effective 6-1-1949

- Sec. 7A(a): Prior to the adoption of any rule or regulation by any executive agency, it shall be submitted to the Attorney General for approval as to its legality. Copies of adopted rules and regulations shall be filed with the clerk of the Court of Appeals, Secretary of State, and Department of Legislative Reference.
- Sec. 7A(b): Secretary of State shall have all rules and regulations printed for distribution, issue supplements periodically, and revise and publish rules when necessary.

### **Acts of 1955, Ch. 430**

An act to repeal Sec. 9(b) of Art. 41, Annotated Code, approved 4-5-1955, effective 6-1-1955

- Sec. 9(b) of Art. 41, Annotated Code, re publication of rules and regulations [as enacted by Sec. 7A(b) of Acts of 1949, Ch. 738], repealed.

### **Acts of 1969, Ch. 797**

An act to repeal and reenact Secs. 9 and 246(a) of Art. 41, Annotated Code, approved 5-28-1969, effective 7-1-1969

- Sec. 9: Prior to the adoption of any rule or regulation by any executive agency, it shall be submitted to the Attorney General for approval as to its legality. Copies of adopted rules and regulations shall be filed with the clerk of the Court of Appeals, Secretary of State, Department of Legislative Reference, State Library, and libraries of the county circuit courts and BC Supreme Bench.
- Sec. 246(a): Each executive agency shall file with the depositories listed in Sec. 9 copies of all rules and regulations now in effect and all future ones. Secretary of State shall keep a permanent register of such rules and regulations.

### **Acts of 1974, Ch. 600**

An act to repeal and reenact Sec. 9 and to add sections to Art. 41, Annotated Code, approved 6-4-1974, effective 7-1-1974

- Sec 9: Prior to the adoption of any rule or regulation by any executive agency, it shall be submitted to the Attorney General for approval as to its legality. Copies of adopted rules and regulations shall be filed pursuant to this state documents law.
- Sec. 141: Division of State Documents is created within the office of Secretary of State. It shall compile, edit, and supplement Maryland rules and regulations.
- Sec. 142: Division shall be headed by an administrator appointed by the governor for a term of good behavior. Governor may remove the official for just cause after giving notice and an opportunity for a public hearing.
- Sec. 256B(B): AELR Committee means Committee on Administrative Executive and Legislative Review.
- Sec. 256C(A): Division of State Documents shall compile, edit, and supplement the Code of Maryland Regulations.
- Sec. 256C(B): The code shall include:
  - every executive order that is generally permanent in nature
  - every administrative rule adopted by an agency pursuant to the administrative procedures act
  - documents required to be published in agency rules by the General Assembly
  - any document required to be published by AELR
- Sec. 256D: Documents to be published in the code or Maryland Register shall be filed with the Division of State Documents.
- Sec. 256F(A): Division shall publish a temporary supplement to the code, called the Maryland Register.
- Sec. 256F(B): The register shall include:
  - every document to be published in the code
  - every notice of proposed agency rule
  - every notice of public hearings issued by an agency
  - every rule of court proposed for adoption and directed to be published by the chief judge

of the Court of Appeals

- every rule of court adopted or permitted to be adopted by the Court of Appeals, every rule adopted by the chief judge of the District Court, and administrative orders issued by the chief judge of the Court of Appeals or Administrative Office of the Courts
- hearing calendars of the Court of Appeals and Court of Special Appeals
- every executive order
- synopsis of laws enacted during each legislative session
- every agency document required to be published
- any other document required by the General Assembly or AELR to be published
- Sec. 256F(C): The register shall be published at least every two weeks and contain a table of contents and index. A cumulative index shall be published quarterly.
- Sec. 256G: Annually documents shall be permanently integrated into the Code of Maryland Regulations.
- Sec. 256I(D): Division shall retain a copy of every document for one year and then sent them to the Hall of Records, except for executive orders and court rules.

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## Roads

### Acts of 1956, Ch. 59

An act to add sections to Art. 89B, Annotated Code, re plats, approved 3-2-1956, effective 6-1-1956

- Sec. 9E: Upon completion of the plats or maps of rights of way and upon ascertaining the amounts to be paid property owners or into the court for their use, the plats and maps shall be filed with the State Roads Commission, Secretary of State, and clerks of the county circuit courts or BC Superior Court through which the highway traverses.

### Acts of 1969, Ch. 330

An act to repeal and reenact Sec. 14 of Art. 89B, re plats, approved 4-23-1969, effective 7-1-1969

- Sec. 14: Upon completion of the plats or maps of rights of way and upon ascertaining the amounts to be paid property owners or into the court for their use, the plats and maps shall be filed with the State Roads Commission and clerks of the county circuit courts or BC Superior Court through which the highway traverses.

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## Secretary of State

### Acts of 1836, Ch. 197

An act to amend the Constitution, passed 3-10-1837, confirmed by Acts of 1837, Ch. 84

- Sec. 13: Council and clerk of the council are abolished. Executive power shall be vested wholly in the governor.

- Sec. 17: Governor shall annually appoint with consent of the Senate a Secretary of State.

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## Soil Conservation

### Acts of 1937, Ch. 437

An act to add sections to Art. 2A, Public General Laws, approved 5-18-1937, effective 6-1-1937

- Sec. 19F: If the operation of a proposed soil conservation district is deemed administratively feasible, the state Soil Conservation Committee shall appoint two supervisors to act, with three others to be elected, as the governing body of the district. The appointed supervisors shall present to the Secretary of State an application that contains:
  - certificate that a petition for the creation of the district was filed with the Soil Conservation Committee, that appropriate proceedings were held, that the application is being filed to complete the organization of the district as a governmental subdivision, and that the committee has appointed the supervisors
  - name and address of each supervisor and a copy of the appointment
  - name of the district
  - location of the main office of the supervisors
- Sec. 19F (continued): The application shall be accompanied by a statement from the committee certifying that:
  - a petition was filed, notice issued, and hearing held
  - need for the district was determined and its boundaries defined
  - notice was given and referendum held on the question of the creation of the district
  - district was deemed administratively feasible
- Sec. 19F (continued): Statement shall also set forth the boundaries of the district. Secretary of State shall file and record the application and certificate. Secretary of State shall issue to the supervisors a certificate of due organization of the district and record it with the application and statement.
- Sec. 28: Supervisors shall file an application with the Secretary of State for the discontinuance of a district and a certificate of the committee showing its determination that the continued operation of the district is no longer feasible. The application shall show the disposition of the property of the district and contain an accounting of the proceeds of any sale. Secretary of State shall issue and record a certificate of dissolution.

### Acts of 1943, Ch. 444

An act to add a section to Art. 2A, Annotated Code, approved 5-4-1943, effective 6-1-1943

- Sec. 58A(E): When a district is divided or combined with another, the supervisors of each resulting district shall file an application with the Secretary of State, and the committee shall file a statement. The contents of both shall be [as specified in Sec. 19F of Acts of 1937, Ch. 437].
- Sec. 58A(F): Secretary of State shall file and record the application and certificate. Secretary of State shall issue to the supervisors a certificate of due organization of the district and record it

with the application and statement.

### **Acts of 1969, Ch. 752**

An act to repeal and reenact Sec. 92 of Art. 66C, Annotated Code, approved 5-14-1969, effective 7-1-1969

- Sec. 92: The twenty-four soil conservation districts organized by referendum under the original Sec. 92 are continued with boundaries corresponding to county lines, except in FR which has two districts.

### **Acts of 1974, Ch. 149**

An act to repeal Secs. 8-405 and 8-406 of Agriculture Art., Annotated Code, approved 4-9-1974, effective 7-1-1974

- Secs. 8-405 and 8-406 of Agriculture Art., Annotated Code, re termination of soil conservation districts, are repealed.

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## **Special Police**

### **Acts of 1941, Ch. 681**

An act to add sections to Art. 41, Annotated Code, approved and effective 5-2-1941

- Sec. 57A: Upon application of the governor of any state owning or having an interest in any property in Maryland, governor or a designated official may appoint special police to protect the property.
- Sec. 57B: The applications shall contain the names, ages, nationality, and addresses of the police.
- Sec. 57C: Appointees shall be issued a certificate of appointment.
- Sec. 57D: Appointees shall take an oath, to be filed with the appointing authority.
- Sec. 57H: Appointments shall terminate upon notification from the governor of the other state or for good cause by the Maryland governor.
- Sec. 57J: Governor may request the appointment of special police in another state where Maryland or one of its subdivisions has property interests.

### **Acts of 1967, Ch. 462**

An act to add a section to Art. 41, Annotated Code, approved 4-21-1967, effective 6-1-1967

- Sec. 60A: Upon application of the University of Maryland or any state college, the governor may appoint and deputize special police for additional protection of property and keeping the peace. Any special police heretofore appointed and presently serving such institutions pursuant to other statutory authority shall be considered as appointed under this act and bound by the provisions of this section.

## **Acts of 1969, Ch. 581**

An act to repeal and reenact Secs. 60-70 of Art. 41, Annotated Code, approved 5-14-1969, effective 7-1-1969

- Sec. 60: Governor may appoint and deputize special police. A commission shall be issued for each individual, that shall indicate the term it shall be in effect and the property to be covered or purpose for which issued.
- Sec. 61: The application for a commission shall be made to the state police superintendent by the employer.
- Sec. 62(a): Superintendent shall investigate the individuals and report results to the governor along with recommendations as to denial or granting of the applications and reasons thereof.
- Sec. 63: Applications may be made by:
  - any state or subdivision that has an interest in property located in the state
  - any municipal, county, or governmental body for the protection of its property
  - any college, university, or public school system for protection of its property or students
  - any business for protection of its property
- Sec. 66: Each appointee shall take an oath before a county circuit court or BC court clerk who shall send a certificate to the Secretary of State.
- Sec. 68: All commissions shall be effective for two years and renewable upon application by the requesting agency. All commissions in effect on July 1, 1969 shall be continued for two years.
- Sec. 70: Commissions shall cease upon the filing of a notice that the police are no longer needed. Governor acting alone or upon a recommendation of the state police superintendent may terminate a commission. The termination shall be noted in the records and be effective five days after notice is sent to the requesting body and police.

## **Acts of 1973, Ch. 222**

An act to repeal and reenact Sec. 68 of Art. 41, Annotated Code, approved 5-7-1973, effective 7-1-1973

- Sec. 68: All commissions shall be effective for two years, and except for the State Aviation Administration and Maryland Port Administration renewable upon application by the requesting agency.

## **Acts of 1974, Ch. 665**

An act to repeal and reenact Sec. 68 of Art. 41, Annotated Code, approved 5-31-1974, effective 7-1-1974

- Sec. 68: All commissions shall be effective for two years, and except for the Maryland Port Administration renewable upon application by the requesting agency.

## **Acts of 1976, Ch. 468**

An act to repeal and reenact Sec. 68 of Art. 41, Annotated Code, approved 4-30-1976, effective 7-1-1976

- Sec. 68: All commissions shall be effective for two years, and renewable upon application by the



requesting agency.

### **Acts of 1977, Ch. 369**

An act to repeal and reenact Sec. 68 of Art. 41, Annotated Code, approved 5-17-1977, effective 7-1-1977

- Sec. 68: All initial commissions shall be effective for two years, and after that renewable for three years upon application by the requesting agency.

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## **State Seal**

### **Acts of 1853, Ch. 131**

An act re custody of the state seal, passed 4-18-1853, effective 3-11-1854

- Sec. 1: The state seal shall be in the custody of the Secretary of State, but under the control of the governor.

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## **Trademarks**

### **Acts of 1892, Ch. 357**

An act re labels and trademarks, approved 4-4-1892

- Sec. 1: Any person, association, or union of workers may adopt for their protection any label, trademark, or form of advertisement denoting goods being manufactured.
- Sec. 3: Trademarks may be recorded by filing with the Secretary of State two copies or facsimiles of them. Secretary of State may reject those that may be mistaken for a label already on the record.

### **Acts of 1933, Ch. 343**

An act re insignia, approved 4-21-1933

- Sec. 1: Any association, lodge, order, fraternal society, beneficial association, historical organization, military organization, veterans organization, labor union, foundation, federation, or any other society may register with the Secretary of State a facsimile, duplicate, or description of its name, badge, motto, emblem, or other insignia, and may by re-registration alter or cancel it.
- Sec. 5: Upon granting registration, the Secretary of State shall issue a certificate of registration to the petitioner.

### **Acts of 1954, Ch. 63**

An act to repeal Secs. 60-65 of Art. 27 and add sections to Art. 41, Annotated Code, approved 4-2-1954, effective 6-1-1954

- Sec. 87A: Trademark shall mean any word, name, symbol, or devise adopted and used to identify goods made or sold by someone.
- Sec. 87C(a): An application for the registration of a trademark shall be filed with the Secretary of State and shall show the following:
  - name and address of the applicant, and if a corporation the state of incorporation
  - goods with which the mark is used, manner of use, and class of goods
  - date when trademark was first used anywhere and when first used in Maryland
- Sec. 87C(c): Each application shall be accompanied by a specimen or facsimile in triplicate.
- Sec. 87D(a): Secretary of State shall issue a certificate of registration to the applicant.
- Sec. 87D(c): Before rejecting an application, the Secretary of State shall provide an opportunity for an explanation.
- Sec. 87E(a): A registration shall be effective for ten years and may be renewed by an application filed within six months prior to the expiration.
- Sec. 87E(c): Secretary of State shall notify registrants of the need for renewal.
- Sec. 87E(d): Any registration in effect on June 1, 1954 shall expire ten years from the date of registration or last renewal or on June 1, 1955, whichever is later, and may be renewed by application.
- Sec. 87E(e): Secretary of State shall notify those registrants about their date of expiration.
- Sec. 87F: Any trademark or its registration may be assigned. Assignments shall be filed with the Secretary of State who shall issue a new certificate for the remainder of the registration or renewal period.
- Sec. 87H: Secretary of State shall cancel the following registrations:
  - after June 1, 1955 those over ten years old and not renewed
  - voluntary requests for cancellation
  - those not renewed
  - when a court finds that a trademark has been abandoned, registrant is not the owner, registration was granted improperly or fraudulently, or is too similar to one registered with the U.S. Patent Office prior to any registration with Maryland
  - court ordered cancellations

### **Acts of 1972, Ch. 245**

An act to repeal and reenact Sec. 90 of Art. 41, Annotated Code, approved 5-2-1972, effective 7-1-1972

- Sec. 90: Trade names shall not be entitled to registration with the Secretary of State.

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## **Trading Stamps**

### **Acts of 1959, Ch. 650**

An act to add sections to Art. 56, approved 4-28-1959, effective 6-1-1959

- Sec. 242(a): No trading stamp company shall distribute trading stamps or redeem them until it

has filed with the Secretary of State a statement of registration accompanied by samples of its stamps, stamp collection books, redemption catalogues, and distribution and redemption agreement forms. The statement shall show:

- name and address of the company
  - state of incorporation or origin
  - names and address of principal officers, partners, or proprietors
  - address of the main office in Maryland
  - name and address of the main officer or agent in Maryland
  - addresses of redemption places
  - short form of its balance sheet for the last fiscal year
  - statement of gross income from its business in Maryland, unless it files a bond for the maximum amount
- Sec. 242(b): The company shall file a bond.
- Sec. 242(c): If a company defaults in redemption, any rightful holder may file a complaint with the Secretary of State who shall notify the company if default is determined. If the default is not corrected within ten days, the Secretary of State shall publish a notice of default and require that proof of all claims for redemption be filed along with the trading stamps within three months. Secretary of State shall determine the validity of claims and satisfy them by sums from the surety of the bond.
- Sec. 242(f): The statement, registration, and bond shall be filed by July 1, 1959 and annually thereafter.
- Sec. 243: No company shall cease redemption without filing with the Secretary of State ninety days notice of its intention to do so.

## SLAVES AND FREE BLACKS

### **Acts of 1723, Ch. 15**

An act re meetings of negroes, passed 10-1723

- Sec. 2: If deemed necessary, annually in November the county courts shall appoint a constable in each hundred to suppress the assembling and tumultuous meeting of negroes and other slaves. The constables shall investigate suspected places and whip those negroes who should not be there.

### **Acts of 1737, Ch. 7**

An act re compensation for slaves, passed 1737

- Sec. 1: Slaves condemned to death for a crime shall be valued by the courts. That amount shall be paid by the Treasurer of the Western Shore or Eastern Shore to the master or owner. Slaves slain while resisting apprehension shall be valued by two persons. The amount shall be certified by the court and paid by the Treasurer of the Western Shore or Eastern Shore to the master or owner.

### **Acts of Apr. 1783, Ch. 23**

An act re out of state slaves, passed 5-31-1783

- Sec. 1: A U.S. citizen intending to become a Maryland resident and actually residing in the state for one year may bring slaves into the state, provided the slaves have resided in the U.S, for three years and this fact is proved to the naval officer or tax collector.

### **Acts of 1791, Ch. 57**

An act supplemental to Acts of Apr. 1783, Ch. 23, re out of state slaves, passed 5-31-1783

- Sec. 1: If a Maryland resident owns land in Virginia, Delaware, or Pennsylvania on which slaves are used, that person or legal representatives may bring the slaves into Maryland provided they were residents of the other state prior to April 21, 1783 or are descendants of them. In addition, within one month of the removal the individual must file a list of the slaves with the county court clerk for recording. Any title stemming from inheritance or marriage must be stated on the list.
- Sec. 2: Virginians owning land in Maryland and having slaves resident in VA may transport slaves to Maryland per the provisions of Sec. 1.
- Sec. 3: Any slaves inherited or acquired through marriage who are resident of any other state may be brought in per the provisions of Sec. 1.

### **Acts of 1793, Ch. 55**

An act re petitions for freedom, passed 12-28-1793

- Sec. 2: County courts shall have exclusive jurisdiction for hearing and determining petitions for freedom; no longer concurrently with the General Court.

- Sec. 4: Only appeals on a matter of law shall be allowed to the General Court.

## **Acts of 1796, Ch. 67**

An act re out of state slaves, manumissions, and petitions for freedom, passed 12-31-1796

- Sec. 1: The importation of slaves into Maryland is prohibited.
- Sec. 2: Any U.S. citizen intending to reside in Maryland may bring in slaves provided they or their mothers have been U.S. residents for three years.
- Sec. 8: If a Maryland resident owns land in an adjoining state on which slaves are used, that person or legal representatives may bring the slaves into Maryland provided they were residents of the other state prior to April 21, 1783 or are descendants of them. In addition, within one month of the removal the individual must file a list of the slaves showing names, sexes, and ages with the county court clerk for recording. If title is acquired by will, the list must include the name of the testator, date of the will, and place recorded. If ownership is acquired by marriage, the list shall include the name of the person from whom the title is derived.
- Sec. 9: Provisions of Sec. 8 shall apply to residents of adjoining states who own land in Maryland and want to remove slaves to that land.
- Sec. 11: Provisions of Sec. 8 shall apply to Maryland residents who acquire slaves in other states through marriage, bequest, or estate distribution or as guardians, unrelated to land.
- Sec. 13: Persons may grant freedom to slaves through a will, provided creditors are not prejudiced and the slaves are under age forty-five and able to work and support themselves.
- Sec. 21: County courts shall have exclusive jurisdiction for hearing and determining petitions for freedom; no longer concurrently with the General Court.
- Sec. 23: Only appeals on a matter of law shall be allowed to the General Court.
- Sec. 29: Persons may manumit slaves provided they are under age forty-five and able to work and support themselves. Manumissions shall be filed with the county court clerks for recording.
- Sec. 31: Acts of Apr. 1783, Ch. 23, Acts of 1791, Ch. 57, and Acts of 1793, Ch. 55 are repealed.

## **Acts of 1797, Ch. 15**

An act supplemental to Acts of 1796, Ch. 67, re out of state slaves, passed 1-20-1798

- Sec. 2: Provisions of Sec. 8 of Acts of 1796, Ch. 67 shall apply to executors and administrators of U.S. citizens who have died within one year of settling in Maryland.
- Sec. 3: Provisions of Sec. 8 of Acts of 1796, Ch. 67 shall apply to guardians of minors of U.S. citizens who have died within one year of settling in Maryland.

## **Acts of 1798, Ch. 76**

An act supplemental to Acts of 1796, Ch. 67, re out of state slaves, passed 1-18-1799

- Sec. 2: Once a record of the removal of slaves to Maryland is made by residents of the state or adjoining states who own land in both states, removal in and out of Maryland may be done as often as necessary without recording each instance.

**Acts of 1805, Ch. 66**

An act supplemental to Acts of 1796, Ch. 67, re certificates of freedom, passed 1-25-1806, effective 6-1-1806

- Sec. 1: The present system of granting certificates of freedom is subject to abuses.
- Sec. 2: Only county court clerks and registers of wills shall have the power to grant certificates of freedom. Each certificate shall include the name, height, age, complexion, place where raised, and distinguishing marks of each person and time when freed. Clerks and registers shall keep a record of all certificates granted.
- Sec. 6: Any free born negro wishing to travel out of or leave a county must apply to the county court clerk for a certificate of freedom which shall include the information specified in Sec. 2 and the manner in which the person become entitled to freedom. Clerks shall maintain records of these certificates.

**Acts of 1807, Ch. 164**

An act supplemental to Acts of 1796, Ch. 67, re certificates of freedom, passed 1-20-1808

- Sec. 2: Certificates of freedom can be acquired only from the clerk or register of wills of the county where the manumission or will is recorded.

**Acts of 1817, Ch. 112**

An act re bills of sale, passed 2-3-1818, effective 7-1-1818

- Sec. 3: No sale of a slave, who may be entitled to freedom after a term of years or upon a contingency or in whom the seller is entitled for a term of years or limited time with reversion in someone else, shall be valid unless made in writing in which the period and terms of slavery, interest of the seller, and residence of the purchaser shall be stated, acknowledged, and recorded by the clerk of county court within twenty days.
- Sec. 4: A purchaser of a slave within Maryland for removal out of the state must obtain a bill of sale that gives the age, distinguishing marks, and name of the slave and have it recorded by the clerk of county court within twenty days.
- Sec. 7: Jurisdiction over this act in BC and BA shall be given to the BC Court, not the BA Court.

**Acts of 1831, Ch. 175**

An act re burnt records in SM, passed 3-5-1832

- Sec. 7: Persons in SM wishing to perpetuate evidence of slaves brought into Maryland under Acts of 1796, Ch. 67 and its supplements shall apply to the commissioners to take testimony in civil cases. The commissioners shall take testimony to establish the existence and record of the list of slaves and return the proceedings to the clerk of the SM Court for recording.

**Acts of 1831, Ch. 281**

## An act re colonization, passed 3-12-1832

- Sec. 1: Governor and council shall appoint a board of managers of the Maryland Colonization Society who shall have the duty to remove free blacks from Maryland to Liberia or some other place outside the state, subject to the approval of the board and consent of the individual.
- Sec. 3: When a manumission is recorded or a will freeing slaves is probated, the county court clerk or register of wills shall send an extract of the document showing the names, numbers, and ages of the slaves to the society managers.
- Sec. 5: Orphans courts and BC Court are authorized to grant to free blacks annual permits to remain free in that jurisdiction and thus not subject to removal from the state. The permits shall be based on good conduct and character.
- Sec. 9: Sheriffs shall take a census of free blacks in each county and shall enumerate the sexes, ages, and names. It shall begin on June 1, 1832 and be completed within three months. Each sheriff shall make two copies, one for the county court clerk to record and one for the society managers.
- Sec. 11: Sheriffs shall periodically report to the society managers the names of free blacks willing to remove from Maryland.

## Acts of 1831, Ch. 323

An act re free blacks and slaves, passed 3-14-1832, effective 6-1-1832

- Sec. 1: No free black shall immigrate and settle in Maryland.
- Sec. 2: A negro leaving the state for more than thirty days must beforehand deposit with the clerk of the county court a written statement of the intention to return. The clerk shall issue a certificate to the individual.
- Sec. 4: It shall be illegal to import into Maryland any slave for sale or residence, except for landowners in adjoining states.

## Acts of 1832, Ch. 317

An act supplemental to Acts of 1831, Ch. 323, re out of state slaves, passed 3-23-1833

- Sec. 2: Any person who prior to the passage of this act purchased or inherited land in Maryland and intended to reside thereon may bring into the state slaves owned prior to the passage of Acts of 1831, Ch. 323, provided a list of the slaves, showing their names, ages, and sex, is filed with the county court clerk for recording. The list shall be accompanied by an affidavit that the slaves are not being introduced for sale and that they are slaves for life.
- Sec. 5: Any Marylander leaving the state for military or government service may bring back slaves taken along, provided a list of the names, ages, and sex are filed with the clerk of the county court with a declaration of the reasons for leaving and the intention to return. A similar list shall be filed upon return to the state.
- Sec. 9: When the spouse of a slave resides in an adjoining state, the owner may purchase and bring into Maryland the spouse, provided an affidavit of proof of the marriage is filed with the

clerk of the county court for recording and the marriage took place before passage of Acts of 1831, Ch. 323.

### **Acts of 1833, Ch. 87**

An act supplemental to Acts of 1831, Ch. 323, re out of state slaves, passed 1-30-1834

- Sec. 1: Any Marylander who acquires slaves by marriage, bequest, and estate distribution in another state may bring them into the state provided a list of their names and ages be filed with the clerk of the county court for recording and they are slaves for life and not for sale. The same provisions shall apply to nonresidents who move into the state to reside, bringing slaves they own. In addition to the list of slaves, the nonresident shall file an affidavit of an intention to become a Maryland citizen.

### **Acts of 1834, Ch. 284**

An act re out of state slaves, passed 3-21-1835

- Sec. 1: Guardians, executors, and trustees residing in Maryland may bring in from adjoining states any slaves for life confided to them in trust and to hire them out, but not for sale, and move them back and forth as necessary provided a list of the slaves is filed with the clerk of the county court for recording.

### **Acts of 1835, Ch. 61**

An act supplemental to Acts of 1833, Ch. 87, re out of state slaves, passed 2-20-1836

- Sec. 1: Provisions of Acts of 1833, Ch. 87 are extended to persons acquiring slaves by gift.
- Sec. 2: The donor shall make an affidavit that the gift is legitimate and file it with the clerk of the county court for recording.

### **Acts of 1835, Ch. 279**

An act re records in WO, passed 4-1-1836

Many records were burned in the courthouse fire in 1834.

- Sec. 4: In cases where lists of slaves brought into Maryland were destroyed in WO, persons may apply to two justices of the peace to take testimony to establish the existence and record of the lists. The justices shall return their proceedings to the clerk of the county court for recording.

### **Acts of 1835, Ch. 329**

An act supplemental to Acts of 1831, Ch. 323, re out of state slaves, passed 3-30-1836

- Sec. 1: Marylanders owning land in Maryland and Virginia and Virginians owning land in Maryland may remove slaves from Virginia to Maryland per provisions of Sec. 4 of Acts of 1831, Ch. 323 and Acts of 1833, Ch. 87.



- Sec. 2: The slaves may be employed in either state.

## **Acts of 1839, Ch. 5**

An act re free blacks, passed 1-27-1840

- Sec. 1: Any free colored person who visits Trinidad or British Guiana in order to investigate settlement possibilities may return to Maryland to reside provided the individual is not gone over eighteen months and shall first satisfy the orphans court that the visit and purpose are legitimate.
- Sec. 2: Orphans court may then issue a license granting permission to make the visit and return. Orphans courts shall maintain records of these licenses and make an annual report to the General Assembly.
- Sec. 3: A person unavoidably detained longer the eighteen months must satisfy the orphans court of this fact. The court shall grant a license giving the person permission to return and settle in Maryland.

## **Acts of 1840, Ch. 208**

An act supplemental to Acts of 1839, Ch. 5, re free blacks in BC and BA, passed 3-8-1841

- The power and authority to grant permits to free blacks to visit Trinidad or British Guiana that was given the BA Court under Acts of 1839, Ch. 5 is transferred to the BC Court.

## **Acts of 1844, Ch. 16**

An act supplemental to Acts of 1831, Ch. 323, re out of state moves, passed 1-17-1845

- Sec. 2 of Acts of 1831, Ch. 323, re temporary moves out of state, is repealed.

## **Acts of 1844, Ch. 283**

An act re free blacks, passed 3-10-1845

- Acts of 1844, Ch. 16 shall not be construed to restrain free blacks from going and remaining out of state more than thirty days between May 1 and November 1 provided they obtain permits from the orphans court on the written recommendation of three white persons. The permit shall include those names and the purpose for leaving. Registers of wills shall file the recommendations, and endorse on them the date of the permits.

## **Acts of 1847, Ch. 242**

An act supplemental to Acts of 1831, Ch. 323, re out of state slaves, passed 3-9-1848

- Sec. 1: Guardians, executors, and trustees residing in Maryland may bring in from adjoining states any slaves for life confided to them in trust provided a list of the slaves is filed with the clerk of the county court for recording.

## **Acts of 1849, Ch. 124**

An act re compensation for slaves, passed 1-29-1850

- Sec. 1: When a slave is convicted and sentenced to the penitentiary, the court shall value them and the local government body shall pay that amount to the master or owner.
- Sec. 2: The local government body shall be reimbursed by the keeper or warden who at the expiration of the sentence shall sell the slave at public auction for transportation out of Maryland.

## **Acts of 1849, Ch. 165**

An act re out of state slaves, passed 2-26-1850

- Sec. 1: Laws prohibiting or taxing the introduction of slaves for life into Maryland from any other state, territory, or district are repealed.

## **Acts of 1852, Ch. 316**

An act re burnt records in DO, passed 5-27-1852

When the DO courthouse burned, all records of the register of wills and county commissioners were destroyed and many in the county clerk's office.

- Sec. 1: A commissioner shall be appointed to take and receive testimony to establish records of the three DO offices, that were destroyed.
- Sec. 15: Commissioner may take evidence regarding freedom of negroes whose freedom papers were burnt and report to the circuit court which shall decide the validity of the testimony, subject to appeal as in the cases of petitions for freedom.

## **Acts of 1860, Ch. 232**

An act re free blacks in BA, CV, CH, HO, KE, PG, QA, SM, SO, TA, and WO, passed 3-7-1860

- Sec. 1: County commissioners of BA, CV, HO, KE, and SM are authorized to biennially appoint three persons in each election district as commissioners for the better control and management of the free colored population.
- Sec. 2: Free black commissioners shall meet annually in December.
- Sec. 3: Free black commissioners shall have the constables summon free blacks.
- Sec. 4: When the individuals appear, the free black commissioners shall notify them that unless they hire themselves to some industrious and respectable citizen by the end of the year, they shall be sold at public auction for a term of one year.
- Sec. 5: Unless proof of hiring is provided by January 1, the free blacks shall be so sold.
- Sec. 6: Free black commissioners shall indenture free blacks between the ages of four and twelve, males to serve until age 21 and females age 30.
- Sec. 7: The person to whom a free female negro is hired or bound shall support her children until age four at which time the free black commissioners shall bind them out to a person selected by the mother.

- Sec. 8: Any free black hired or bound who refuses to serve faithfully shall be sold by the free black commissioners as a slave for life.
- Sec. 9: Free black commissioners shall provide a fund for the support of those unable to work.
- Sec. 10: Free black commissioners shall file annual financial reports, with vouchers, with the county commissioners.
- Sec. 11: Annually the free black commissioners shall compile a report of free blacks brought before them, showing their names, ages, and sex and names of parents of minors. It shall be filed with the clerk of the county court for recording.
- Sec. 16: This act shall not apply to any free black who possesses \$150 of assessable property. The children of such persons, living with their parents, shall also be exempt, if there is an additional \$50 of assessable property per child.
- Sec. 18: This act shall be voted on in affected counties at the next election in November 1860. [Apparently not approved anywhere.]
- Sec. 19: Election returns shall be filed with the county court clerks.
- Sec. 20: This act shall also apply in CH, PG, QA, SO, TA, and WO.

### **Acts of 1860, Ch. 322**

An act to repeal Secs. 42-46 of Art. 66, Public General Laws, and add new sections, re manumissions and free blacks, passed 3-10-1860

- Sec. 1: Secs. 42-46 of Art. 66, Public General Laws, are repealed. No slaves shall be manumitted by deed or will except for those who by an already executed manumission or will are due to become free at a future date and who are now in service as slaves for a term of years.
- Sec. 2: Any free black over age 18 may go before a county circuit court or BC Superior Court, if a resident there for three years, and renounce freedom. After examination, the court may permit the individual to select a master or mistress and become a slave for life. The court order shall be recorded. If the free black is a woman with children, those under age five shall be included in the court order and those over age five shall be bound out.

### **Acts of 1864, Ch. 105**

An act to repeal and reenact Secs. 42-43 of Art. 66, Public General Laws, re manumissions, passed 2-11-1864

- Sec. 42: Manumissions by will or deed are reinstated.

### **Acts of 1867, Ch. 54**

An act to repeal Acts of 1864, Ch. 105 and Secs. 42-43 of Art. 66, Public General Laws, re manumissions, passed 2-25-1867

- Sec. 1: Acts of 1864, Ch. 105 and Secs. 42-43 of Art. 66, Public General Laws, re manumissions, are repealed.

## **Acts of 1867, Ch. 189**

An act re slave statistics, passed 3-22-1867

U.S. Congress in 1862 resolved that the U.S. should cooperate with any state that adopted gradual abolishment of slavery, giving financial aid to compensate any inconvenience produced by such change. Federal legislation in 1864 provided for the enrollment of able bodied male colored persons into military service and for compensation to the loyal person to whom slavery service might be owed. Thus many Maryland slaves left their owners and enlisted. Very few of the loyal owners have received any compensation. Art. 24 of the Declaration of Rights of the Maryland Constitution of 1864 have declared all slaves to be free. No compensation to the owners has been given by the federal government. General Assembly has resolved that Maryland has a valid and just claim for compensation.

- Sec. 1: Governor with the consent of the Senate shall appoint one person in each county and BC as a commissioner of slave statistics, who shall give bond to be approved by the clerk of the county circuit courts or BC Superior Court. Governor shall fill vacancies.
- Sec. 2: The commissioners shall procure forms on which to record the following information:
  - names of the former owners of slaves at the time of the adoption of the 1864 constitution
  - names, number, ages, sex, and physical conditions of the slaves
  - whether slaves for life or term of years and how many
  - whether enlisted or drafted into U.S. military service and, if known, regiments
  - any federal or state compensation for the slaves enlisted or drafted
- Sec. 3: Commissioners in the counties shall visit each election district, giving at least ten days notice. BC commissioners shall set up an office and give the same notice. Commissioners shall take evidence of the former ownership of slaves. Testimony shall be the sworn statement of the owner or legal representative, confirmed by the oath of two witnesses.
- Sec. 4: Commissioners shall copy the information in books in alphabetical order and index them. The books and original papers shall be deposited with and preserved by the clerks of the county circuit courts and BC Superior Court.
- Sec. 6: Commissioners shall perform their duties within twelve months after their appointment and qualification.

## **Acts of 1868, Ch. 254**

An act re slave statistics in WI, approved 3-30-1868

- Sec. 1: WI Slave Commissioner shall be appointed per provisions of Acts of 1867, Ch. 189.

## **Acts of 1868, Ch. 385**

An act to repeal and reenact Sec. 6 of Acts of 1867, Ch. 189, re slave statistics, approved 3-30-1868

- Sec. 6: Commissioners shall perform their duties within two years after passage of this act.

## **STATES ATTORNEY**

### **Acts of 1817, Ch. 146**

An act re district attorneys, passed 2-7-1818

- Sec. 2: A district attorney shall be appointed for each judicial district.
- Sec. 3: A district attorney shall be appointed for the BC Court.
- Sec. 4: District attorneys shall have the powers and duties formerly held by the Attorney General and deputies on behalf of the state in civil cases.
- Sec. 7: The term of office shall be for good behavior.

### **Acts of 1821, Ch. 126**

An act re Attorney General, passed 1-7-1822

- Sec. 1: The duties of the Attorney General shall be the same as before 1818, including the appointment of deputies.
- Sec. 6: Acts of 1817, Ch. 146 is repealed.

### **Acts of 1849, Ch. 28**

An act re Attorney General, passed 1-24-1850

- Sec. 1: When the Attorney General or a deputy cannot attend a court hearing, the county court, HO District Court, or BC Court shall have the authority to appoint someone to perform the duties in criminal and civil cases until the scheduled person reappears or the Attorney General appoints a new deputy.

### **Constitution of 1851, Art. V**

- Sec. 1: There shall be a states attorney for each county who shall be elected for a four year term beginning in the January after the election.
- Sec. 2: All election returns shall be certified and returned by the circuit court clerks to the circuit court judges.
- Sec. 3: States attorneys shall perform the duties now prescribed for the Attorney General and deputies.
- Sec. 4: Judges of the circuit courts shall fill vacancies until the next election.

### **Constitution of 1864, Art. V**

- Sec. 7: There shall be a states attorney for each county and BC who shall be elected for a four year term beginning in the January after the election. The first election shall be held in 1867.
- Sec. 8: The judges having criminal jurisdiction shall administer the oath of office.
- Sec. 9: BC states attorney may appoint a deputy.

- Sec. 10: The judges having criminal jurisdiction shall fill vacancies for the remainder of the term.

## **Constitution of 1867, Art. V**

- Sec. 7: There shall be a states attorney for each county and BC who shall be elected for a four year term beginning in the January after the election.
- Sec. 11: The judges having criminal jurisdiction shall fill vacancies for the remainder of the term.

## SURVEYS

### **Acts of 1817, Ch. 82**

An act re survey records in CH, passed 1-31-1818

- Sec. 1: Three persons are named in this act to inspect the records of the CH surveyor to determine which ones need to be transcribed. The surveyor shall do the transcribing.
- Sec. 3: Records of the surveyor are declared to be public property and transmissible to successors.

### **Acts of 1825, Ch. 178**

An act re survey records in FR, passed 3-6-1826

- Sec. 1: Three persons are named in this act as commissioners to inspect and purchase the certificates of survey and plats made by George Dent, Samuel Duvall, and Lawrence Brengle, former county surveyors, now possessed by David Bowles.
- Sec. 2: The commissioners shall make a return of the amount of the purchase to the FR Levy Court.
- Sec. 3: The commissioners shall file their proceedings with the levy court.
- Sec. 4: The records shall be filed with the county surveyor and kept as public records.

### **Acts of 1829, Ch. 126**

An act re survey records in MO, passed 2-22-1830

- Sec. 1: Three persons are named in this act as commissioners to inspect, value, and buy certificates and plats of surveys and resurveys made by Joseph Elgar and Lloyd Abramson, former MO surveyors, and now possessed by John Abramson, if they deem the purchase expedient.
- Sec. 2: The commissioners shall make a return of the amount of the purchase to the MO Levy Court.
- Sec. 4: The purchased records shall be placed in the office of the county surveyor, to be kept as public records.

### **Acts of 1830, Ch. 91**

An act supplemental to Acts of 1829, Ch. 126, re survey records in MO, passed 2-12-1831

- The purchase price for the records of the MO surveyors shall not exceed \$100.

### **Acts of 1830, Ch. 176**

An act re survey records in FR, passed 2-23-1831

- Sec. 1: Acts of 1825, Ch. 178 is repealed.
- Sec. 2: FR Levy Court may appoint commissioners to inspect and purchase the certificates of

survey and plats made by George Dent, Samuel Duvall, and Lawrence Brengle, former county surveyors, now possessed by David Bowles. The papers of other surveyors in the hands of Bowles may also be included.

- Sec. 3: The commissioners shall file their proceedings with the levy court.
- Sec. 4: The records shall be filed with the county surveyor and kept as public records.

### **Acts of 1833, Ch. 65**

An act re surveyors in QA, passed 2-19-1834

Legal duties of the QA surveyor have become so diminished that no one will accept the office.

- Sec. 1: All surveys ordered by the QA Court shall be done by the county surveyor, unless someone else is specifically selected or a conflict of interest exists.

### **Acts of 1835, Ch. 41**

An act re survey records in FR, passed 2-9-1836

- Sec. 1: FR Levy Court shall have made an alphabetical record of original certificates of survey of land in the county, if deemed necessary.

### **Acts of 1836, Ch. 208**

An act re survey records in MO, passed 3-17-1837

- Sec. 1: Three persons are named in this act as commissioners to inspect, value, and buy certificates and plats of surveys and resurveys made by Willy James, assistant MO surveyor, if they deem the purchase expedient.
- Sec. 2: The commissioners shall make a return of the amount of the purchase to the MO Levy Court.
- Sec. 4: The purchased records shall be placed in the office of the county surveyor, to be kept as public records.

### **Acts of 1839, Ch. 112**

An act re survey records in FR, passed 3-17-1840

- Sec. 2: FR surveyors shall keep alphabetical records of certificates of surveys and resurveys made by virtue of orders or warrants from the Land Office, county court, or Chancery Court, to be done similarly to the books now used for recording old certificates.

### **Acts of 1841, Ch. 6**

An act re survey records in CE, passed 1-10-1842

- Sec. 2: CE surveyor shall keep an alphabetical record of certificates of surveys and resurveys made by virtue of orders or warrants from the Land Office, county court, or Chancery Court. The



records shall be county property, kept in the surveyors office, and handed down to successors.

### **Acts of 1845, Ch. 229**

An act re survey records in WO, passed 3-4-1846

- WO Board of County Commissioners is authorized to purchase surveyors books containing nearly all original surveys and plats of land in the county.

### **Acts of 1847, Ch. 179**

An act re survey records in HA, passed 3-1-1850

- Sec. 2: HA surveyor shall keep a record of certificates of surveys and resurveys made by virtue of orders or warrants from the Land Office, county court, or Chancery Court. The records shall be county property and handed down to successors.

### **Acts of 1849, Ch. 212**

An act re survey records in CR, passed 3-1-1850

- Sec. 2: CR surveyor shall keep an alphabetical record of certificates of surveys and resurveys made by virtue of orders or warrants from the Land Office, county court, or Chancery Court. The records shall be county property, kept in the surveyors office, and handed down to successors.

### **Acts of 1849, Ch. 473**

An act re survey records in TA, passed 3-9-1850

By Acts of 1785, Ch. 32 a commission was constituted to lay out Easton. John Needles did the survey and kept a record of it.

- Sec. 1: Clerk of TA Court shall transcribe the survey record of Easton done by John Needles per Acts of 1785, Ch. 32 and place it among the land records.

### **Acts of 1849, Ch. 549**

An act re survey records, passed 3-9-1850

- Sec. 2: County surveyors shall keep an alphabetical record of duplicate certificates of survey or resurvey made by warrant from the Land Office. The records shall belong to the counties and be kept by successive surveyors.
- Sec. 3: County surveyors may appoint deputies without consulting the examiner general.

### **Constitution of 1851, Art. VII**

- Sec. 10: County surveyors shall be elected for two year terms which shall begin in the January after the election. Vacancies shall be filled by the county commissioners until the next election.

## **Acts of 1858, Ch. 12**

An act re survey records in AL, passed 2-11-1858

- Sec. 1: AL surveyor shall transcribe the certificates of survey made by Benjamin G. Vaughn, a former county surveyor, recorded in Vaughn's Book.

## **Acts of 1860, Ch. 95**

An act re survey records in AL, passed 2-23-1860

- Sec. 1: AL surveyor shall transcribe Book 2.

## **Acts of 1861, Ch. 61**

An act re survey records in FR, passed 6-7-1861

- Sec. 1: FR Board of County Commissioners is authorized to purchase from Thomas O'Neal his field notes, plats, and survey books.

## **Constitution of 1864, Art. VII**

- Sec. 7: In 1865 and every two years thereafter voters in the counties and BC shall elect a surveyor who shall take office in January. Vacancies shall be filled by the county commissioners or BC Mayor and City Council.

## **Constitution of 1867, Art. VII**

- Sec. 7: In 1865 and every two years thereafter voters in the counties and BC shall elect a surveyor who shall take office in January. Vacancies shall be filled by the county commissioners or BC Mayor and City Council for the residue of the term.

## **Acts of 1868, Ch. 68**

An act re survey records in WA, approved 2-26-1868

- Sec. 1: WA Board of Commissioners is authorized to purchase the original records, field notes, and survey books of former county surveyors and other surveyors, to be kept and preserved with other county records.

## **Acts of 1870, Ch. 359**

An act re meridian line, approved 4-4-1870

- Sec. 1: County commissioners may have erected near the courthouse two stone pillars 100' apart

and upon the true meridian line, that shall be accessible to surveyors and engineers to test the variation of the compass and to cause the meridian line to be verified when required by court order. County commissioners shall have determined the accurate latitude and longitude of the pillars and have the information marked on one of the pillars.

- Sec. 2: County commissioners shall keep a standard measure of one rod by which surveyors may test and verify their chains. The measure shall in the custody of the circuit court clerk.
- Sec. 3: Every surveyor working in a county that adopts this act shall annually test and note the actual variation of his compass from the true meridian line and file it with the circuit court clerk for recording.

## **Acts of 1886 Ch. 192**

An act re survey records in FR, approved 4-7-1886

- Sec. 1: FR Surveyor shall record all surveys now on file in that office and those made hereafter and those brought to the office by private surveyors.
- Sec. 2: The surveyor shall index the recorded surveys.

## **Acts of 1890, Ch. 269**

An act to add sections to Art. 20, Public Local Laws, re oyster lots in SO, approved 3-31-1890

- Sec. A: Any owner of land, being a citizen of SO for twelve months, bordering on county waters shall have the right to locate and appropriate thereon one lot of five acres for the bedding of oysters and other shellfish. Any other male county citizen over age twenty-one shall have the same right, provided the owner or occupant of the land is given thirty days notice. The owner or occupant shall have a priority claim, which must be exercised within thirty days after the notice is given. If the claim is not exercised, the land shall be open to any male county citizen over age twenty-one. No natural bar or bed of oysters shall be located or appropriated.
- Sec. B: In order to determine what waters can be appropriated for oyster beds, the governor with consent of the Senate shall appoint three oyster commissioners for a four year term. Anyone wanting to locate a five acre oyster lot shall notify the oyster commissioners who shall examine the spot to determine if it is a proper location. If it is deemed proper, the applicant shall have the lot surveyed. The description and plat shall be submitted to the oyster commissioners for approval and then filed with the circuit court clerk for recording.
- Sec. C: Interest in an oyster lot shall cease upon the death of the owner or holder. The administrator or executor shall have two years after the death to remove and sell the oysters. Then the lot shall be open to appropriation. A person may own only one lot. If a lot is not bedded with oysters within one year of appropriation or remains without oysters or shellfish for two years, the title thereto shall be void.
- Sec. E: Persons aggrieved by the location of any oyster lot may petition the circuit court.
- Sec. G: This act shall not apply to the waters of Pocomoke Sound which are common to the citizens of MD and VA under the Compact of 1785.

## **Acts of 1892, Ch. 179**

An act re plat records in BA, approved 3-22-1892

- Sec. 1: Plat Books 1 and 2 in the office of the BA Circuit Court clerk are declared to be official records. Those plats shall have the same validity as if recorded among the land, mortgage, or judicial records.

## **Acts of 1892, Ch. 662**

An act to repeal Acts of 1890, Ch. 269, re oyster lots in SO, approved 4-7-1892

- Sec. 1: Acts of 1890, Ch. 269 is repealed. Persons who planted oysters in SO waters under that act shall have the exclusive right to remove them until January 1, 1894 and shall be protected under the provisions of Sec. 41 of Art. 72, Public General Laws.

## **Acts of 1894, Ch. 380**

An act to repeal and reenact Art. 72, Public General Laws, re oyster lots, approved 4-6-1894

- Sec. 46: Any owner, if a state resident, of land bordering on Maryland waters shall have the right to locate and appropriate one lot of five acres for preserving, depositing, bedding, or sowing oysters. Other citizens may do the same on unappropriated waters provided they give notice to the owner or occupant of the land. If the owner or occupant fails to appropriate a lot within thirty days, it shall be open and free to anyone. Descriptions of the oyster lots shall be recorded by the circuit court clerks. No natural bar or bed of oysters shall so located. Twelve months peaceable possession of an oyster lot shall constitute a good title. Within that time a suit may be brought in the circuit court accusing someone of locating a natural bed or bar. If a judge decides in favor of the defendant, the decision shall be recorded with the record of the lot and shall be conclusive evidence of title.

## **Acts of 1894, Ch. 622**

An act to add sections to Art. 16, Public Local Laws, re plat records in MO, approved 4-6-1894

- Sec. 60A: When a landowner in MO subdivides land for town or villa sites, streets, lanes, or any other purpose and wants a plat recorded or when any street, avenue, or road is acquired by condemnation or otherwise by the MO Board of County Commissioners or other persons or corporations, of which a plat is required to be recorded, the circuit court clerk shall record the plat per provisions of this act.
- Sec. 60B: The plats shall also show the conveyance(s) by which the property was acquired.
- Sec. 60C: Two copies of the plat shall be filed with the circuit court clerk, one to be attached to the plat record and one to made part of the substance record sent to the commissioner of the Land Office. A copy shall also be filed with the county surveyor.
- Sec. 60D: Court clerk and county surveyor shall affix the plats in numbered plat books.
- Sec. 60E: Such plats shall constitute part of the land records.

- Sec. 60F: When plats are recorded, the streets, roads, avenues, and public parks or squares shown thereon shall be dedicated to public use. The maker of the plat or heirs or assignees shall have the right to petition the circuit court for permission to abandon the subdivision and reconvert it into one tract. The proceedings shall be docketed in the equity docket and recorded in the equity or judgment records. Court clerk shall cross reference such orders on the affected plat.
- Sec. 60G: The owner of any land of which a plat has previously been made and placed in the land records may have a copy recorded in the plat books after conforming with the provisions of this act. Circuit court clerk shall remove the original plat and note at that place the reference to the new plat.

### **Acts of 1898, Ch. 274**

An act to add a section to Art. 19, Public Local Laws, re oyster lots in SM, approved 4-9-1898

- Sec. 96A: It shall be unlawful for any anyone to survey, locate, appropriate, or hold any oyster beds, bars, or bottoms within SM. Except that any male citizen over age twenty-one may have surveyed and located one acre for planting oysters, but not upon a natural bed, bar, or bottom. Anyone now having a five acre oyster lot under the provisions of Sec. 46 of Art. 72, Public General Laws, shall be permitted to remove the oysters planted there before April 1, 1899. Thereafter the lots shall be vacated and open to any citizen of SM with a license to catch oysters with tongs.

### **Acts of 1900 Ch. 480**

An act to repeal and reenact Secs. 96A-96B of Art. 19, Public Local Laws, re oyster lots in SM, approved 4-7-1900

- Sec. 1: Any owner of land bordering on the waters of SM shall have the authority to locate and appropriate in those waters one lot of two acres for preserving, depositing, bedding, or sowing oysters. Any other citizen of age may do the same in waters not located or appropriated, provided thirty days notice be given to the owner or occupant of the land bordering on the waters. If the owner or occupant of that land fails to appropriate a lot, it shall be open to anyone. The description of the lot shall be recorded by the clerk of the SM Circuit Court. No natural bar or bed of oysters shall be taken up. Twelve months peaceable possession of a oyster lot shall constitute a good title. During that time a suit may be brought in the circuit court accusing the holder of locating on a natural bed. If the decision is in favor of the defendant, it shall be recorded with the original record of the lot and be conclusive of the title thereto.
- Sec. 96B: Anyone who located a one acre lot per Acts of 1898, Ch. 274 may take up a two acre lot by doing so on a separate lot or adding one acre to the original one.

### **Acts of 1902 Ch. 610**

An act to repeal and reenact Secs. 96A-96B of Art. 19, Public Local Laws, re oyster lots in SM, approved 4-11-1902

- Sec. 1: Any owner of land bordering on the waters of SM shall have the authority to locate and appropriate in those waters one lot of five acres for preserving, depositing, bedding, or sowing oysters. Any other citizen of age may do the same in waters not located or appropriated, provided thirty days notice be given to the owner or occupant of the land bordering on the waters. If the owner or occupant of that land fails to appropriate a lot, it shall be open to anyone. The description of the lot shall be recorded by the clerk of the SM Circuit Court. No natural bar or bed of oysters shall be taken up. Twelve months peaceable possession of a oyster lot shall constitute a good title. During that time a suit may be brought in the circuit court accusing the holder of locating on a natural bed. If the decision is in favor of the defendant, it shall be recorded with the original record of the lot and be conclusive of the title thereto.
- Sec. 96B: Anyone who located a lot per Acts of 1900, Ch. 480 may increase the holdings up to five acres.

## **Acts of 1906, Ch. 711**

An act to add sections to Art. 72, Public General Laws, re oyster lots, approved 4-2-1906

- Sec. 84: Board of Shell Fish Commissioners is hereby created.
- Sec. 85: The shell fish commissioners shall maintain a record of all leases and assignments of land to be used for planting or cultivating oysters.
- Sec. 86: Shell fish commissioners shall have made a survey of natural oyster beds, bars, and rocks and delineate them on maps and charts of the U.S. Coast and Geodetic Survey. Commissioners shall sent copies to the circuit court clerks of the counties where the areas are located.
- Sec. 88: County commissioners may appoint someone to aid the shell fish commissioners in locating the beds, bars, and rocks.
- Sec. 89: Shell fish commissioners shall publish the survey notes in pamphlet form and sent copies to the circuit court clerks receiving copies of the maps. The survey and report shall not affect holdings in any lot taken up under prior to the approval of this act.
- Sec. 91: Within four months after the survey and report are filed in a county, twenty-five or more residents may file a petition in the circuit court alleging that oyster beds of five or more acres have been omitted or that barren bottoms have been included.
- Sec. 92: The court decisions shall be final and entered in the records of the shell fish commissioners.
- Sec. 93: Any amended survey shall be filed with the appropriate circuit court clerk.
- Sec. 98: After completion of the survey, the shell fish commissioners shall lease lots for oyster culture. No lot if within the limits of one county shall contain less than one acre. If located elsewhere, the minimum shall be five acres.
- Sec. 99: If the survey is not completed within one year, the shell fish commissioners shall begin leasing barren bottoms in those areas where the survey has been done.
- Sec. 108: Any person who has prior to passage of this act lawfully taken up land for planting and cultivating oysters may become the lessee of the land by so notifying the shell fish commissioners within six months after approval of this act.

## **Acts of 1908, Ch. 619**

An act to add sections to Art. 17, Public Local Laws, re plat records in PG, approved 4-6-1908

- Sec. 85A: When an owner of land in PG subdivides it for town sites, streets, lanes, or alleys and wants a plat recorded or when a street, avenue, road, lane, or alley is acquired by the county commissioners, the clerk of the PG Circuit Court shall receive the plat for recording according to the provisions of this act.
- Sec. 85B: Endorsed on the plat shall a certificate of the surveyor that the lots, blocks, and squares are part of the land conveyed to the maker, of which the date and reference shall be given, and that the the lines do not conflict with any other recorded subdivision.
- Sec. 85C: The person wanting the plat recorded shall file in the circuit court a petition setting forth the tract(s) making up the subdivision, providing references to deeds, and certifying that the lines do not conflict with other recorded subdivisions and that the subdivision name is different from others. Court clerk shall publish a notice of the petition, providing time for cause to be shown why the plat should not be recorded.
- Sec. 85D: Two copies of the plat shall be filed with the court clerk, one to be recorded and one to be attached to and made part of the substance record sent to the commissioner of the Land Office. A copy shall also be filed with the county surveyor.
- Sec. 85E: Circuit court clerk shall acquire plat books in which to affix these plats.
- Sec. 85G: When plats are recorded, the streets, roads, avenues, and public parks or squares shown thereon shall be dedicated to public use. The maker of the plat or heirs or assignees shall have the right to petition the circuit court for permission to abandon the subdivision and reconvert it into one tract. The proceedings shall be docketed in the equity docket and recorded in the equity or judgment records. Court clerk shall cross reference such orders on the affected plat.
- Sec. 85H: The owner of any land of which a plat has previously been made and placed in the land records may have a copy recorded in the plat books after conforming with the provisions of this act. Circuit court clerk shall remove the original plat and note at that place the reference to the new plat.

## **Acts of 1912, Ch. 672**

An act to add sections to Art. 3, Public Local Laws, re plat records in BA, approved 4-8-1912

- Sec. 60A: Clerk of the BA Circuit Court shall record plats left for recording by transcribing and copying them into books with indexes. The originals shall be preserved.
- Sec. 60B: Clerk shall transcribe the plats in Plat Books 1-4 and in tubes and index them.

## **Acts of 1914, Ch. 92**

An act to add sections to Art. 16, Public Local Laws, re plat records in MO, approved 3-17-1914

- Sec. 406A: Clerk of MO Circuit Court shall make copies of the plats of subdivisions recorded among the land records prior to April 6, 1904 and insert them in the plat books. Then the originals shall be removed from the land records and the clerk shall note the new reference in the

margin and note the old reference in the plat book.

### **Acts of 1914, Ch. 134**

An act to repeal and reenact Sec. 401 of Public Local Laws, re plat records in MO, approved 3-20-1914

- Sec. 401: Two copies of each subdivision plat shall be filed with the MO Circuit Court clerk, one to be attached to the plat record and one to be made part of the substance record sent to the commissioner of the Land Office. A copy shall also be filed with the county surveyor. Court clerk shall index the plats in the general index of land records in the names of the subdivisions and owners.

### **Acts of 1922, Ch. 118**

An act re surveys and plats in MO and PG, approved 3-23-1922

- Sec. 1: Acts re subdivisions within the Washington Suburban Sanitary District are repealed.
- Sec. 2: No plat or plan of any subdivision of land into streets, avenues, lots, and blocks within that district shall be received or recorded by the circuit court clerks unless it has been approved the Washington Suburban Sanitary Commission (WSSC).
- Sec. 3: After approval, the WSSC and county surveyors shall receive copies of the plats.
- Sec. 4: WSSC shall survey and plan a general system of highways, streets, roads, avenues, and alleys in the district, but without the authority to change the location of any county or state road. Then every subdivision shall conform to this plan.
- Sec. 5: WSSC shall establish grades for roads and streets except for state and county roads and shall first approve those to be established in incorporated towns.
- Sec. 6: Upon the request of an incorporated town the WSSC shall remap it, preserving the present lot, block, street, alley, and property lines, by numbering the squares and blocks consecutively. When the map is approved by the municipal authorities and recorded, the square and block numbers shall be used in land and tax records.
- Sec. 9: Appeals from rulings or requirements of the WSSC may be taken to the county commissioners where the land is located.

### **Acts of 1922, Ch. 211**

An act to add sections to Art. 2, Public Local Laws, re plat records in AA, approved 4-13-1922, effective 6-1-1922

- Sec. 151B: Clerk of AA Circuit Court shall record all plats left to be recorded by transcribing them in books with indexes. The originals shall be retained.
- Sec. 151D: All plats recorded under this act and those now in the plat books shall have the same validity as if recorded in land, mortgage, or judicial records.

### **Acts of 1924, Ch. 254**

An act to add sections to Art. 2, Public Local Laws, re plat records in AA, approved 4-9-1924, effective



6-1-1924

- Sec. 151F: Clerk of AA Circuit Court shall record all plats contained in Plat Book GW 1, sections 1-4, and in tubes and index them.

### **Acts of 1924, Ch. 506**

An act re plat records in PG, approved 4-9-1924, effective 6-1-1924

- Sec. 1: Every deed for a lot of a recorded subdivision plat in PG, when the lines are changed, must be accompanied by a plat which the clerk of PG Circuit Court shall deliver to the supervisor of assessments.
- Sec. 2: Anyone subdividing or developing a tract into lots of five acres or less must file a plat with the circuit court clerk as now provided by law. Unrecorded plats of three or more deeds or contracts of sale shall be prima facie evidence of such subdivision.
- Sec. 4: Any application for the recording of a subdivision plat must be accompanied by an additional plat to those already required, to be filed by the court clerk with the supervisor of assessments.

### **Acts of 1927, Ch. 175**

An act to add sections to Art. 17, Public Local Laws, re plat records in PG, approved 4-1-1927

- Sec. 1: Clerk of PG Circuit Court shall have copies made of damaged subdivision plats recorded in the land records prior to the passage of Acts of 1908, Ch. 619.
- Sec. 4: The copies shall be fastened in Plat Book A and indexed therein.
- Sec. 6: If more books are needed, successive letters shall be used for the book references.

### **Acts of 1927, Ch. 448**

An act re plat records in MO and PG, approved 4-26-1927

- Sec. 1: The area in MO and PG, designated in this act, shall be known as the Maryland-Washington Metropolitan District.
- Sec. 2: The district shall be under the jurisdiction of the Maryland-National Capital Park and Planning Commission (MNCPPC), composed of six members, three each from MO and PG. The chair of the Washington Suburban Sanitary Commission shall be ex officio a member and charged to the number allotted to the county where that person resides. Governor shall appoint the other five members, subject to confirmation by the county commissioners. The terms of office shall begin on May 1, 1927 with two serving two years, two from MO serving six years, and two from PG serving six years. Vacancies shall be handled in the same manner as the appointments. Governor shall designate the chair and shall appoint a general counsel to MNCPPC and a secretary treasurer.
- Sec. 4: MNCPPC shall develop a plan for the physical development of the district including streets, roads, parkways, viaducts, bridges, waterways, parks, forests, squares, aviation fields,

general locations of public buildings and properties and public utilities, and zoning for buildings and premises, and other factors of city and regional planning. The purpose is to accomplish systematic development in coordination with other parts of Maryland and DC. Public hearings shall be held on the plans. Actions taken shall be recorded on a map, plan, or descriptive matter, and a copy filed with the circuit court clerks.

- Sec. 11: MNCPPC shall have surveys and plats made to show future locations of streets and roads on which public hearings shall be held before adoption. Adopted plats shall be filed with the circuit court clerk where the land is located. This action shall be deemed to be the opening of a road or street or the condemnation of property. County commissioners shall act as special boards of appeal to hear appeals from adopted plats.
- Sec. 14: No plat of any subdivision of land into streets, avenues, alleys, lots, and blocks in the district shall be recorded until approved by the MNCPPC so that the subdivision conforms to the general development plan.
- Sec. 32: Sec. 14 shall take effect June 1, 1927. Until then Acts of 1922, Chs. 118 shall remain in effect.

### **Acts of 1927, Ch. 613**

An act re indexes in MO, approved 4-26-1927, effective 6-1-1927

- Sec. 1: Clerk of MO Circuit Court is authorized to prepare a general index of land, mortgage, equity, judgment, magistrates judgment, and plat records according to an approved modern system.
- Sec. 2: Clerk may let out the work on contract.
- Sec. 3: Clerk is authorized to work with a committee of the county bar association to investigate indexing systems to determine the best method for MO.

### **Acts of 1933, Ch. 12**

An act to add a section to Art. 13, Public Local Laws, re plat records in HA, approved 3-16-1933, effective 6-1-1933

- Sec. 427A: Anyone wanting to divide land in HA for selling as subdivisions or building lots shall have the land surveyed before sales are made. The plat shall be submitted to the county commissioners for their approval and then filed with the circuit court clerk for recording in plat books.

### **Acts of 1933, Ch. 412**

An act to add sections to Art. 9, Public Local Laws, re plat records in CH, approved 4-21-1933

- Sec. 163A: CH Circuit Court clerk shall obtain books for recording plats.
- Sec. 163B: The plats shall constitute parts of the land records.
- Sec. 163C: Clerk may remove plats from the land records and record them in plat books. Clerk shall note the new reference on the page from which the plat was removed.

### **Acts of 1935, Ch. 331**

An act to add a section to Art. 1, Public Local Laws, re plat records in AL, approved 5-17-1935, effective 6-1-1935

- Sec. 60A: No plat of any subdivision in AL shall be accepted or recorded by the circuit court clerk until it has been approved by the county commissioners.

### **Acts of 1937, Ch. 111**

An act to add sections to Art. 2, Public Local Laws, re plat records in AA, approved 5-18-1937

- Sec. 200A: Every deed for any lot or part of a lot of any recorded subdivision in AA must be accompanied by a plat whenever the lines of the subdivision are changed. The circuit court clerk shall deliver a copy of the plat to the supervisor of assessments.
- Sec. 200B: When a person or firm subdivides, develops, or promotes any tract into lots of five acres or less, two plats shall be filed with the circuit court clerk in the manner now provided by law. Clerk shall send one copy to the supervisor of assessments.

### **Acts of 1939, Ch. 633**

An act re plats in AA, approved 5-24-1939

- Sec. 2: The AA Planning Commission is established. It shall consist of seven persons - four appointed by the president of the county commissioners, subject to their confirmation and one of whom shall be a county commissioner outside of Election District 6, and three appointed by the mayor of Annapolis, subject to confirmation of the aldermen and one of whom shall be the mayor or an alderman. The term of office of the county commissioner and mayor or alderman shall cease at the end of their elected term of office. The other five shall serve five year terms. To achieve rotation the terms of the three initial county commissioner appointees shall be one, two, and four years respectively and the terms of the two municipal appointees shall be three and five years respectively. If a member is removed for misconduct, a record of the proceedings shall be filed with circuit court clerk. Planning commission shall select its own chair for a term of one year. Planning commission shall maintain a record of its resolutions, transactions, findings, and determinations.
- Sec. 3: Planning commission shall adopt and may amend a general plan for the physical development of the county. It may adopt plans section by section or by one or more functional subject matters at a time. Before any adoption or amendment at least one public hearing shall be held. An attested copy of the plan and substantial amendments, enlargements, or additions shall be filed with the circuit court clerk.
- Sec. 7: No plat of any subdivision of land shall be recorded by the circuit court clerk until it has been submitted to and approved by the planning commission.

## TOBACCO INSPECTION

### Acts of Jun. 1777, Ch. 13

An act re tobacco inspectors, passed 6-28-1777

- Sec. 1: Tobacco inspectors are not being chosen by the vestries agreeable to current law. On or before July 1, 1777 county courts shall nominate and choose for each parish having an inspection house two or four persons for a one year term. Each inspector shall give bond which shall be recorded.

### Acts of Jun. 1780, Ch. 14

An act re tobacco inspection, passed 7-4-1780

- In August 1780 and annually thereafter in September the commissioners of the tax shall nominate two or four tobacco inspectors for each warehouse in the county. Governor and council shall select one or two from the list to be commissioned. Vacancies shall be filled from the same list.
- Each tobacco inspector shall give bond which shall be recorded by the county court clerk and clerk of the General Court, with the original going to the register of the Chancery Court.
- Tobacco inspectors shall record the marks, numbers, and gross and net weights of tobacco inspected and stamped. The name of the vessel to transport the tobacco shall also be recorded.
- Tobacco inspectors shall maintain a waste book for entering the marks and numbers of all hogsheads of tobacco received or delivered out by them.
- Tobacco inspectors shall keep an account of all transfer tobacco and file it with the county clerks before auction and keep accounts of all sales made.
- County courts shall hear complaints against tobacco inspectors.
- County courts are responsible for maintaining and building warehouses, wharves, and weights and measures.
- When a new tobacco inspector is appointed, the old one shall prepare two lists of all hogsheads then in the warehouse, one to be sent to the county court clerk.
- A county court may purchase up to one acre on which to build a warehouse. A jury shall award damages to the landowner. The land shall be surveyed and a certificate recorded by the county court clerk.
- There shall be public warehouses for the inspection of tobacco at the following places and with the specified number of inspectors;
  - AA: Elkridge Landing - 2, Indian Landing - 1, Taylors Landing - 1, Pig Point - 2
  - BA: BC - 2
  - CV: head of St. Leonards Creek - 1, Hunting Creek - 1, Lower Marlboro - 1
  - CA: Choptank Bridge - 1
  - CH: Benedict Town - 1, Piles Fresh - 1, Lower Cedar Point - 1, Chandlers Point - 1, Nanjemoy - 1, Chickamuzon Creek - 1, Pomonkey Creek - 1
  - DO: Choptank Ferry - 1, Little Choptank - 1, Vienna Town - 1
  - HA: Otter Point Landing: - 1
  - KE: Langfords Bay - 1

- MO: Georgetown - 2
- PG: Queen Anne Town - 1, Upper Marlboro - 1, Nottingham -1, Bladensburg - 2, Broad Creek -1, Piscataway - 1, land of Alexander H. Magruder -1
- QA: plantation of Samuel Blunt - 1, landing of Robert Brown - 1, head of Corsica Creek - 1, Porters warehouse - 1, Pembertons warehouse -1
- SM: St. Inigoes - 1, Wicomico - 1, Leonardtown - 1, St. Cuthberts Creek -1, St. Marys River - 1, Town Creek -1, Chaptico -1
- SO: Princess Anne Town and mouth of Back Creek - 2, Coleburns Creek and Pocomoke Rehoboth Town - 2, Wicomico River and head of Baron Creek - 2
- TA: Kingston - 1, Parsons Landing - 1, Emersons Landing -1, Bruffs Landing - 1, landing of Thomas Sherwood - 1, Oxford - 1

### **Acts of Dec. 1780, Ch. 39**

An act supplemental to Acts of Jun. 1780, Ch. 14, re tobacco inspectors, passed 2-2-1781

- The appointment of tobacco inspectors by the governor and council has not worked well. Where there are currently no inspectors the commissioners of the tax shall make the appointments as soon as possible. Thereafter the provisions of Acts of Jun. 1780, Ch. 14 shall apply.

### **Acts of 1789, Ch. 26**

An act re tobacco inspection, passed 12-21-1789

- Sec. 4: In January 1790 the county courts, except in FR and WA, shall determine where on or near navigable water warehouses shall be kept for the receipt and inspection of tobacco and the number of inspectors needed for each. This information shall be recorded and supplemented as changes are made.
- Sec. 5: In January 1790 each county court shall nominate three or five persons as tobacco inspectors.
- Sec. 6: In voting for a public warehouse or tobacco inspector, each justice shall declare the choices in writing to be recorded by the county court clerk in a separate book. A copy shall be sent to the governor and council who shall appoint one or two inspectors from the list for each warehouse. CE Court shall not be obliged to meet for determining warehouses and nominating inspectors unless it appears necessary for preventing fraud in tobacco exportation.
- Sec. 9: Vacancies among the inspectors shall be filled by the governor and council from the list of recommendations. If no names remain, they may choose any qualified person.
- Sec. 11: Annually in November tobacco inspectors shall send to the governor and council lists of tobacco delivered from the warehouses.
- Sec. 15: The bonds of the tobacco inspectors shall be recorded by the county court clerks and clerk of the General Court, with the originals going to the register of the Chancery Court.
- Sec. 24: In April, June, November, and February two or more justices of the peace shall examine the warehouses and test the weights. For the latter they may require the assistance of the standard keeper.
- Sec. 25: Tobacco inspectors shall account with the county courts for moneys received.

- Sec. 34: Tobacco inspectors shall record every hogshead viewed, passed, stamped, and branded; quality thereof; marks; warehouse numbers; gross, tare, and net weights; and names of vessels transporting tobacco. A manifest shall be sent with each load or hogshead of tobacco.
- Sec. 41: County courts shall hear and determine all complaints against tobacco inspectors who if found guilty of breach of duty shall be removed from office. Copies of the complaint and proceedings shall be sent to the governor and council. The inspector or complainant may appeal the court decision to the governor and council. Upon removal of an inspector the governor and council shall fill the vacancy.
- Sec. 42: County court clerk shall record proceedings of the court relating to this act in a separate book.
- Sec. 44: Annually in April the county courts and tobacco inspectors shall meet to determine what buildings, additions or repairs, or wharves are needed at each warehouse. Courts shall contract for the work to be done at the county owned warehouses. With privately owned ones the courts shall notify the proprietors who shall give bond for performing the work. If the work is not done within six months, the court shall contract for the tasks. Each contractor shall give bond.
- Sec. 45: The bonds of the contractors shall be filed with the county court clerk.
- Sec. 47: Money expended for contracting work at privately owned warehouses shall be deducted from the rent due.
- Sec. 48: County courts shall have full and continuing power to build, enlarge, and repair warehouses and direct the construction of wharves.
- Sec. 50: A newly appointed tobacco inspector shall prepare two manifests of tobacco in the warehouse, describing the marks, numbers, and gross, tare, and net weights, and sign a receipt for the tobacco received from the old inspector. One manifest shall be sent to the county court clerk and one kept by the old inspector.
- Sec. 58: County courts may purchase up to two acres for the construction of a warehouse. If the landowner refuses to sell or is under legal disability, the court shall have the sheriff summon a jury to determine the value of the land and damages to pay the owner. Court shall have the county surveyor survey the land and have the certificate recorded by the court clerk. Court shall then contract for the construction of the warehouse.
- Sec. 59: At the spring court term the county courts shall give this act to the grand jury to inquire into breaches, especially by inspectors. At the same term each court shall inquire into the number of warehouses in the county, quantity of tobacco inspected at each one during the past year, number of inspectors at each one, and annual receipts and expenses at each one and then determine whether any warehouse should be discontinued and whether the number of inspectors at each warehouse should be increased or decreased. Courts shall record their determinations and send copies to the governor and council. If a discontinued warehouse belongs to the county, the building and land shall be sold.
- Sec. 71: Tobacco inspection in FR and WA shall be subject to the rules and regulations contained in this act.
- Sec. 72: Persons in FR and WA may carry their tobacco to any public warehouse on navigable water in the state.

## Acts of 1790, Ch. 55

An act supplemental to Acts of 1789, Ch. 26, re tobacco inspection, passed 12-22-1790

- Sec. 4: The appointment of tobacco inspectors shall be done annually.
- Sec. 10: Persons in AL, FR, and WA may carry their tobacco to any public warehouse on navigable water in the state.

### **Acts of 1791, Ch. 61**

An act supplemental to Acts of 1789, Ch. 26, re tobacco inspection, passed 12-26-1791

- Sec. 2: Tobacco inspectors on the Western Shore shall settle accounts annually in November, except in CV, HA, and SM where by law county accounts are settled before November.

### **Acts of 1795, Ch. 71**

An act supplemental to Acts of 1789, Ch. 26, re tobacco inspection, passed 12-24-1795

- Sec. 1: County courts, except in AL, CA, CE, FR, HA, and WA, at the time of nominating tobacco inspectors shall determine places on navigable water where warehouses shall be kept for the reception and inspection of tobacco and the number of inspectors for each place. The information shall be recorded. Warehouses may be discontinued.
- Sec. 2: Discontinued county owned warehouses may be sold.
- Sec. 7: MO Levy Court shall settle accounts with tobacco inspectors annually at the end of December.

### **Acts of 1796, Ch. 43**

An act re tobacco inspection, passed 12-30-1796

- Sec. 16: Levy courts shall perform all duties of the county courts pertaining to tobacco inspection.

### **Acts of 1801, Ch. 63**

An act re tobacco inspection, passed 12-31-1801

- Sec. 3: Annually in January the levy courts, except in AL, CA, CE, FR, HA, KE, MO, and WA, shall determine where on or near navigable water warehouses shall be kept for the receipt and inspection of tobacco and the number of inspectors needed for each. This information shall be recorded and supplemented as changes are made.
- Sec. 4: Annually in January each levy court shall nominate three or five persons as tobacco inspectors.
- Sec. 5: In voting for a public warehouse or tobacco inspector, each justice shall declare the choices in writing to be recorded by the county court clerk in a separate book. A copy shall be sent to the governor and council who shall appoint one or two inspectors from the list for each warehouse.
- Sec. 7: The bonds of the tobacco inspectors shall be recorded by the county court clerks and clerk

of the General Court, with the originals going to the register of the Chancery Court.

- Sec. 24: Tobacco inspectors shall record every hogshead viewed, passed, stamped, and branded; quality thereof; marks; warehouse numbers; gross, tare, and net weights; and names of vessels transporting tobacco. A manifest shall be sent with each load or hogshead of tobacco.
- Sec. 31: Levy courts shall hear and determine all complaints against tobacco inspectors who if found guilty of breach of duty shall be removed from office. Copies of the complaint and proceedings shall be sent to the governor and council. The inspector or complainant may appeal the levy court decision to the governor and council. Upon removal of an inspector the governor and council shall fill the vacancy.
- Sec. 32: County court clerk shall record proceedings of the levy court relating to this act in a separate book.
- Sec. 33: Annually in February the levy courts and tobacco inspectors shall meet to determine what buildings, additions or repairs, or wharves are needed at each warehouse. Levy courts shall contract for the work to be done at the county owned warehouses. With privately owned ones the levy courts shall notify the proprietors who shall give bond for performing the work. If the work is not done within six months, the levy court shall contract for the tasks. Each contractor shall give bond.
- Sec. 34: The bonds of the contractors shall be filed with the county court clerk.
- Sec. 36: Money expended for contracting work at privately owned warehouses shall be deducted from the rent due.
- Sec. 37: Levy courts shall have full and continuing power to build, enlarge, and repair warehouses and direct the construction of wharves at both county and privately owned facilities.
- Sec. 39: A newly appointed tobacco inspector shall prepare two manifests of tobacco in the warehouse, describing the marks, numbers, and gross, tare, and net weights, and sign a receipt for the tobacco received from the old inspector. One manifest shall be sent to the county court clerk and one kept by the old inspector.
- Sec. 44: Levy courts may purchase up to two acres for the construction of a warehouse. If the landowner refuses to sell or is under legal disability, the levy court shall have the sheriff summon a jury to determine the value of the land and damages to pay the owner. Levy court shall have the county surveyor survey the land and have the certificate recorded by the court clerk. Levy court shall then contract for the construction of the warehouse.
- Sec. 45: County courts shall give this act to the grand jury to inquire into breaches, especially by inspectors.
- Sec. 46: Each levy court shall inquire into the number of warehouses in the county, quantity of tobacco inspected at each one during the past year, number of inspectors at each one, and annual receipts and expenses at each one and then determine whether any warehouse should be discontinued and whether the number of inspectors at each warehouse should be increased or decreased. Levy courts shall record their determinations and send copies to the governor and council. If a discontinued warehouse belongs to the county, the building and land shall be sold.
- Sec. 52: Tobacco inspectors shall annually settle accounts with the levy court.
- Sec. 57: Acts of 1789, Ch. 26 and its supplements are repealed.

## Acts of 1806, Ch. 12



An act supplemental to Acts of 1801, Ch. 63, re tobacco inspectors, passed 12-31-1806

- Sec. 2: Governor and council shall fill vacancies among the tobacco inspectors from the list of recommendations received from the levy courts. If no names remain, any qualified person may be appointed.

### **Acts of 1811, Ch. 26**

An act re tobacco inspection in SO, passed 12-27-1811

Tobacco has not been grown in SO for many years and the public warehouses are thus useless and decaying.

- Sec. 1: SO Levy Court shall dispose of the warehouse lots and buildings at public sale by June 1, 1811, after giving four weeks notice.
- Sec. 2: Levy court shall execute deeds to the purchasers.

### **Acts of 1811, Ch. 142**

An act re tobacco inspection in WO, passed 1-4-1812

- Sec. 1: WO Levy Court is authorized to sell the tobacco inspection warehouse, lots, and scales, weights, and other implements and apply the proceeds to the use of the county.
- Sec. 2: Levy court shall no longer appoint tobacco inspectors.

### **Acts of 1815, Ch. 214**

An act supplemental to Acts of 1801, Ch. 63, re tobacco inspection, passed 1-29-1816

- Sec. 1: Tobacco inspectors may sell at public sale tobacco that remains at a warehouse for four years and is not claimed. Proceeds shall be paid to the levy courts.

### **Acts of 1837, Ch. 245**

An act re tobacco inspection in PG, passed 3-24-1838

- Sec. 1: All tobacco inspection warehouses in PG shall be declared state warehouses. Governor with consent of the Senate shall nominate and appoint all tobacco inspectors in PG.
- Sec. 2: Bonds of the inspectors shall be recorded by the county court clerk and a copy sent to the Treasurer of the Western Shore.
- Sec. 3: Revenue from the inspection of tobacco shall be paid to the Treasurer of the Western Shore.

### **Acts of Dec. 1841, Ch. 229**

An act re tobacco inspection in PG, passed 3-7-1842

- Sec. 1: Annually in January the PG Levy Court shall recommend to the governor one person to

be the tobacco inspector at each warehouse. Bonds of the inspectors shall be recorded by the county court clerk.

- Sec. 3: An inspector receiving more than \$500 annually from the inspection of tobacco shall, after deducting expenses, pay the amount to the levy court. This tobacco inspection fund shall be used for the maintenance of the warehouses, improvement of rivers and creeks, construction and maintenance of wharves, and other expenditures. Levy court may appoint a commissioner to execute their financial orders under this section.
- Sec. 6: Annually by or on January 1 the tobacco inspectors shall report to the levy court on the number of hogsheads inspected, shipped, and on hand and the amounts of receipts and expenditures with vouchers.

**RESEARCH NOTES**  
**by Patricia V. Melville**  
2006

Notes from Constitutions and Laws of Maryland, re government agencies, their duties and responsibilities, and resulting records. The notes are transcribed from handwritten abstracts compiled mostly between 1977 and 1985. Research was concentrated on the records and representative agencies then available at the Archives or potentially to be transferred. An example of laws not extracted pertain to CV prior to 1882, the year a series of fires destroyed all records.

- [Agriculture](#)
- [Appeals](#)
- [Apprentices](#)
- [Assessment and Taxation](#)
- [Attorneys](#)
- [BC Government](#)
- [Bounties, Animal](#)
- [Bounties, Military](#)
- [Building Permits](#)
- [Cemeteries](#)
- [Chattels and Liens](#)
- [Civil](#)
- [Commission Tax](#)
- [Corporations](#)
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- [Land Commissions](#)
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- [Partnerships](#)
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- [Roads](#)
- [Slaves and Free Blacks](#)
- [Secretary of State](#)
- [States Attorney](#)
- [Surveys](#)
- [Tobacco Inspection](#)
- [Vital Statistics](#)
- [Weights and Measures](#)
- [Welfare](#)
- [Wreckmaster](#)
- [Zoning](#)

## VITAL STATISTICS

(for laws about marriages, see [Marriages](#))

### Acts of 1654, Ch. 16

An act re births, marriages, and deaths, passed 10-20-1654

- All births, marriages, and deaths shall be filed with the county court clerks for recording.

### Acts of 1678, Ch. 10

An act re births, marriages, and deaths, passed 11-15-1678

- Sec. 1: Names and residences of persons who are born, married, or buried, along with the dates of the events, shall be filed with the county court clerks by the fathers, individuals married, and kin of the deceased within two months after the events. Clerks shall maintain registers of these events. Persons excepted include negroes, Indians, and mulattos.
- Sec. 3: Court clerks shall transcribe any existing registers.

### Acts of 1695, Ch. 1

An act re births, marriages, and deaths, passed 5-22-1695

- Names and residences of persons who are born, married, or buried, along with the dates of the events, shall be filed with Protestant Episcopal vestries by the fathers, individuals married, and kin of the deceased within two months after the events. Vestries shall maintain registers of these events. Persons excepted include negroes, Indians, and mulattos.
- Acts of 1678, Ch. 10 is repealed.

### Acts of 1865, Ch. 130

An act re births and deaths, passed 3-24-1865, effective 7-1-1865

- Sec. 1: Clerks of the county circuit courts and BC Court of Common Pleas shall record the following information about births and deaths in separate books:
  - Births - date and place of birth, name of child if any, sex and color of child, names and residence of parents, occupation of father, and date of record
  - Deaths - date and place of death; facts about decedent - name, sex, color, marital status, age, residence, occupation, place of birth, names and residence of parents; cause of death; place of burial; and date of record.
- Sec. 2: The records shall be indexed.
- Sec. 3: The information shall be filed with the court clerks within six months after the events by parents, householders, relatives, and keepers of prisons, hospitals, almshouses, and other public institutions.
- Sec. 4: Any physician having attended a person during the last illness shall when requested, within fifteen days after the death, furnish information on the disease or cause of death and date

of death.

- Sec. 5: Every sexton, coroner, or undertaker having charge of obsequies or funeral rites of strangers or friendless persons shall return the facts to the court clerks within one month after the death.
- Sec. 6: Death notices required by Secs. 3 and 5 may be deposited with a justice of the peace who shall transmit them to a court clerk every three months.
- Sec. 7: Annually by February 1 the court clerks shall send to the Secretary of the Senate copies of the birth and death records for the past year ending December 31.
- Sec. 10: Secretary of the Senate shall furnish the court clerks with record books, forms, and instructions.

### **Acts of 1880, Ch. 438**

An act re vital statistics, approved 4-14-1880

- Sec. 7: Secretary of the state Board of Health shall be the superintendent of vital statistics. All state and county officers, local health authorities, and other persons charged with collecting or recording births, marriages, and deaths shall quarterly make returns to the superintendent who shall tabulate and bind them and deposit copies in the state library.

### **Acts of 1882, Ch. 357**

An act to repeal Acts of 1865, Ch. 130, re births and deaths, approved 5-3-1882, effective 6-1-1882

- Sections of Acts of 1865, Ch. 130 re birth and death records are repealed.

### **Acts of 1898, Ch. 312**

An act to repeal and reenact Secs. 5-8 of and to add sections to Art. 43, Public General Laws, re births and deaths, approved 4-9-1898

- Sec. 6: Secretary of the state Board of Health shall be the state registrar of vital statistics. The registrar shall prepare methods, books, and forms for the registration of births and deaths and supply the proper officials. Annually the registrar shall prepare a general abstract and report of vital statistics.
- Sec. 6A: Health officers of counties and towns not already provided with a registrar of vital statistics shall be ex officio local registrars.
- Sec. 6B: All physicians shall be sub registrars and shall monthly send records and certificates to the local registrars.
- Sec. 6C: Each birth record shall include the date and place of birth; name, sex, color, and number of the child; whether living or stillborn; names, color, occupations, birthplaces, and residence of the parents; and name and address of the physician, midwife, or attendant. Each death record shall include the date and place of death; name, age, sex, color, marital status, and birthplace of the decedent; cause of death and duration of the illness; names, residence, and color of the parents of the decedent; and name and address of the attending physician.

- Sec. 6D: Every local registrar shall deliver to anyone likely to need them blank certificates and returns, record births and deaths in books furnished by the state registrar, amend records when mistakes and omissions are discovered, and monthly send original certificates to the state registrar.
- Sec. 6E: When no physician is in attendance at a death, the corner, undertaker, or other person in charge of internment shall make a record of the facts required in a death certificate and send it to the nearest local registrar.
- Sec. 6G: Every midwife attending a birth where no physician is present shall furnish the local registrar or sub registrar with the necessary facts.
- Sec. 6H: Other persons who must report births and deaths to the local registrars include parents, householders, relatives, ship commanders, and keepers of hospitals, almshouses, prisons, and other public institutions.
- Sec. 6J: Local registrars shall preserve the birth and death records. Corrections shall be made in red ink.
- Sec. 6L: State registrar shall bind, preserve, and index the original birth and death certificates.

### **Acts of 1900, Ch. 431**

An act to repeal and reenact Secs. 6B and 6E of Acts of 1898, Ch. 312, re burial permits, approved 4-7-1900

- Sec. 6B: Each local registrar shall be empowered to designate one or two persons in each election district as sub registrars who shall issue burial permits and perform other duties as directed by the local board of health.
- Sec. 6E: No internment shall be made without a permit from a local registrar or sub registrar. The death certificate shall be signed by the attending physician or, if none, by the health officer or coroner.

### **Acts of 1906, Ch. 124**

An act to add a section to Art. 43, Public General Laws, re records, approved 3-22-1906

- Sec. 18A: Whenever a local registrar is making incomplete birth and death records, the state Board of Health shall operate the local registrar office for three months, after giving the local board thirty days notice.

### **Acts of 1910, Ch. 560**

An act to add sections to Art. 43, Public General Laws, re births and deaths, approved 4-13-1910

- Sec. 21A: State Board of Health shall establish five bureaus, one to be the Bureau of Vital Statistics.
- Sec. 21F: Bureau of Vital Statistics shall supervise the registration of births and deaths, file and compile all such records, and tabulate and publish them.
- Sec. 21G: Each bureau shall have a chief and assistant chief.

- Sec. 21H: State Board of Health is renamed the state Department of Health.

## **Acts of 1912, Ch. 696**

An act to repeal and reenact Secs. 6-19 of and to add sections to Art. 43, Public General Laws, re births and deaths, approved 4-11-1912, effective 7-1-1912

- Sec. 6: Secretary of the state Board of Health shall be the state registrar of vital statistics. The secretary shall prepare necessary methods, books, and forms for the registration of births and deaths; collect, preserve, and index the records; and tabulate and prepare an annual statistical report.
- Sec. 7: County health officers shall be ex officio county registrars of vital statistics. Municipal health officers shall be ex officio local registrars of vital statistics. County, local, and deputy registrars shall qualify by oath and so notify the state registrar within ten days of the appointment. Otherwise the person must vacate the office. Each local registrar shall appoint a deputy.
- Sec. 8: Each election district or incorporated town shall constitute a registration district. State registrar may combine two or more registration districts in a county provided the total population is not over 100,000. Each county registrar with consent of the county board of health shall appoint a local registrar for each registration district. More than one may be appointed, if deemed necessary by the state registrar. Local registrars and deputies shall receive death certificates, issue burial permits, receive birth certificates, and send the certificates to the county registrar. Local registrars and deputies shall monthly send original certificates to the state registrar and copies to the county registrar.
- Sec. 9: Each birth record shall include the date and place of birth; name, sex, and color of the child and whether living, stillborn, or multiple birth; and names, color, occupation, birthplaces, and residence of the parents. A separate certificate shall be issued for each child in a multiple birth. Each death record shall include the date and place of death; name, age, sex, color, occupation, marital status, and birthplace of the decedent; cause of death and duration of the illness; names, residence, and birthplaces of the parents; and name and address of the attending physician.
- Sec. 13: Physicians and midwives attending a birth shall furnish certificates to the local registrars.
- Sec. 14: Other persons who must report births and deaths to the local registrars include parents, householders, relatives, ship commanders, and keepers of hospitals, almshouses, prisons, and other public institutions.
- Sec. 15: County registrars shall preserve birth and death records.
- Sec. 19A: Chief of the state Bureau of Vital Statistics shall be the assistant state registrar.



## WEIGHTS AND MEASURES

[Earlier acts not abstracted]

### **Acts of 1825, Ch. 206**

An act re weights and measures, passed 3-8-1826

- Sec. 1: On or before August 1, 1826 the governor and council shall procure and deliver to each levy court a standard of each weight and measure used at the BC custom house.
- Sec. 2: Annually on or before May 1 each levy court shall appoint a keeper of standards of weights and measures who shall keep and preserve the standards and measures and perform duties prescribed in this act. Standard keepers shall give bond.
- Sec. 3: All weights and measures used in the county shall be inspected and stamped by the standard keeper and adjusted if necessary. The inspections shall be performed annually.
- Sec. 6: Standard keepers shall attend at markets at least once a year and at public inspection warehouses at least twice a year on days to be determined by the levy courts, of which public notice shall be given. Each keeper shall keep a record of the names of the persons whose weights and measures have been adjusted, dates of adjustment, and descriptions of the affected items. The levy courts shall inspect these records annually or oftener.
- Sec. 13: This act shall not apply in BC provided the mayor and city council pass ordinances to make the standards of weights and measures the same as the rest of the state.

### **Acts of 1831, Ch. 154**

An act supplemental to Acts of 1825, Ch. 206, re weights and measures in HA, passed 3-1-1832

- Sec. 1: The standards of weights and measures now in possession of the standard keeper in HA shall be deposited with the clerk of the county commissioners who shall perform the duties of that official
- Sec. 2: However, the county commissioners may appoint a keeper of standards who shall perform the duties prescribed in Acts of 1825, Ch. 206.

### **Acts of 1832, Ch. 101**

An act supplemental to Acts of 1825, Ch. 206, re weights and measures in AL, passed 3-15-1833

- Sec. 1: The standards of weights and measures now in possession of the standard keeper in AL shall be deposited with the clerk of the county commissioners who shall maintain and correct them.
- Sec. 2: Hereafter the county commissioners may appoint a keeper of standards who shall perform the duties prescribed in Acts of 1825, Ch. 206.

### **Acts of 1834, Ch. 178**

An act supplemental to Acts of 1825, Ch. 206, re weights and measures in AA, passed 3-4-1835

- Sec. 1: The standards of weights and measures now in possession of the keeper in AA shall be deposited with the clerk of the county commissioners who shall maintain and correct them.
- Sec. 2: Hereafter the county commissioners may appoint a keeper of standards who shall perform the duties prescribed in Acts of 1825, Ch. 206.

### **Acts of 1842, Ch. 221**

An act re weights and measures in QA, passed 3-1-1843

- Sec. 1: Acts of 1825, Ch. 206 is repealed as far as it relates to QA.
- Sec. 2: The present keeper of standards of weights and measures shall deliver the standards the the QA Levy Court. The clerk of the levy court shall try, correct, brand, mark, and stamp weights and measures.

### **Acts of 1864, Ch. 120**

An act to repeal and reenact Secs. 157-158 of and to add sections to Art. 17, Public Local Laws, re weights and measures in QA, passed 3-4-1864

- Sec. 157: Annually in April the QA Board of County Commissioners shall appoint a keeper of standards of weights and measures who shall attend in towns to try scales etc. and condemn deficient ones and stamp correct ones.
- Sec. 160: In the absence of the standard keeper the county commissioners shall perform the duties.

### **Acts of 1890, Ch. 466**

An act to add sections to Art. 3, Public Local Laws, re weights and measures in BA, approved 4-8-1890

- Sec. 258B: The keeper of standards of weights and measures in BA shall maintain a register showing the names and addresses of persons whose beams and scales and weights and measures have been adjusted, stamped, or branded, dates of inspections, and amounts of fees collected or fines imposed and collected. The list of names and amounts collected shall be published in the annual statement of the county commissioners.

### **Acts of 1910, Ch. 353**

An act to repeal and reenact Art. 97, Public General Laws, re weights and measures, approved 4-11-1910

- Sec. 3: Annually by May 1 the county commissioners shall appoint a keeper of standards of weights and measures who shall keep and preserve them.
- Sec. 4: Standard keepers shall give bond.
- Sec. 5: All weights and measures used in the state shall be inspected and stamped by the standard keepers.
- Sec. 7: Each standard keeper shall register the names of the persons whose beams, scales, weights, and measures have been adjusted, dates of adjustment, and numbers and descriptions of

the items affected. County commissioners shall inspect these records annually.

## WELFARE

[special legislation for relief for specific individuals not abstracted]

### Acts of 1768, Ch. 29

An act re almshouses, passed 6-22-1768

- Sec. 2: In AA, CH, FR, PG, and WO an almshouse and workhouse shall be erected at county expense. County courts shall levy a poll tax in 1768, 1769, and 1770, to be collected by the sheriff and paid to the trustees of the poor.
- Sec. 4: Persons named in this act shall be trustees of the poor, five for each of the five counties listed in Sec. 2. Trustees shall take an oath. Trustees shall have the authority to
  - sue and be sued
  - possess any donation given, devised, or bequeathed
  - receive monetary subscriptions
  - purchase and receive lands, tenements, hereditaments, not exceeding an annual value of £1000
  - adopt rules and regulations setting the poor to work, punishing vagrants, beggars, vagabonds, and other offenders, and governing the almshouse and workhouse
- Sec. 5: Trustees of the poor shall fill their own vacancies provided the person is a county resident and not related to the others.
- Sec. 7: Trustees of the poor shall draw on the sheriff for funds to buy land and erect buildings.
- Sec. 8: Trustees of the poor shall buy land, not over 100 acres, and contract for the construction of buildings including an almshouse for the reception and lodging of the poor and a workhouse for the reception and lodging of vagrants, beggars, and other offenders committed under this act.
- Sec. 9: Trustees of the poor shall buy furnishings, tools, livestock, and other necessities. Trustees shall maintain accounts of expenditures and file copies with vouchers with the county courts at the November court term for their examination.
- Sec. 10: After 1770 the county courts shall impose taxes to be used by the trustees of the poor for
  - maintenance of the poor, vagrants, beggars, and other offenders
  - purchase of provisions
  - paying a doctor for a salary and medicine
  - paying servants
  - purchase of materials for the employment of those who can work
- Sec. 11: Annually in May trustees of the poor shall appoint an overseer of the almshouse and workhouse and other officers and servants as necessary. The overseer shall give bond.
- Sec. 13: Trustees of the poor shall meet four times a year in February, May, August, and November.
- Sec. 14: Overseer shall keep a list of persons committed to the almshouse and workhouse and maintain accounts of materials received, expenses of maintenance and support, and money received from the sale of produce. The accounts shall be filed with the trustees of the poor for their examination.
- Sec. 15: Overseer may compel able bodied persons to work.

- Sec. 16: Any county justice may upon a hearing commit a disorderly person to the workhouse for not more than three months.
- Sec. 17: Trustees of the poor may regulate what poor shall be admitted into the almshouse and workhouse. Justices of the peace may apprehend rogues, vagrants, beggars, and other idle, dissolute, and disorderly persons who do not work or have a visible means of support and send them to work at the workhouse for not over three months.
- Sec. 18: Only county residents shall be admitted to the almshouses or workhouses.
- Sec. 25: Annually in May the trustees of the poor shall select a someone to replace the longest serving or first named member.

### **Acts of 1771, Ch. 36**

An act re almshouse in AA, passed 11-30-1771

- Sec. 1: No land has been purchased in AA or buildings erected per provisions of [Acts of 1768, Ch. 29].
- Sec. 3: AA Trustees of the Poor have not been able to find any land near Annapolis. They are now authorized to purchase land, not over 100 acres, within ten miles of Annapolis and have buildings erected.

### **Acts of Nov. 1773, Ch. 8**

An act re almshouse in AA, passed 12-23-1773

- Sec. 1: The almshouse and workhouse in AA shall be finished by May 1, 1774.

### **Acts of Nov. 1773, Ch. 18**

An act re almshouse in SM, passed 12-23-1773

- Sec. 2: For 1773-1775 the SM Court shall levy on taxable inhabitants for sums to be paid the trustees of the poor.
- Sec. 4: Five trustees of the poor are named in this act. They may accept gifts and donations and subscriptions of money. They may purchase and hold lands, tenements, and hereditaments, not exceeding an annual value of £1000 sterling. They shall have the authority to adopt orders and rules for regulating and setting the poor to work, punishing offenders, and governing the almshouse and workhouse.
- Sec. 5: Vacancies shall be filled by the remaining trustees.
- Sec. 8: Trustees shall purchase up to 100 acres and contract for building an almshouse for receiving and lodging the poor, workhouse for receiving vagabonds, beggars, and other offenders committed by justices of the peace, and other buildings.
- Sec. 9: The land shall be located near Leonardtown, if possible. Trustees shall purchase furniture, tools, and livestock. Trustees shall keep accounts of expenditures and and file copies with vouchers with the county court at its November court term.
- Sec. 10: After 1775 the county court shall continue to levy for maintenance of the poor and

vagrants, paying a doctor, providing servants, and purchasing materials for the employment of the poor and vagrants.

- Sec. 11: Annually in May the trustees shall appoint an overseer of the almshouse and workhouse and other officers and servants.
- Sec. 13: Trustees shall meet quarterly.
- Sec. 14: The overseer shall keep a list of all persons committed to the almshouse and workhouse and accounts of materials received, expenditures, and proceeds from the sale of products of the laborers and file them with the trustees.
- Sec. 16: Justices of the peace may commit a person charged with disorderly conduct and likely to become a county charge to the workhouse for up to three months, unless security is given. When a person in the workhouse becomes disorderly, refuses to work, or refuses to obey the rules, the trustees or overseer may file a complaint with a justice of the peace who may order a proper punishment.
- Sec. 17: Justices of the peace may also commit persons found idle and loitering and having no visible means of support.
- Sec. 23: Annually in May the trustees shall select a new trustee to replace the longest serving or first named member.

### **Acts of Nov. 1773, Ch. 30**

An act re almshouse in BA, passed 12-21-1773

- Sec. 2: An almshouse and workhouse shall be built in BA.
- Sec. 4: Commissioners for Emitting Bills of Credit shall advance funds to the BA Trustees of the Poor.
- Sec. 5: A tax shall be levied to pay back the advance.
- Sec. 8: Seven trustees of the poor are named in this act. They shall take an oath and sign the test book. They shall have the authority to adopt rules and order for regulating and setting to work the poor, punishing vagrants, beggars, and other offenders, and governing the almshouse and workhouse.
- Sec. 9: The remaining trustees shall fill vacancies.
- Sec. 11: Trustees shall purchase land, not over 100 acres and close to BC but at least one-half mile away, and contract to build an almshouse and workhouse.
- Sec. 12: Trustees shall purchase furnishings and other necessities for the use and employment of the poor. Trustees shall maintain accounts of expenditures and file copies with vouchers with the county court for its inspection.
- Sec. 13: County court shall levy funds for maintenance of the poor, paying a doctor, employing servants, and purchase of materials.
- Sec. 14: Annually in May the trustees shall appoint an overseer of the almshouse and other officers and servants.
- Sec. 16: Trustees shall meet in February, May, August, and November at the almshouse.
- Sec. 17: Overseer shall keep a list of poor committed to the almshouse and workhouse and accounts of materials received, expenditures, and funds garnered from the sale of produce of the workers and shall file the lists and accounts with the trustees.

- Sec. 19: When likely to be a charge to the county, disorderly persons shall be committed to the workhouse for up to three months, unless they find security.
- Sec. 20: Any trustee of the poor may direct what poor persons shall be received into the almshouse and workhouse. Any justice of the peace may apprehend and commit to the almshouse and workhouse persons found loitering or residing in BA who have no job or visible means of support, to be kept there for up to three months.
- Sec. 26: Annually in May the trustees shall select a new trustee to replace the longest serving or first named member.

## **Acts of 1774, Ch. 16**

An act re almshouse in TA, passed 4-16-1774

- Sec. 1: With funds levied in 1774-1776 an almshouse and workhouse shall be built in TA by trustees of the poor.
- Sec. 3: Five persons are named in this act as TA Trustees of the Poor.
- Sec. 4: Vacancies shall be filled by the remaining trustees.
- Sec. 7: Trustees shall buy between fifty and 100 acres and contract for the construction of buildings
- Sec. 8: Trustees shall purchase furniture, tools, livestock, and other necessities. The almshouse land shall be convenient to the courthouse. Trustees shall maintain accounts of expenditures and annually at the November court term file copies with vouchers with the county court for its inspection.
- Sec. 10: Annually in November the trustees shall appoint an overseer and other officers and servants.
- Sec. 12: Trustees shall meet in January, May, August, and November to adopt rules and by-laws.
- Sec. 13: The overseer shall keep a list of the poor, beggars, vagrants, and other offenders and accounts of materials received, expenses incurred in maintenance of the poor and other matters, and funds received from the sale of produce. The list and accounts shall be filed with the trustees.
- Sec. 15: Justices of the peace may commit disorderly persons, unless they give security, to the workhouse for not over three months.
- Sec. 16: Trustees may direct what poor persons to receive into the almshouse and workhouse. Justices of the peace may commit vagrants and beggars, having no visible means of support, for not over three months.
- Sec. 22: Annually in January the trustees shall select a new trustee to replace the longest serving or first named member.

## **Acts of 1785, Ch. 15**

An act re almshouse in TA, passed 3-12-1786

- Sec. 2: With funds levied in 1786-1788 an almshouse and workhouse shall be built in TA by trustees of the poor.
- Sec. 3: Five persons are named in this act as TA Trustees of the Poor.
- Sec. 4: Vacancies shall be filled by the remaining trustees.

- Sec. 5: No trustee shall be compelled to serve for three years after leaving office.
- Sec. 7: Trustees shall buy between twenty-five and thirty acres and contract for the construction of buildings
- Sec. 8: Trustees shall purchase furniture, tools, livestock, and other necessities. The almshouse land shall be convenient to the courthouse. Trustees shall maintain accounts of expenditures and annually at the June court term file copies with vouchers with the county court for its inspection.
- Sec. 10: Annually in November the trustees shall appoint an overseer and other officers and servants.
- Sec. 12: Trustees shall meet in January, May, August, and November to adopt rules and by-laws.
- Sec. 13: The overseer shall keep a list of the poor, beggars, vagrants, and other offenders and accounts of all materials received, expenses incurred in maintenance of the poor and other matters, and funds received from the sale of produce. The list and accounts shall be filed with the trustees.
- Sec. 15: Justices of the peace may commit disorderly persons, unless they give security, to the workhouse for not over three months.
- Sec. 16: Trustees may direct what poor persons to receive into the almshouse and workhouse. Justices of the peace may commit vagrants and beggars, having no visible means of support, for not over three months.
- Sec. 21: Annually in November the trustees shall select someone to replace the longest serving or first named member.
- Sec. 23: Trustees may rent a house and lot until land is purchased and buildings constructed.
- Sec. 24: The sums levied and collected per Acts of 1774, Ch. 16 shall be paid to the trustees named in this act.
- Sec. 26: Acts of 1774, Ch. 16 repealed.

## **Acts of 1785, Ch. 57**

An act re almshouse in DO and SO, passed 3-8-1786

- Sec. 1: An almshouse and workhouse shall be built in DO and SO at county expense. When collected, the money shall be paid to the trustees of the poor.
- Sec. 3: Seven trustees of the poor are named in this act for DO, and seven for SO.
- Sec. 4: Vacancies shall be filled by the remaining trustees.
- Sec. 5: No one shall be compelled to serve for three years after leaving office.
- Sec. 7: Trustees in each county shall buy not over thirty acres and contract for the construction of buildings.
- Sec. 8: Trustees shall purchase furniture, tools, livestock, and other necessities. The land shall be convenient to the courthouse. Trustees shall keep accounts of receipts and expenditures and return them with vouchers to the county courts at the June term for inspection.
- Sec. 10: Annually in November the trustees shall appoint an overseer and other officers and servants.
- Sec. 12: Trustees shall meet in January, May, August, and November to adopt rules and by-laws.
- Sec. 13: Each overseer shall keep a list of the poor, beggars, vagrants, and other offenders and accounts of materials received, expenses incurred in maintenance of the poor and other matters,



and funds received from the sale of produce. The list and accounts shall be filed with the trustees.

- Sec. 15: Justices of the peace may commit disorderly persons, unless they give security, to the workhouse for not over three months.
- Sec. 16: Trustees may direct what poor persons to receive into the almshouse and workhouse. Justices of the peace may commit vagrants and beggars, having no visible means of support, for not over three months.
- Sec. 21: Annually in November the trustees shall select someone to replace the longest serving or first named member.
- Sec. 22: Trustees may rent a house and grounds until the provisions of Sec. 7 are implemented.

## **Acts of Apr. 1787, Ch. 24**

An act re almshouse in TA, passed 5-25-1787

- Sec. 2: Trustees of the charity school in St. Peters Parish are authorized to convey their land to the TA Trustees of the Poor.
- Sec. 4: The part of Acts of 1785, Ch. 15 authorizing a levy for the poor in 1787 and 1788 is repealed.

## **Acts of 1787, Ch. 11**

An act re almshouse in KE, passed 12-16-1787

- Sec. 1: An almshouse and workhouse shall be built in KE at county expense. When collected, the taxes shall be paid to the trustees of the poor.
- Sec. 3: Seven trustees of the poor are named in this act.
- Sec. 4: Vacancies shall be filled by the remaining trustees.
- Sec. 7: Trustees shall buy between six and thirty acres and contract for the construction of buildings.
- Sec. 8: Trustees shall purchase furniture, tools, livestock, and other necessities. The land shall be convenient to the courthouse. Trustees shall keep accounts of receipts and expenditures and return them with vouchers to the county court at the June term for inspection.
- Sec. 10: Annually in November the trustees shall appoint an overseer and other officers and servants.
- Sec. 12: Trustees shall meet in January, May, August, and November to adopt rules and by-laws.
- Sec. 13: The overseer shall keep a list of the poor, beggars, vagrants, and other offenders and accounts of materials received, expenses incurred in maintenance of the poor and other matters, and funds received from the sale of produce. The list and accounts shall be filed with the trustees.
- Sec. 15: Justices of the peace may commit disorderly persons, unless they give security, to the workhouse for not over three months.
- Sec. 16: Trustees may direct what poor persons to receive into the almshouse and workhouse. Justices of the peace may commit vagrants and beggars, having no visible means of support, for not over three months.
- Sec. 20: Annually in November the trustees shall select three persons to replace the longest serving or first three named member.

- Sec. 21: Trustees may rent a house and grounds until the provisions of Sec. 7 are implemented.

## **Acts of 1787, Ch. 16**

An act re almshouse in HA and MO, passed 12-17-1787

- Sec. 1: An almshouse and workhouse shall be built in HA and MO at county expense. When collected, the taxes shall be paid to the trustees of the poor.
- Sec. 3: Seven trustees of the poor are named in this act for HA, and seven for MO.
- Sec. 4: Vacancies shall be filled by the remaining trustees.
- Sec. 7: Trustees in each county shall buy not over fifty acres and contract for the construction of buildings.
- Sec. 8: Trustees shall purchase furniture, tools, livestock, and other necessities. The land shall be convenient to the courthouse. Trustees shall keep accounts of receipts and expenditures and return them with vouchers to the county courts at the August term for inspection.
- Sec. 10: Annually in November the trustees shall appoint an overseer and other officers and servants.
- Sec. 12: Trustees shall meet in January, May, August, and November to adopt rules and by-laws.
- Sec. 13: Each overseer shall keep a list of the poor, beggars, vagrants, and other offenders and accounts of materials received, expenses incurred in maintenance of the poor and other matters, and funds received from the sale of produce. The list and accounts shall be filed with the trustees.
- Sec. 15: Justices of the peace may commit disorderly persons, unless they give security, to the workhouse for not over three months.
- Sec. 16: Trustees may direct what poor persons to receive into the almshouse and workhouse. Justices of the peace may commit vagrants and beggars, having no visible means of support, for not over three months.
- Sec. 21: Annually in November the trustees shall select someone to replace the longest serving or first named member.
- Sec. 22: Trustees may rent a house and grounds until the provisions of Sec. 7 are implemented.

## **Acts of May 1788, Ch. 6**

An act re almshouse in DO, passed 5-25-1788

- Sec. 1: DO has been unable to erect an almshouse and support its poor, agreeable to the provisions of 1785, Ch. 57.
- Sec. 2: The free school property of DO is hereby vested in the trustees of the poor as a fund for the relief and support of the poor. With consent of the DO Court the trustees may lease or sell the property.

## **Acts of Nov. 1788, Ch. 14**

An act re almshouse in CA, passed 12-22-1788

- Sec. 1: An almshouse and workhouse shall be constructed in CA.

- Sec. 3: Five persons are named in this act as CA Trustees of the Poor.
- Sec. 4: Vacancies shall be filled by the remaining trustees.
- Sec. 7: Trustees shall purchase between six and fifty acres and contract for the construction of buildings.
- Sec. 8: Trustees shall purchase furniture and tools. The land may be located in any part of the county. Trustees shall keep accounts of receipts and expenditures and file copies with vouchers with the county court annually at the June court term.
- Sec. 10: Annually in November the trustees shall appoint an overseer, servants, and other officers.
- Sec. 12: Trustees shall meet in January, May, August, and November to adopt rules and regulations for the almshouse and workhouse.
- Sec. 13: The overseer shall maintain a list of the poor, vagrants, and other offenders committed to the almshouse and workhouse. The overseer shall keep an account of materials assigned to the almshouse, expenses, and funds received from the sale of produce and file the lists and accounts with the trustees.
- Sec. 15: Justices of the peace may commit disorderly persons likely to become public charges to the workhouse for up to three months, unless security is given.
- Sec. 16: Trustees may direct what poor shall be received in the almshouse and workhouse. Justices of the peace may commit vagrants having no visible means of support to the workhouse for not over six months.
- Sec. 21: Annually in November the trustees shall select two persons to replace the first two named in this act or the two serving the longest.
- Sec. 22: Trustees may rent a lot and house until sufficient money is raised to purchase land and construct buildings.

### **Acts of Nov. 1788, Ch. 15**

An act re almshouse in QA, passed 12-22-1788

- Sec. 1: The free school property in QA and funds appropriated for it shall be vested in the QA Trustees of the Poor for relief and support of the poor.
- Sec. 4: Nine trustees of the poor are named in this act.
- Sec. 5: Vacancies shall be filled by the remaining trustees.
- Sec. 8: Trustees shall contract for the repair of almshouse buildings and construction of others.
- Sec. 9: Trustees shall purchase furniture, utensils, tools, and livestock. They shall keep accounts of moneys received and expended and file copies with vouchers with the county court annually in July.
- Sec. 10: County court shall annually assess sums for the poor and the tax collector shall pay the money to the trustees.
- Sec. 11: Annually in November the trustees shall appoint an overseer, servants, and other officers.
- Sec. 13: Trustees shall meet in January, May, August, and November to adopt rules and regulations for the almshouse and workhouse.
- Sec. 14: The overseer shall maintain a list of the poor, vagrants, and other offenders committed to the almshouse and workhouse. The overseer shall keep an account of materials assigned to the almshouse, expenses, and funds received from the sale of produce and file the lists and accounts

with the trustees.

- Sec. 16: Justices of the peace may commit disorderly persons likely to become public charges to the workhouse for up to three months, unless security is given.
- Sec. 17: Trustees may direct what poor shall be received in the almshouse and workhouse. Justices of the peace may commit vagrants having no visible means of support to the workhouse for not over three months.
- Sec. 22: Annually in November the trustees shall select three persons to replace the first three named in this act or the three serving the longest.

## **Acts of 1796, Ch. 22**

An act re almshouse in WA, passed 12-30-1796

- Sec. 2: An almshouse and workhouse shall be constructed in WA.
- Sec. 3: Seven persons are named in this act as WA Trustees of the Poor.
- Sec. 4: Vacancies shall be filled by the remaining trustees.
- Sec. 7: Trustees shall purchase not over fifty acres and contract for the construction of buildings.
- Sec. 8: Trustees shall purchase furniture, tools, livestock, and other necessities. The land shall be located within seven miles of the courthouse. Trustees shall keep accounts of receipts and expenditures and file copies with vouchers annually in May with the levy court.
- Sec. 10: Annually in November the trustees shall appoint an overseer of the almshouse, servants, and other officers.
- Sec. 12: Trustees shall meet in May, August, October, and December to adopt rules and regulations for the almshouse and workhouse.
- Sec. 13: The overseer shall maintain a list of the poor, vagrants, and other offenders committed to the almshouse and workhouse. The overseer shall keep an account of materials assigned to the almshouse, expenses, and funds received from the sale of produce and file the lists and accounts with the trustees.
- Sec. 15: Justices of the peace may commit disorderly persons likely to become public charges to the workhouse for up to three months, unless security is given.
- Sec. 16: Trustees may direct what poor shall be received in the almshouse and workhouse. Justices of the peace may commit vagrants having no visible means of support to the workhouse for not over six months.
- Sec. 21: Annually in November the trustees shall select one person to replace the longest serving or first named member.
- Sec. 22: Trustees shall rent a lot and house as near as possible to the courthouse until sufficient money is raised to purchase land and construct buildings.

## **Acts of 1797, Ch. 34**

An act re almshouse in WA, passed 1-20-1798

- Sec. 1: Three persons are named in this act as WA Trustees of the Poor.
- Sec. 5: Vacancies shall be filled by the levy court.
- Sec. 7: Levy court shall levy funds to implement this act and Acts of 1796, Ch. 22.

- Sec. 8: Trustees shall purchase up to seven acres up to seven miles from the courthouse and contract for the construction of buildings.
- Sec. 10: When the almshouse is completed, the trustees shall purchase furniture, tools, livestock, and other necessities. Trustees shall keep accounts of receipts and expenditures and file copies with vouchers annually in May with the levy court.
- Sec. 10: Annually in November the trustees shall appoint an overseer of the almshouse, servants, and other officers.

### **Acts of 1799, Ch. 65**

An act re outpensions, passed 1-3-1800

- Trustees of the poor in the counties where poorhouses have been established may keep any number of outpensioners, not over ten at any one time, and to allow each an annual pension not over \$30, limited to those for whom the poorhouse is unsuitable.

### **Acts of 1801, Ch. 75**

An act re almshouse in AA, passed 12-31-1801

- Sec. 1: The almshouse in AA has been destroyed by fire.
- Sec. 2: AA Levy Court shall levy funds for repairing the old building or constructing a new one.
- Sec. 3: Seven persons are named in this act as commissioners to contract for repairs or purchase land, not over 200 acres, in any part of the county and contract for the construction of buildings and to sell at public auction the current almshouse land.

### **Acts of 1803, Ch. 16**

An act supplemental to Acts of Nov. 1773, Ch. 18, re almshouse in SM, passed 12-31-1808

- Sec. 2: SM Levy Court is authorized to levy a sum, not over \$1700, for the purchase of land for an almshouse. Sheriff shall collect the taxes and pay them to the trustees of the poor.
- Sec. 3: Trustees of the poor shall purchase woodland.

### **Acts of 1803, Ch. 85**

An act re almshouse in QA, passed 1-7-1804

- Sec. 1: Current buildings used for the poor in QA are too small and inconveniently located.
- Sec. 2: QA Levy Court shall levy funds for the purchase of land and construction of buildings.
- Sec. 3: Trustees of the poor shall purchase between ten and twenty acres near the head of Corsica Creek. The deed and plat of the land shall be recorded.
- Sec. 4: Trustees shall contract for the construction of buildings. Afterwards the trustees shall sell at public sale the old almshouse property. The sale proceeds shall be paid to the levy court for use of the county.

## **Acts of 1804, Ch. 69**

An act re outpensions in AA, FR, HA, and PG, passed 1-19-1805

- Sec. 1: All applications by and on behalf of persons wanting to be maintained outside the almshouses in AA, FR, HA, and PG shall be made to the trustees of the poor who shall make recommendations to the levy courts. Upon agreement with the recommendations, the levy court shall award each applicant an annual sum of not over \$40, provided the number of outpensioners does not exceed twenty at any one time.

## **Acts of 1805, Ch. 7**

An act re almshouse in WA, passed 1-25-1806

- Sec. 1: Almshouse in WA is too small and funds levied are insufficient to build a smokehouse and purchase a burial ground.
- Sec. 2: WA Levy Court shall assess funds for the construction of additional buildings and purchase of a burial ground.

## **Acts of 1805, Ch. 95**

An act re almshouse in BA, passed 1-27-1806, effective 3-1-1806

- Sec. 2: All powers and jurisdiction of the BA Trustees of the Poor, except the power to fill their own vacancies, shall be vested in BA Levy Court.
- Sec. 3: Levy court shall appoint a purveyor of provisions who shall provide provisions for the almshouse and shall annually file a statement of receipts and disbursements for examination and passage.
- Sec. 4: Purveyor shall give bond, to be approved by the levy court.

## **Acts of 1806, Ch. 34**

An act supplemental to Acts of 1785, Ch. 15, re trustees of the poor in TA, passed 1-3-1807

- Sec. 1: TA Levy Court at the next annual meeting shall appoint five trustees of the poor.
- Sec. 2: Vacancies shall be filled by the levy court.
- Sec. 3: Annually the levy court shall appoint one trustee to replace the first named or longest serving.

## **Acts of 1808, Ch. 64**

An act re outpensions in SO, passed 12-23-1808

- SO Trustees of the Poor may keep any number of outpensioners and allow each a pension not to exceed \$30 per year.

## **Acts of 1809, Ch. 84**

An act supplemental to Acts of 1799, Ch. 65, re outpensions, passed 1-3-1800

- Sec. 1: Trustees of the poor in the counties where poorhouses have been established, except in AA, CV, CA, CE, DO, HA, and QA, may keep twenty or more outpensioners in addition to the number authorized by Acts of 1799, Ch. 65. This act shall not affect the number of outpensioners in SO authorized by 1808, Ch. 64.
- Sec. 2: In counties to which this act applies trustees of the poor may contract with persons for maintenance of the poor on an annual basis.

### **Acts of 1810, Ch. 125**

An act re outpensions in SM, passed 12-25-1810

- Sec. 1: SM Trustees of the Poor may keep up to ten more outpensioners, in addition to those authorized by Acts of 1809, Ch. 84.

### **Acts of 1811, Ch. 162**

An act supplemental to Acts of 1768, Ch. 29, re almshouse in FR, passed 1-4-1812

- Sec. 1: The office of the present FR Trustees of the Poor shall cease in June. Beginning in May the trustees shall be appointed by the levy court.
- Sec. 2: Annually in May the levy court shall appoint five trustees.
- Sec. 5: Levy court shall fill vacancies.
- Sec. 6: Annually in May the trustees shall file with the levy court a statement of accounts and expenditures with vouchers for examination and settlement.

### **Acts of 1812, Ch. 12**

An act supplemental to Acts of 1785, Ch. 57, re almshouse and outpensions in DO, passed 11-17-1812

- Sec. 1: The term of office of the present DO Trustees of the Poor shall cease existence in June. Beginning in May the levy court shall appoint the trustees.
- Sec. 2: Levy court shall appoint seven trustees annually.
- Sec. 4: The current trustees shall deliver their records and property to the new ones.
- Sec. 5: Levy court shall fill vacancies.
- Sec. 6: Annually in May the trustees shall file with the levy court a statement of accounts and expenditures with vouchers for examination and settlement.
- Sec. 9: Trustees shall meet in June, October, January, and April.
- Sec. 11: Trustees may provide for any number of outpensioners.

### **Acts of 1812, Ch. 107**

An act re almshouse in TA, passed 12-22-1812

- Sec. 1: TA Levy Court may levy sums for the enlargement and repair of the almshouse.

**Acts of 1813, Ch. 166**

An act supplemental to Acts of Nov. 1788, Ch. 15, re outpensions in QA, passed 1-29-1814

- Sec. 1: QA Trustees of the Poor may keep not more than ten more outpensioners, in addition to those authorized by Acts of 1799, Ch. 65.

**Acts of 1814, Ch. 48**

An act supplemental to Acts of Nov. 1788, Ch. 15, re almshouse and outpensions in QA, passed 1-16-1815

- Sec. 1: The purchase of part of Paschals Chance, 15.169 acres, adjoining the almshouse land, by the QA Trustees of the Poor from William E. Wright, on the assignment of a conveyance bond given him by Henry W. Hackett, is hereby confirmed.
- Sec. 3: Out of the \$600 authorized by the General Assembly for outpensions in QA, the trustees of the poor may keep any number of outpensioners and allow each not over \$30 per year.

**Acts of 1814, Ch. 80**

An act re outpensions in CA, passed 1-17-1815

- CA Levy Court may levy sufficient sums for the support of ten additional outpensioners. Annual allowances shall not exceed \$30.

**Acts of 1817, Ch. 78**

An act re insane paupers, passed 1-31-1818

- Sec. 1: Based on certification of being a lunatic pauper from the trustees of the poor, a levy court may have the person removed to the Maryland Hospital.
- Sec. 2: Levy court shall levy sufficient sums for such removals and for expenses incurred during the hospital stay, not to exceed \$100 per year.

**Acts of 1817, Ch. 87**

An act re almshouse in BA, passed 1-31-1818, 5-1-1818

- Sec. 1: Governor and council shall annually appoint five persons as BA Trustees of the Poor and fill vacancies. Trustees shall take an oath.
- Sec. 2: The powers and duties over the almshouse and workhouse now vested in levy court by Acts of 1805, Ch. 95 shall be transferred to the trustees of the poor.
- Sec. 3: Trustees may grant allowances, up to \$40 per person, to such outpensioners as deemed proper.
- Sec. 4: Annually the trustees shall account for receipts and expenditures with vouchers to the levy court. They shall also file lists of the paupers and others sustained by the almshouse and estimate



expenses for the next year.

## **Acts of 1817, Ch. 102**

An act re almshouse in CA, passed 2-4-1818

- Sec. 1: Seven persons are named in this act as CA Trustees of the Poor. They shall first meet and qualify themselves in April 1818.
- Sec. 2: Vacancies shall be filled by the remaining trustees.
- Sec. 3: No one shall be compelled to serve more than once in three years.
- Sec. 5: Trustees shall purchase furniture and tools. Trustees shall keep accounts of receipts and expenditures and file copies with vouchers with the levy court April and June.
- Sec. 6: Levy court shall annually levy sums the trustees deem necessary.
- Sec. 7: Annually in April the trustees shall appoint an overseer, servants, and other officers.
- Sec. 8: Trustees shall meet in January, April, July, and October to adopt rules and regulations for the almshouse and workhouse.
- Sec. 10: Overseer shall maintain a list of the poor, vagrants, and other offenders committed to the almshouse and workhouse. Overseer shall keep accounts of materials assigned to the almshouse, expenses, and funds received from the sale of produce and file the list and accounts with the trustees.
- Sec. 12: Justices of the peace may commit disorderly persons likely to become public charges to the workhouse for up to three months, unless security is given.
- Sec. 13: Trustees may direct what poor shall be received in the almshouse and workhouse. Justices of the peace may commit vagrants having no visible means of support to the workhouse for not over six months.
- Sec. 14: Trustees may bind out poor orphans in the almshouse. The indenture shall be filed with the register of wills for recording.
- Sec. 15: Trustees may keep up to fifteen outpensioners, allow each not over \$30 per year.
- Sec. 19: At the April meeting the trustees shall classify themselves so that no one has to serve more than two out of five years and one class leaves office each year.
- Sec. 21: If deemed expedient, the trustees may purchase not over 500 acres and construct buildings thereon at county expense.
- Sec. 22: After these arrangements are made, the trustees shall sell the present almshouse and land at public or private sale.
- Sec. 23: The sale proceeds shall be applied towards the purchase money of the new land and improvements.

## **Acts of 1818, Ch. 24**

An act re outpensions in WO, passed 12-23-1819

- Sec. 1: WO Trustees of the Poor may keep any number of outpensioners and allow each an annual pension not over \$20.

## **Acts of 1818, Ch. 32**

An act re outpensions in HA, passed 12-23-1818

- Sec. 2: HA Trustees of the Poor may keep not over five outpensioners at a time, in addition to those already authorized by law per provisions of Acts of 1804, Ch. 69.

## **Acts of 1818, Ch. 122**

An act supplemental to Acts of 1817, Ch. 87, re almshouse in BA, passed 2-5-1819

- Sec. 1: At the annual levy meeting the BA Levy Court shall appoint a manager of the poor for each election district. BC Mayor and City Council do the same for each ward. The term of office shall last until May 1, 1821 and thereafter be one year. Each manager shall have the power to order an indigent sick or disabled person, infant, or idiot, entitled by law to public relief, to the almshouse.
- Sec. 2: Trustees of the poor shall receive, maintain, and employ such persons as long as they are entitled to relief and shall keep separate lists of the persons sent by the managers of the poor. Estimates of costs shall be determined separately for BA and BC and sent to the levy court and mayor and city council respectively.
- Sec. 3: These governing bodies shall levy the amounts and have them paid to the trustees of the poor between May 1 and October 1.

## **Acts of 1819, Ch. 98**

An act supplemental to Acts of 1768, Ch. 29, re almshouse in AA, passed 2-1-1820

- Sec. 2: Annually before March the overseer of the almshouse and workhouse in AA shall return to the trustees of the poor an account of tools, produce used for maintenance of the poor, produce sold, and amounts received from the sales.
- Sec. 3: Trustees of the poor shall file these accounts with vouchers with the levy court and shall present their own accounts as prescribed by Sec. 9 of Acts of 1768, Ch. 29, except not in November.

## **Acts of 1820, Ch. 119**

An act supplemental to Acts of 1818, Ch. 32, re outpensions in HA, passed 2-8-1821

- Sec. 1: HA Trustees of the Poor may keep not over five outpensioners at a time, in addition to those already authorized by law per provisions of Acts of 1804, Ch. 69.
- Sec. 2: Trustees shall prepare a list of persons applying for support out of the almshouse, whose situation renders a support therein unsuitable, and present it to the levy court, along with certificates and recommendations for the applicants. Upon agreement, the levy court shall levy not over \$30 for each person.

## **Acts of 1821, Ch. 17**

An act supplemental to Acts of 1817, Ch. 102, re outpensions in CA, passed 12-21-1821, effective 3-31-1822

- Sec. 2: Seven persons are named in this act as CA Trustees of the Poor.
- Sec. 3: Applications for maintenance out of the almshouse shall be made to one or more trustees and shall be considered at their next meeting for recommendation to the levy court which, if it agrees, shall levy a sum for each person not over \$30 per year. The number of outpensioners shall not exceed twenty per year.

### **Acts of 1821, Ch. 96**

An act re outpensions in SM, passed 1-28-1822

- Sec. 1: SM Trustees of the Poor may keep up to ten more outpensioners, in addition to those authorized by Acts of 1809, Ch. 84 and Acts of 1810, Ch. 125.

### **Acts of 1821, Ch. 154**

An act supplemental to Acts of 1768, Ch. 29, re almshouse in WO, passed 2-13-1822

- Sec. 1: The office of the present WO Trustees of the Poor shall cease existence on the first Monday in July 1822. After that the levy court shall appoint the trustees.
- Sec. 2: Annually in April the levy court shall appoint seven trustees of the poor.
- Sec. 4: Existing trustees shall deliver their records and property to the new ones.
- Sec. 6: Levy court shall fill vacancies.
- Sec. 7: Annually in April the trustees shall file accounts and vouchers with the levy court which shall pass and settle them before making new appointments.
- Sec. 8: At their first meeting the trustees shall appoint an overseer of the almshouse per Sec. 11 of Acts of 1768, Ch. 29 and select one of themselves as clerk to keep the accounts and prepare the statements for the levy court.
- Sec. 9: Annually in April the overseer shall return to the trustees an account of tools, produce used for maintenance of the poor, produce sold, and amounts received from the sales. Trustees shall file these accounts with vouchers with the levy court.
- Sec. 12: If deemed necessary, the trustees may sell at public or private sale the almshouse lands and apply the proceeds to the purchase of other property, between 200 and 500 acres, and to the construction or repair of buildings thereon. Any surplus sale proceeds shall be paid to the levy court for use of the county.
- Sec. 13: Levy court may assess up to \$4000 to pay for the land, but not more than \$1000 per year.

### **Acts of 1821, Ch. 174**

An act supplemental to Acts of 1768, Ch. 29, re almshouse in AA, passed 2-20-1822

- Sec. 1: The office of the present AA Trustees of the Poor shall cease existence in April 1822. After that the levy court shall appoint the trustees.

- Sec. 2: Annually in March the levy court shall appoint five trustees of the poor.
- Sec. 4: Existing trustees shall deliver their records and property to the new ones.
- Sec. 6: Levy court shall fill vacancies.
- Sec. 7: Annually in March the trustees shall file accounts and vouchers with the levy court which shall pass and settle them before making new appointments.
- Sec. 8: Annually before March the overseer of the almshouse and workhouse shall return to the trustees an account of tools, produce used for maintenance of the poor, produce sold, and amounts received from the sales. Trustees shall file these accounts with vouchers with the levy court and shall present their own accounts as prescribed by Sec. 9 of Acts of 1768, Ch. 29 and Sec. 7 of this act.
- Sec. 11: Trustees of the poor with the consent of the levy court may sell Strawberry Hill, now used as an almshouse, and apply the proceeds to the purchase of not over ten acres within eight miles of Annapolis and to construct or repair buildings. The balance, if any, shall be paid to the levy court for use of the county.

### **Acts of 1821, Ch. 252**

An act re trustees of the poor in BC and BA, passed 2-23-1822

- Sec. 5: Annually there shall be appointed seven trustees of the poor for BC and BA, three by the governor and council and four by the BC Mayor and City Council. The trustees shall exercise all the rights and duties heretofore performed by the BA Trustees of the Poor.

### **Acts of 1822, Ch. 15**

An act re trustees of the poor in WO, passed 12-18-1822

- Sec. 2: WO Trustees of the Poor shall meet in January and June. Other meetings shall be subject to the appointment of the trustees.

### **Acts of 1822, Ch. 52**

An act supplemental to Acts of 1785, Ch. 57, re almshouse in SO, passed 1-14-1823

- Sec. 1: The office of the present SO Trustees of the Poor shall cease existence in July 1823. Beginning in April the levy court shall appoint the trustees.
- Sec. 2: Annually in April the levy court shall appoint seven trustees of the poor.
- Sec. 4: Existing trustees shall deliver their records and property to the new ones.
- Sec. 6: Levy court shall fill vacancies.
- Sec. 7: Annually in April the trustees shall file accounts and vouchers with the levy court which shall pass and settle them before making new appointments.
- Sec. 8: At their first meeting the trustees shall appoint an overseer of the almshouse per Sec. 11 of Acts of 1785, Ch. 57 and select one of themselves as clerk to keep accounts and prepare statements for the levy court.
- Sec. 9: In April 1824 and annually thereafter the overseer shall return to the trustees an account

of tools, produce used for maintenance of the poor, produce sold, and amounts received from the sales. Trustees shall file these accounts with vouchers with the levy court.

- Sec. 12: Trustees of the poor may sell the almshouse lands and apply the proceeds to the purchase of between 200 and 500 acres and to construct buildings. The balance, if any, shall be paid to the levy court for use of the county.

## **Acts of 1822, Ch. 60**

An act re almshouse in QA, passed 1-16-1823

QA Trustees of the Poor have contracted with Thomas Bullin, trustee for the sale of the property of Nicholas Loveday, for the purchase of land adjoining the almshouse.

- Sec. 1: QA Trustees of the Poor shall report the acreage and purchase price to the levy court.
- Sec. 2: Levy court shall then levy that amount.

## **Acts of 1822, Ch. 121**

An act supplemental to Acts of 1768, Ch. 29, re almshouse in PG, passed 2-7-1823

- Sec. 1: The office of the present PG Trustees of the Poor shall cease existence on the first Monday in June 1823. After that the levy court shall appoint the trustees.
- Sec. 2: Annually in May the levy court shall appoint seven trustees of the poor.
- Sec. 4: Existing trustees shall deliver their records and property to the new ones.
- Sec. 6: Levy court shall fill vacancies.
- Sec. 7: Annually in May the trustees shall file accounts and vouchers with the levy court which shall pass and settle them before making new appointments.
- Sec. 8: Annually before May the overseer of the almshouse and workhouse shall return to the trustees an account of tools, produce used for maintenance of the poor, produce sold, and amounts received from the sales. Trustees shall file these accounts with vouchers with the levy court.
- Sec. 9: All meetings of the trustees shall occur at the almshouse, except for settling accounts with the levy court.
- Sec. 10: After reorganization of the trustees, it shall not be lawful for any trustee to furnish supplies for the almshouse on his own account.

## **Acts of 1822, Ch. 167**

An act re almshouse in BC and BA, passed 2-19-1823

- Sec. 1: Annually there shall be appointed seven trustees of the poor for BC and BA, three from BA by the governor and council and four by the BC Mayor and City Council.
- Sec. 2: Trustees shall take an oath before a justice of the peace. They shall record certificates of their oaths and minutes of their proceedings.
- Sec. 3: All powers and duties outlined in Acts of Nov. 1773, Ch. 30, Acts of 1805, Ch. 95, and Acts of 1817, Ch. 87 shall be vested in the trustees.

- Sec. 5: Every pauper under the care of the trustees, except females under age twelve and males under age fifteen, shall be charged as a debtor for food, medicine, and other necessities. Each such pauper when capable may be compelled to work and allowed a reasonable compensation that shall be credited to the account of that person. However, the trustees may dismiss a pauper without requiring compensation.
- Sec. 6: Trustees shall have the authority to sell all or part of their land in BC and the recently purchased Calverton farm and apply the proceeds towards the construction of buildings and other improvements. Any residue shall be used to pay the debt incurred by the purchase of the Calverton farm.

### **Acts of 1822, Ch. 186**

An act supplemental to Acts of Nov. 1773, Ch. 18, re outpensions in SM, passed 2-22-1823

- Sec. 1: SM Levy Court is authorized to keep as many outpensioners as deemed property, provided no pension exceeds \$30 per year.

### **Acts of 1824, Ch. 72**

An act re almshouse in WO, passed 2-2-1825

- Sec. 1: Secs. 12-13 of Acts of 1821, Ch. 154, re almshouse property in WO, are repealed.
- Sec. 2: This act shall not take effect until the WO Trustees of the Poor accept it.

### **Acts of 1824, Ch. 100**

An act re infirm slaves, passed 2-10-1825

- Sec. 2: Levy court may make suitable provisions for old and infirm slaves belonging to insolvent estates of deceased persons.

### **Acts of 1824, Ch. 112**

An act re almshouse in TA, passed 2-16-1824

- Sec. 1: TA Levy Court may sell at public or private sale the almshouse and its land and apply the proceeds toward the purchase of other land and construction of buildings.
- Sec. 3: Levy court may purchase not over 600 acres.
- Sec. 4: Levy court may appoint five persons to carry out this act.

### **Acts of 1824, Ch. 147**

An act supplemental to Acts of 1817, Ch. 102, re outpensions in CA, passed 2-22-1825

- Sec. 1: Sec. 3 of Acts of 1817, Ch. 102, re term limits for CA Trustees of the Poor, is repealed.
- Sec. 2: Applications for maintenance out of the almshouse shall be made to the levy court which may levy a sum for each person not over \$30 per year. The number of outpensioners shall not

exceed twenty per year.

### **Acts of 1825, Ch. 48**

An act re almshouse in FR, passed 1-30-1826

- Sec. 1: FR Levy Court is authorized to purchase not over 100 acres and to build an almshouse.
- Sec. 2: When these actions are completed, the levy court shall sell at public auction the present almshouse and lot. The proceeds shall be applied towards payment for the new land.
- Sec. 4: Trustees of the poor shall purchase farm implements and have the paupers maintained at the almshouse work on the land.
- Sec. 5: Trustees shall sell the surplus produce.

### **Acts of 1825, Ch. 191**

An act re almshouse in KE, passed 3-6-1826

- Sec. 1: If deemed necessary, the KE Trustees of the Poor shall purchase a farm of not over 500 acres and construct buildings thereon.
- Sec. 3: Trustees shall sell surplus produce from the farm and return the money annually in January to the levy court for use by the county.
- Sec. 5: After the provisions of Sec. 1 are met, the trustees may sell the present almshouse and lot.
- Sec. 6: Sale proceeds shall applied toward the purchase price of the farm.

### **Acts of 1826, Ch. 26**

An act supplemental to Acts of 1785, Ch. 57, re almshouse in SO, passed 1-23-1827

- Sec. 1: Hereafter, the overseer of the almshouse appointed in SO in November shall take office on the next January 1.
- Sec. 2: Sec. 8 of Acts of 1822, Ch. 52 is repealed as far as it relates to the appointment of the overseer.

### **Acts of 1826, Ch. 197**

An act re insane persons, passed 3-9-1827

- Sec. 1: When an indicted person pleads insanity, a jury shall determine whether the plea is accurate and, if so, the county court shall send the individual to the county almshouse, a hospital, or other suitable place, to be confined until recovered or discharged by due course of law.
- Sec. 2: The same procedure shall be followed with persons arrested but not indicted.
- Sec. 3: If the arrest occurs during a court recess, a judge may order a jury impaneled. If an insane person has property sufficient to support a stay in a hospital or asylum, the court shall appoint a trustee of the estate.
- Sec. 5: This act shall not interfere with the powers of the Chancery Court in such cases further than having the estate of an insane person charged with the expenses of commitment and

confinement.

### **Acts of 1827, Ch. 39**

An act re outpensions in KE, passed 2-2-1828

- Sec. 1: KE Levy Court may grant outpensions to any persons they deem deserving, provided no pension exceeds \$30 per year.

### **Acts of 1828, Ch. 152**

An act supplemental to Acts of 1825, Ch. 48, re almshouse in FR, passed 1-30-1826

- Sec. 1: FR Levy Court may dispose of the recently purchased almshouse farm by sale or exchange. The new farm may contain not over 300 acres.
- Sec. 2: If the present farm is retained, the levy court shall build an almshouse on it.
- Sec. 3: After the almshouse is completed, the levy court shall appoint a keeper of the almshouse and manager of the farm.

### **Acts of 1828, Ch. 173**

An act supplemental to Acts of Nov. 1788, Ch. 15, re almshouse in QA, passed 3-12-1829

- Sec. 1: QA Trustees of the Poor shall have the authority to take into their possession all property of persons admitted to the almshouse and workhouse and apply the profits to the maintenance of the poor, as long as the individuals remain there.

### **Acts of 1829, Ch. 47**

An act re outpensions in CA, passed 2-3-1830

- Sec. 1: All special legislation granting monetary relief to named indigent persons in CA and limiting the number of outpensioners to twenty are repealed.
- Sec. 2: CA Levy Court may levy not over \$400 annually to be apportioned among indigent persons deemed worthy by the levy court.

### **Acts of 1829, Ch. 63**

An act re outpensions in AA, passed 2-3-1830

- Sec. 1: The power of granting outpensions in AA shall be vested in the county commissioners.
- Sec. 3: County commissioners may expunge from the current list of outpensioners those who are ineligible.
- Sec. 4: Applicants may petition the county commissioners to be placed on the list of county outpensioners.
- Sec. 5: No one shall receive more than \$30 per year.



## **Acts of 1829, Ch. 161**

An act re outpensions in WO, passed 2-26-1830

- Sec. 1: All acts heretofore passed directing the WO Levy Court to assess for the support of specific indigent persons are repealed.
- Sec. 2: Hereafter all applications for outpensions shall be made to the trustees of the poor who shall certify deserving ones to the levy court who shall levy the necessary sums, not over \$30 per person.

## **Acts of 1829, Ch. 191**

An act re trustees of the poor in CA, passed 2-27-1830

- Sec. 2: CA Trustees of the Poor shall meet in January, March, July, and October and appoint the overseer in March.

## **Acts of 1830, Ch. 151**

An act supplemental to Acts of 1787, Ch. 11, re almshouse in KE, passed 2-7-1831

- Sec. 1: The office of the present KE Trustees of the Poor shall cease existence in April 1831.
- Sec. 2: Annually in March the levy court shall appoint five trustees of the poor.
- Sec. 6: Levy court shall fill vacancies.
- Sec. 7: Annually in March the trustees shall furnish the levy court with a statement of accounts and expenditures with vouchers. Levy court shall pass and settle the accounts before making new appointments.
- Sec. 8: At the end of each year the overseer shall provide the trustees with an account of stock and farm implements, crops and other articles made on the property, expenses, and funds received from the sale of produce. Trustees shall present these accounts to the levy court.

## **Acts of 1831, Ch. 226**

An act supplemental to Acts of 1817, Ch. 102, re trustees of the poor in CA, passed 3-7-1832

- Sec. 1: Vacancies among the CA Trustees of the Poor shall be filled by the governor.

## **Acts of 1831, Ch. 256**

An act re almshouse in DO, passed 3-9-1832

- Sec. 1: DO Trustees of the Poor are authorized to purchase a farm, not over 500 acres, and contract for the construction of buildings, the costs of which shall not exceed \$10,000.
- Sec. 2: Trustees shall purchase the necessary tools and require able bodied paupers in the almshouse and workhouse to work on the land.
- Sec. 3: Trustees shall sell the produce that is not needed for maintenance of the paupers and return the funds to the levy court for use of the county.

- Sec. 5: After purchase of the farm and construction of the buildings, the trustees shall sell at public auction the present almshouse and grounds, with the proceeds to be applied toward the purchase of the farm.
- Sec. 8: Trustees may keep any number of outpensioners, provided the total annual sum does not exceed \$1000.
- Sec. 10: Annually the levy court shall levy sums to carry this act into effect. The tax collector shall pay the taxes to the trustees.

### **Acts of 1833, Ch. 155**

An act supplemental to Acts of 1824, Ch. 112, re almshouse in TA, passed 3-6-1834

TA Levy Court was unable to sell the almshouse and its land.

- TA Board of County Commissioners shall try to sell the almshouse and its land or, if more expedient, sell part of the land and purchase property adjacent to the remaining part.

### **Acts of 1834, Ch. 58**

An act supplemental to Acts of 1831, C. 256, re almshouse in DO, passed 1-28-1835

DO Trustees of the Poor have purchased cheaply a 722 acre farm.

- Sec. 1: The purchase of a 722 acre farm by the DO Trustees of the Poor is confirmed and made valid.
- Sec. 3: To secure payment of the loan for the purchase, the trustees shall set aside the proceeds from the sale of the old almshouse property and surplus production from the new farm.

### **Acts of 1834, Ch. 91**

An act supplemental to Acts of 1803, Ch. 85, re almshouse in QA, passed 2-24-1835

- Sec. 1: QA Trustees of the Poor are authorized to rebuild and furnish the almshouse, lately destroyed by fire.
- Sec. 2: If deemed more expedient to locate the almshouse elsewhere, the trustees may purchase land and construct buildings. The survey, plat, and deed shall be recorded.
- Sec. 3: If Sec. 2 is implemented, the trustees shall sell the old almshouse property.

### **Acts of 1834, Ch. 194**

An act re insane persons, passed 3-14-1835

- When any person is alleged to be an insane or lunatic pauper, the county court or BC Court shall impanel a jury of inquiry. When a person is adjudged insane and a pauper, the court shall send the individual to the almshouse, a hospital, or other suitable place at expense of the county or BC.

### **Acts of 1835, Ch. 307**

An act re outpensions in CH, FR, KE, MO, and TA, passed 4-2-1836

- Sec. 1: The levy courts or county commissioners in CH, FR, KE, MO, and TA shall have the authority to receive and grant or reject applications from indigent and distressed persons for pensions. The annual allowance shall not exceed \$30.

### **Acts of 1837, Ch. 32**

An act supplemental to Acts of Nov. 1773, Ch. 18, re almshouse in SM, passed 1-22-1838

- Sec. 1: The office of the present SM Trustees of the Poor shall cease existence on the first Monday in June 1838. After the first Monday in May 1838 the SM Levy Court shall appoint the trustees of the poor.
- Sec. 2: Annually in May the levy shall appoint five trustees of the poor, to take office the first Monday in June.
- Sec. 5: Trustees shall have the same powers and duties as specified in Acts of Nov. 1773, Ch. 18 and its supplements, except for appointing new trustees and filling vacancies which shall be vested in the levy court.
- Sec. 6: Annually in May the trustees shall prepare a statement of accounts and expenditures and file it with vouchers with the levy court for settlement and passage.
- Sec. 9: Levy court, not the trustees, shall have the authority to keep outpensioners.
- Sec. 10: Trustees shall meet not oftener than once a month.

### **Acts of 1837, Ch. 135**

An act re almshouse in PG, passed 3-7-1838

- Sec. 1: PG Trustees of the Poor may alter the time now set by law for the appointment of the overseer of the almshouse and other officers and servants, provided all appointments are annual. Removals for just cause can occur at any time.
- Sec. 2: Annually the overseer shall report to the levy court on the number of days each trustee attended at the almshouse in order to determine compensation for each one.

### **Acts of 1837, Ch. 166**

An act re almshouse in HA, passed 3-14-1838

- Sec. 3: HA Trustees of the Poor shall furnish the county commissioners with a general statement of disbursements and expenditures from 1834 to the present. County commissioners shall publish it in the county newspapers.

### **Acts of 1837, Ch. 342**

An act re outpensions in WO, passed 3-27-1838

Many acts have provided that sundry poor persons be supported by the WO Levy Court. It is believed that some were granted under improper representations and some circumstances have since changed.

- Sec. 1: WO Levy Court is authorized to inquire into the situation of persons whose support was legislated.
- Sec. 2: Levy court may lower or drop the payments if deemed necessary.

### **Acts of 1838, Ch. 77**

An act re almshouse in SM, passed 2-23-1838

- Sec. 1: SM Board of County Commissioners shall levy \$110 and pay it to the trustees of the poor.
- Sec. 2: Trustees shall use the money for the acquisition and cultivation of mulberry trees for the making of silk at the almshouse.
- Sec. 3: Trustees may borrow \$100 and repay it when the taxes are collected.
- Sec. 4: The remaining \$10 may be used to pay the interest and purchase books on growing mulberry trees and making silk.
- Sec. 5: The overseer of the almshouse, with permission of the trustees, may offer awards to the poor to induce them to perform the tasks needed to carry this act into effect. When the profits become sufficient, the trustees shall hire a teacher to educate the children at the almshouse.
- Sec. 6: In the future the county commissioners may levy sums to build and equip a cocoonery.
- Sec. 7: When the profits exceed the amounts needed for the above provisions, they shall be applied toward the general expenses of the almshouse.

### **Acts of 1838, Ch. 90**

An act re almshouse in DO, passed 2-26-1839

- Sec. 1: DO Levy Court may levy sums for the acquisition and cultivation of mulberry trees for the making of silk at the almshouse.
- Sec. 2: Trustees of the poor shall purchase the trees and establish the cocoonery at the almshouse.

### **Acts of 1838, Ch. 101**

An act re outpensions in WO, passed 3-1-1838

- Sec. 1: All laws authorizing the WO Levy Court or WO Trustees of the Poor to grant outpensions by county assessment are repealed.
- Sec. 2: However, trustees of the poor may grant outpensions to bedridden persons.

### **Acts of 1838, Ch. 109**

An act re trustees of the poor in SO, passed 3-1-1839

- Sec. 9: SO Trustees of the Poor are abolished. Their duties and powers shall be exercised by the SO Board of County Commissioners. The clerk of the trustees shall deliver the records to the county commissioners.

### **Acts of 1838, Ch. 170**

An act re almshouse in KE, passed 3-13-1839

- Sec. 1: KE Levy Court may levy sums for the acquisition and cultivation of mulberry trees for the making of silk at the almshouse.
- Sec. 2: Trustees of the poor shall purchase the trees and establish the cocoonery at the almshouse.

### **Acts of 1838, Ch. 192**

An act re almshouse in MO, passed 3-18-1839

- Sec. 1: MO Board of County Commissioners shall levy not over \$180 to be paid to the trustees of the poor.
- Sec. 2: Trustees shall estimate the cost of purchasing supplies for the production of raw silk and notify the county commissioners in time for the 1839 levy. The estimate shall not exceed \$60.
- Sec. 4: Whenever deemed proper, the trustees shall estimate the cost of building a cocoonery and purchasing reels and books of instruction. The estimate shall not exceed \$120.
- Sec. 5: Surplus proceeds of the silk sales shall be used to defray the expenses of the almshouse and workhouse.
- Sec. 6: With permission of the county commissioners, the trustees may increase production, if the effort seems profitable.
- Sec. 7: With permission of the county commissioners, the trustees may cease production and sell the materials, if the effort seems unprofitable.

### **Acts of 1838, Ch. 221**

An act re almshouse in SO, passed 3-25-1839

- Sec. 1: SO Board of County Commissioners shall levy \$110.
- Sec. 2: County commissioners shall use the money for the acquisition and cultivation of mulberry trees for the making of silk at the almshouse.
- Sec. 3: County commissioners may borrow \$100 and repay it when the taxes are collected.
- Sec. 4: The remaining \$10 may be used to pay the interest and purchase books on growing mulberry trees and making silk.
- Sec. 5: When the profits become sufficient, the county commissioners shall hire a teacher to educate the children at the almshouse.
- Sec. 6: County commissioners may levy sums to build and equip a cocoonery.
- Sec. 7: When the profits exceed the amounts needed for the above provisions, they shall be applied toward the general expenses of the almshouse.

### **Acts of 1838, Ch. 296**

An act re almshouse in CA, passed 3-8-1839

- Sec. 1: CA Levy Court shall levy sums for the acquisition and cultivation of mulberry trees for the making of silk at the almshouse.

- Sec. 2: The sums shall be placed under the direction of the trustees of the poor.

### **Acts of 1838, Ch. 263**

An act re trustees of the poor in BC and BA, passed 3-27-1839, effective 2-1-1840

- Sec. 1: BA Board of County Commissioners shall annually appoint the three trustees of the poor for the county.
- Sec. 2: No trustees shall serve for more than five successive terms, unless receiving the unanimous votes of the county commissioners.

### **Acts of 1839, Ch. 88**

An act re almshouse in SM, passed 5-5-1840

- Sec. 1: Annually in July the SM Trustees of the Poor shall appoint an overseer of the almshouse who shall take office the next January 1.
- Sec. 2: Trustees shall fill vacancies.

### **Acts of 1839, Ch. 98**

An act re outpensions and almshouse in Howard District, passed 3-6-1840

- Sec. 11: Howard District Commissioners shall levy to pay residents heretofore receiving pensions from the AA Board of County Commissioners.
- Sec. 31: Howard District Trustees of the Poor shall remove from the AA almshouse those persons who are now residents of the district.

### **Acts of 1840, Ch. 157**

An act re almshouse in WO, passed 3-1-1841

- WO Trustees of the Poor shall appoint the overseer of the almshouse in August instead of May.

### **Acts of 1840, Ch. 235**

An act re trustees of the poor in SO, passed 3-9-1841

- Sec. 1: Annually in April the SO Board of County Commissioners shall appoint six trustees of the poor, two each from the three commissioner districts. The trustees shall be vested with the powers and jurisdiction they had prior to passage of Acts of 1838, Ch. 109.
- Sec. 2: Sec. 9 of Acts of 1838, Ch. 109 is repealed.

### **Acts of Dec. 1841, Ch. 39**

An act re almshouse in FR, passed 1-26-1842

- Sec. 3: Annually by September the trustees of the almshouse in FR shall furnish to the FR Levy

Court a statement of receipts and expenditures.

### **Acts of Dec. 1841, Ch. 56**

An act re outpensions in PG, passed 2-2-1842

- Sec. 1: The following types of persons shall not be entitled to outpensions in PG:
  - able to earn an honest livelihood
  - has not been a county resident for two years preceding the application
  - habitually debases oneself by intoxication or other demoralizing vice
- Sec. 2: PG Levy Court shall examine the current list of outpensioners and discontinue those ineligible per provisions of Sec. 1.
- Sec. 3: Persons may apply to the levy court for outpensions. The applications shall be considered per provisions of this act.

### **Acts of Dec. 1841, Ch. 91**

An act re outpensions in Howard District, passed 2-10-1842

- Howard District Commissioners shall levy not over \$60 for each outpensioner.

### **Acts of 1842, Ch. 127**

An act supplemental to Acts of 1831, C. 256, re outpensions in DO, passed 2-24-1843

DO Trustees of the Poor state that \$750, rather than \$1000, is sufficient for outpensions.

- Sec. 1: DO Trustees of the Poor may keep any number of outpensioners, provided the total annual sum does not exceed \$750.

### **Acts of 1842, Ch. 188**

An act re outpensions and almshouse in PG, passed 2-24-1843

- Sec. 6: All laws authorizing money to be levied for outpensions are repealed as far as they relate to PG. Hereafter, the PG Levy Court shall have full authority to allow pensions to any county resident deemed entitled.
- Sec. 10: Hereafter when the levy court appoint the trustees, two shall be designated as the executive committee, one or both of whom shall superintend all purchases, contracts, and arrangements of the almshouse under the direction of all trustees. Only the executive committee members shall be paid for their services.

### **Acts of 1842, Ch. 219**

An act re almshouse in TA, passed 2-25-1843

- Sec. 3: TA Trustees of the Poor shall annually provide the county commissioners with a general statement of receipts and disbursements for the almshouse.

### **Acts of 1843, Ch. 355**

An act re almshouse in DO, passed 3-8-1844

- Sec. 3: DO Trustees of the Poor shall annually provide the county commissioners with a general statement of receipts and disbursements for the almshouse.

### **Acts of 1844, Ch. 23**

An act re trustees of the poor in BC and BA, passed 1-24-1845

- Sec. 2 of Acts of 1838, Ch. 263, re successive terms of office for trustees of the poor from BA, is repealed.

### **Acts of 1845, Ch. 42**

An act re almshouse in SO, passed 1-27-1846

- Sec. 1: Five persons are named in this act as commissioners to purchase a farm of up to 600 acres for the SO Trustees of the Poor. Commissioners shall also construct buildings. The cost of the land and buildings shall not exceed \$10,000 for the payment of which the commissioners shall issue interest bearing certificates. County commissioners shall assess the necessary sums.
- Sec. 2: The commissioners shall sell the present almshouse and land. The sale proceeds shall be applied towards payments for the land and improvements authorized by Sec. 1.
- Sec. 3: The commissioners shall keep a journal of their proceedings. They shall have the authority to fill their own vacancies, appoint agents, employ workmen, buy materials, and borrow money.
- Sec. 4: The commissioners shall report to the county commissioners every six months and complete their duties within twelve months at which time they shall make a final report to and file their minutes and papers with the county commissioners.
- Sec. 5: When the farm and buildings are ready, the commissioners shall notify the trustees of the poor who shall procure furniture and tools and move in the paupers. Trustees may appoint a physician, overseer, and other workers and adopt by-laws and rules for the regulation and labor of the poor and for governance of the almshouse and farm.
- Sec. 6: Trustees shall sell surplus produce and use the proceeds for expenses of the almshouse and farm. Any remaining money shall paid to the county commissioners annually in April. If the produce is insufficient to maintain the poor, the county commissioners shall levy the necessary sums.
- Sec. 7: All laws authorizing the trustees to keep outpensioners and allow them annual pensions are repealed. However, the trustees may grant allowances to bedridden persons who cannot be moved.

### **Acts of 1845, Ch. 208**

An act re almshouse in SO, passed 3-2-1846



- Sec. 3: SO Trustees of the Poor shall furnish the county commissioners with a statement of receipts and disbursements. If the commissioners appointed by Acts of 1845, Ch. 72 deem it expedient to execute that legislation, the trustees shall furnish the county commissioners with a report on the general condition of the farm and its management, number of persons employed as laborers, compensation allowed each one, amount of produce raised on the farm, probable amount of surplus or deficiency, number of poor and indigent under their care, number incapable of labor, number of outpensioners and their names and amount allowed each, and general condition of inmates.
- Sec. 4: The statement of receipts and disbursements shall be prepared annually.

### **Acts of 1846, Ch. 108**

An act re almshouse in KE, passed 1-14-1846

- Sec. 1: KE Trustees of the Poor may sell or exchange any part of the almshouse farm, not over 50 acres, formerly the property of the heirs of James Cruickshank.

### **Acts of 1846, Ch. 261**

An act supplemental to Acts of 1845, Ch. 42, re almshouse in SO, passed 3-9-1847

- The commissioners named in Acts of 1845, Ch. 42 are given another twelve months to purchase new land for an almshouse and farm.

### **Acts of 1849, Ch. 25**

An act supplemental to Acts of 1845, Ch. 42, re almshouse in SO, passed 1-28-1850

- Sec. 1: The commissioners named in Acts of 1845, Ch. 42 are given another two years to purchase new land for an almshouse and farm.
- Sec. 2: Sec. 7 of Acts of 1845, Ch. 42, re outpensions, is suspended until a farm is purchased and prepared.

### **Acts of 1849, Ch. 402**

An act re trustees of the poor in CA, passed 3-7-1850

- Sec. 1: CA Levy Court shall appoint five trustees of the poor for seven year terms.
- Sec. 2: The first appointments shall be made between April 1 and June 30, 1850. Annually in July the trustees shall appoint an overseer of the almshouse.
- Sec. 3: Vacancies shall be filled by the levy court, unless in recess. Then the trustees shall name a replacement to serve until the next levy court meeting.

### **Acts of 1852, Ch. 66**

An act re trustees of the poor in CA, passed 4-2-1852, effective 4-10-1852

- Sec. 1: There shall be five CA Trustees of the Poor.
- Sec. 2: Annually in April the county commissioners shall appoint the trustees.

### **Acts of 1852, Ch. 116**

An act re almshouse in TA, passed 3-25-1852

- Annually in August the TA Trustees of the Poor shall appoint an overseer of the almshouse and other officers.

### **Acts of 1853, Ch. 152**

An act re almshouse in WO, passed 3-5-1853

- Sec. 1: WO Board of County Commissioners is authorized to sell part of the almshouse property lying east of the road between Snow Hill and Berlin.
- Sec. 2: Sale proceeds shall be invested and interest paid to the trustees of the poor.

### **Acts of 1853, Ch. 169**

An act re almshouse in DO, passed 5-6-1853

- Sec. 1: DO Trustees of the Poor may sell at public or private sale part of the almshouse farm.
- Sec. 2: The sale proceeds shall be paid to the county commissioners to be applied toward county expenses.

### **Acts of 1853, Ch. 239**

An act re trustees of the poor, passed 5-21-1853

- Sec. 1: County commissioners shall appoint trustees of the poor.

### **Acts of 1853, Ch. 253**

An act re almshouse in BC and BA, passed 5-21-1853

- Sec. 4: By July 1, 1858 the BA Board of County Commissioners and BC Mayor and City Council shall sell at public or private sale the almshouse property. Any parts unsold by then shall be sold at public sale by agents appointed by the county commissioners and mayor and city council.
- Sec. 6: The sale proceeds shall be divided equally.
- Sec. 7: County commissioners or mayor and city council may purchase the property.
- Sec. 8: For as long as all or part of the property remains unsold, it shall be used jointly by the county and city under regulations of the trustees of the poor of BC and BA, unless determined otherwise by joint consent of the county commissioners and mayor and city council.
- Sec. 9: This act shall not take affect unless agreed to by the county commissioners and mayor and city council by the first Monday in November 1853.

### **Acts of 1853, Ch. 340**

An act supplemental to Acts of 1840, Ch. 235, re trustees of the poor in SO, passed 5-28-1853

- Sec. 1: Annually in April the SO Board of County Commissioners shall appoint three trustees of the poor, one each from the Upper District, Middle District, and Lower District.

### **Acts of 1854, Ch. 127**

An act supplemental to Acts of 1830, Ch. 151, re almshouse in KE, passed 3-9-1854, effective 4-10-1854

- Sec. 1: Annually in April the KE Board of County Commissioners shall appoint three trustees of the poor, one from each election district.
- Sec. 2: The overseer shall have the authority to receive applicants for admission to the almshouse when the trustees are not in session. The applicants shall be considered at their next meeting.

### **Acts of 1854, Ch. 263**

An act re almshouse in DO, passed 3-10-1854

- Sec. 1: DO Trustees of the Poor may sell the almshouse farm at public sale after giving three weeks public notice.
- Sec. 2: Trustees shall then buy a new site and construct buildings, provided the costs do not exceed the sale proceeds and the county commissioners consent.

### **Acts of 1856, Ch. 96**

An act re almshouse in FR, passed 3-6-1856

- Sec. 1: Annually in January the FR Board of County Commissioners shall appoint five trustees of the poor, to take office in February.
- Sec. 5: Annually in February the trustees shall appoint an overseer or keeper of the almshouse and manager of the farm, to take office in April and to give bond.
- Sec. 7: Annually in January the trustees shall file with the county commissioners a statement of accounts and expenditures with vouchers.
- Sec. 9: Annually in February the trustees shall select one of themselves as treasurer who shall give bond. At every meeting the treasurer shall present the accounts for examination.
- Sec. 12: The treasurer shall render to the trustees at their last yearly meeting a statement of accounts.
- Sec. 13: The bonds of the overseer and treasurer shall be recorded by the circuit court clerk.
- Sec. 14: Acts of 1811, Ch. 162 and Acts of 1828, Ch. 152 are repealed.

### **Acts of 1856, Ch. 200**

An act re almshouse in WO, passed 3-8-1856

- Sec. 1: WO Board of County Commissioners is authorized to sell part of the almshouse property

lying east of the road between Snow Hill and Berlin.

- Sec. 2: Sale proceeds shall be used to pay the debt incurred for the purchase of the almshouse farm and construction of buildings.

## **Acts of 1858, Ch. 107**

An act re almshouse in SO, passed 2-25-1858

- Sec. 1: Eight persons are named in this act as commissioners to purchase a farm of up to 600 acres for the SO Trustees of the Poor. Commissioners shall also construct buildings. The cost of the land and buildings shall not exceed \$10,000 for the payment of which the commissioners shall issue interest bearing certificates. County commissioners shall assess the necessary sums.
- Sec. 2: The commissioners shall keep a journal of their proceedings. They shall have the authority to fill their own vacancies, appoint agents, employ workmen, buy materials, and borrow money.
- Sec. 3: The commissioners shall report to the county commissioners every six months. At the completion of their duties they shall make a final report to and file their minutes and papers with the county commissioners.
- Sec. 4: When the farm and buildings are ready, the commissioners shall notify the trustees of the poor who shall procure furniture and tools and move in the paupers. Trustees may appoint a physician, overseer, and other workers and adopt by-laws and rules for the regulation and labor of the poor and for governance of the almshouse and farm.
- Sec. 5: Trustees shall sell surplus produce and use the proceeds for expenses of the almshouse and farm. Any remaining money shall paid to the county commissioners annually in April. If the produce is insufficient to maintain the poor, the county commissioners shall levy the necessary sums.
- Sec. 6: When the farm and buildings have been delivered to the trustees and paupers moved, the commissioners shall sell at public auction the present almshouse and land, after giving three weeks notice. They shall execute a deed to the purchaser. The sale proceeds shall be applied towards the land and improvements authorized by Sec. 1. Trustees may grant allowances to bedridden persons and may grant pensions upon the recommendation of twenty-five taxable inhabitants of a district.

## **Acts of 1858, Ch. 247**

An act re almshouse in BA, passed 3-2-1858

- Sec. 1: By May 1859 the BA Board of County Commissioners shall have its almshouse property laid off into lots of not over ten acres and sell them at public sale for leases of ninety-nine years renewable forever.
- Sec. 2: The proceeds shall be used to discharge the debt incurred in the acquisition of the property when severing the joint property of BC and BA.
- Sec. 3: County commissioners may sell some of the lots in fee simple.
- Sec. 4: Ground rents shall be payable only to the county commissioners.

### **Acts of 1860, Ch. 26**

An act to amend Sec. 4 of Art. 17, Public Local Laws, re trustees of the poor in QA, passed 2-27-1860

- Sec. 4: QA Board of Commissioners shall fill vacancies among the trustees of the poor.

### **Acts of 1860, Ch. 42**

An act re almshouse in SO, passed 1-16-1860

Almshouse farm in SO is larger than necessary.

- Sec. 1: The commissioners named in Acts of 1858, Ch. 107 to purchase the almshouse farm in SO may sell part of it.
- Sec. 2: The sale proceeds shall be paid to the county commissioners for use of the county.

### **Acts of 1860, Ch. 233**

An act to amend Acts of 1858, Ch. 247, re almshouse in BA, passed 3-7-1860

- Sec. 1: BA Board of County Commissioners may sell or lease the almshouse property.

### **Acts of 1861, Ch. 50**

An act to repeal and reenact Sec. 25 of Art. 10, Public Local Laws, re outpensions in DO, passed 1-17-1861

- Sec. 25: DO Trustees of the Poor shall keep any number of outpensioners provided the annual amount does not exceed \$1000 and no pension is allowed to a person not a fit subject for the almshouse.

### **Acts of 1862, Ch. 30**

An act re trustees of the poor in MO, passed 2-4-1862

- Sec. 1: Annually in November the MO Board of County Commissioners shall appoint five trustees of the poor and shall fill vacancies.

### **Acts of 1862, Ch. 266**

An act re almshouse in WO, passed 3-7-1862

- Sec. 1: Annually in October the WO Board of County Commissioners shall publish the annual report of the trustees of the poor that shall show receipts and sources, expenditures for the almshouse and inmates, and allowances to officers and outpensioners.

### **Acts of 1864, Ch. 293**

An act re almshouse in BA, passed 3-8-1864

- Sec. 1: Annually in March the BA Board of County Commissioners shall appoint a visitor of the almshouse, now under the charge of the BC Trustees of the Poor.
- Sec. 2: The visitor shall visit the almshouse at least once a week for superintending the condition of the property and paupers.

### **Acts of 1867, Ch. 137**

An act re almshouse in KE, approved 3-18-1867

- Sec. 1: KE Board of County Commissioners is authorized to construct an almshouse to replace the one recently destroyed by fire.

### **Acts of 1867, Ch. 419**

An act re almshouse in PG, passed 3-12-1867

- Sec. 1: PG Board of County Commissioners is authorized to sell the present almshouse building and lot and build or purchase a proper house and tract of land.

### **Acts of 1868, Ch. 49**

An act re almshouse in DO, approved 2-18-1868

- Sec. 1: DO Board of County Commissioners is authorized to sell the almshouse property and use the proceeds to purchase or build another facility.

### **Acts of 1868, Ch. 50**

An act re almshouse in WI, approved 2-18-1868

- Sec. 1: WI Board of County Commissioners shall control and manage the almshouse and relief for the poor.
- Sec. 4: County commissioners shall purchase a farm for the almshouse and use of the poor.

### **Acts of 1868, Ch. 99**

An act to repeal and reenact Secs. 4-5 and 7 of Art. 20, Public Local Laws, re almshouse in TA, approved 3-3-1868

- Sec. 4: Biennially in April the TA Board of County Commissioners shall appoint five trustees of the poor. Vacancies shall be filled by the county commissioners.
- Sec. 7: Annually in May the trustees shall appoint an overseer of the almshouse and other needed officers.

### **Acts of 1868, Ch. 376**

An act to repeal and reenact Sec. 9 of Art. 19, Public Local Laws, re almshouse in SO, approved 3-30-

1868

- Sec. 9: SO Trustees of the Poor shall appoint an overseer of the almshouse annually in May and a physician and other officers annually in November. Overseer shall take office the next January 1.

### **Acts of 1870, Ch. 34**

An act to repeal and reenact Sec. 1 of Acts of 1868, Ch. 50, re almshouse in WI, approved 2-19-1870

- Sec. 1: WI Board of County Commissioners shall appoint three trustees of the poor.

### **Acts of 1870, Ch. 58**

An act re almshouse in FR, approved 2-19-1870

- Sec. 1: FR Board of County Commissioners is authorized to build a new almshouse on the present site or another part of the farm.
- Sec. 6: County commissioners may tear down the present almshouse and provide temporary accommodations for the paupers until a new one is built.

### **Acts of 1870, Ch. 70**

An act to repeal Secs. 17 and 19 and to repeal and reenact Secs. 10 and 20 of Art. 10, Public Local Laws, re almshouse in DO, approved 3-2-1870

- Sec. 1: Secs. 17 and 19 of Art. 10, Public Local Laws, re persons admitted to the almshouse in DO [as enacted by Secs. 15-16 of Acts of 1785, Ch. 57], are repealed.
- Sec. 10: Annually in May the DO Trustees of the Poor shall appoint an overseer and other officers.
- Sec. 20: Any trustee may decide whether a poor person shall be received into the almshouse.

### **Acts of 1870, Ch. 87**

An act re almshouse in WI, approved 3-12-1870

- Sec. 1: Annually in April the WI Board of County Commissioners shall appoint three trustees of the poor.
- Sec. 3: Trustees shall take office in May.
- Sec. 4: No one shall be compelled to serve for three years after leaving office.
- Sec. 5: Vacancies shall be filled by the county commissioners.
- Sec. 7: Trustees may purchase land worth not over an annual value of \$2500.
- Sec. 9: Trustees may adopt rules and regulations for the poor, vagrants, and almshouse.
- Sec. 11: Trustees shall meet in May and November.
- Sec. 12: Trustees may purchase furniture, tools, livestock, and other necessities.
- Sec. 13: Trustees shall sell surplus farm products and pay the amount to the county commissioners for use of the county.

- Sec. 14: Annually in August the trustees shall appoint an overseer of the almshouse, physician, and other agents.
- Sec. 15: Trustees shall select one of themselves as clerk to keep the accounts and prepare statements for settlement with the county commissioners.
- Sec. 16: Annually in May the trustees shall present to the county commissioners a statement of accounts and expenditures with vouchers which shall be passed and settled before appointing new trustees.
- Sec. 18: The overseer shall keep a list of persons admitted to the almshouse.
- Sec. 20: The overseer shall keep an account of livestock and tools, produce made on the farm, expenses for maintenance of the poor, and money received from the sale of produce and return it to the trustees annually in May so it can be presented to the county commissioners.
- Sec. 21: Any trustee may direct the admission of a poor person into the almshouse.
- Sec. 22: Justices of the peace may commit vagrants without visible means of support to the almshouse for up to three months.
- Sec. 23: Justices of the peace may commit disorderly persons who cannot give security to the almshouse for up to three months.

### **Acts of 1870, Ch. 123**

An act to repeal and reenact Sec. 1 of Art. 22, Public Local Laws, re trustees of the poor in WO, approved 3-23-1870

- Sec. 1: Annually in April the WO Board of County Commissioners shall appoint three trustees of the poor.

### **Acts of 1870, Ch. 334**

An act re almshouse in CA, approved 4-4-1870

- Sec. 1: CA Board of County Commissioners is authorized to sell part of the almshouse property, purchased from Eli Saulsbury, provided it does not include any buildings or improvements needed for the paupers.

### **Acts of 1870, Ch. 423**

An act re almshouse in MO, approved 4-4-1870

- Sec. 1: MO Board of County Commissioners is authorized to construct additional buildings at the almshouse.

### **Acts of 1872, Ch. 286**

An act re almshouse in BA, passed 4-1-1872

- Sec. 1: The sale of the old almshouse property by the BA Board of County Commissioners and the purchase of a new site from John Galloway are declared valid.



### **Acts of 1872, Ch. 397**

An act to repeal Acts of 1870, Ch. 34 and reenact Sec. 1 of Acts of 1868, Ch. 50, re almshouse in WI, approved 4-1-1872

- Sec. 1: WI Board of County Commissioners shall have control and management of the almshouse and poor without intervention of the trustees of the poor.

### **Acts of 1874, Ch. 350**

An act re almshouse in BA, passed 4-11-1874

- Sec. 1: BA Board of County Commissioners may build a gas house for lighting on Uplands, the new almshouse property, and a pesthouse thereon for persons having contagious or dangerous diseases.

### **Acts of 1878, Ch. 218**

An act to repeal and reenact Secs. 1-26 of Art. 18, Public Local Laws, re almshouse in SM, approved 4-1-1878

- Sec. 2: SM Board of County Commissioners shall manage and control the almshouse and its property.
- Sec. 3: Annually in June the county commissioners shall lease the almshouse and its property and contract with the tenant as the keeper of the almshouse for the maintenance and support of the inmates, commencing from the next January 1.
- Sec. 4: Any one county commissioner may decide who to admit to the almshouse.
- Sec. 5: Justices of the peace may commit to the almshouse vagrants, beggars, and other idle and dissolute persons, found loitering and having no occupation or means of support, to the almshouse to work there for up to three months.
- Sec. 6: Any such person engaging in disorderly conduct at the almshouse may be committed to the jail by a justice of the peace.
- Sec. 8: County commissioners shall annually appoint a physician for the almshouse who shall when necessary report on the conditions at the facility and treatment of inmates.
- Sec. 9: County commissioners may adopt rules and by-laws for the preservation of order and governance in the almshouse.
- Sec. 10: This act shall not affect the tenure of the present overseer. But for the remainder of his term, he shall submit accounts to the county commissioners, as now done to the trustees of the poor.

### **Acts of 1880, Ch. 109**

An act to repeal and reenact Sec. 7 of Art. 11, Public Local Laws, re almshouse and insane hospital in FR, approved 3-25-1880

- Sec. 7: Trustees of the Montevue Hospital shall possess all the powers held by the FR Trustees of the Poor. They shall control and manage the almshouse, hereafter known as the Montevue Hospital. The trustees shall have the authority to receive lunatic or insane persons or paupers committed by the courts, friends, or relatives. The costs shall be paid by the county commissioners of the counties from which insane persons may be committed by court order. Friends and relatives shall be responsible for the others.

### **Acts of 1882, Ch. 324**

An act to repeal and reenact Sec. 25 of Art. 10, Public Local Laws, re outpensions in DO, approved 5-3-1882

- Sec. 25: DO Trustees of the Poor shall keep any number of outpensioners provided the recipients are fit subjects for the almshouse. Trustees shall maintain a list of outpensioners for each election district and include them in their annual statement of accounts to the county commissioners.

### **Acts of 1884, Ch. 166**

An act to repeal and reenact Secs. 1, 3, 7-8, and 11 of Art. 17, Public Local Laws, re almshouse in PG, approved 4-8-1884

- Sec. 1: Annually in May the PG Board of County Commissioners shall appoint five trustees of the poor.
- Sec. 7: County commissioners shall fill vacancies. Trustees shall supervise the purchases, contracts, and arrangements for the almshouse.
- Sec. 11: Trustees shall keep accounts of expenditures and present them with vouchers to the county commissioners annually in May for their passage and settlement.

### **Acts of 1884, Ch. 242**

An act to repeal and reenact Secs. 1-35 of Art. 11, re almshouse, insane persons, and prisoners in FR, approved 3-31-1884

- Sec. 1: The present FR Trustees of the Poor, named in this act, are hereby appointed FR Commissioners of Charities and Corrections, to serve until January 1886. Then and biennially thereafter the county commissioners shall appoint five commissioners.
- Sec. 4: County commissioners shall fill vacancies.
- Sec. 6: Charity commissioners shall have charge of the almshouse and its property and shall contract for supplies for the maintenance of persons committed to the county jail.
- Sec. 8: Charity commissioners shall keep accounts of expenditures.
- Sec. 10: Annually in January the charity commissioners shall appoint an overseer or keeper of the almshouse and manager of the farm and other needed employees.
- Sec. 13: The overseer shall give bond.
- Sec. 14: Annually in January the charity commissioners shall select one of themselves as treasurer who shall receive funds appropriated for the almshouse and support of prisoners and

proceeds from the sale of farm produce.

- Sec. 15: The treasurer shall give bond.
- Sec. 16: The treasurer shall make payments only by orders from the charity commissioners.
- Sec. 17: Annually the treasurer shall render to the charity commissioners a statement of accounts.
- Sec. 18: The overseer shall keep a list of all poor, beggars, and other offenders committed to the almshouse and keep accounts of assigned materials. The lists and accounts shall be filed with the charity commissioners.
- Sec. 20: Justices of the peace may commit disorderly persons likely to become county charges to the almshouse for not over three months, unless security is given.
- Sec. 21: Charity commissioners may receive into the almshouse or Montevue Hospital the paupers or lunatics and insane persons committed by court order or friends. The costs shall be paid by the county commissioners of the counties from which insane persons may be committed by court order. Friends, relatives, trustees, or committees of insane persons shall responsible be for the others.
- Sec 23: Justices of the peace may commit vagrants who have no visible means of support to the almshouse for not over three months.
- Sec. 29: The bonds given by the overseer and treasurer shall be recorded by the circuit court clerk.
- Sec. 30: Every three months the charity commissioners shall advertise for bids and award contracts for furnishing supplies for inmates of the almshouse and jail.
- Sec. 31: County commissioners shall levy the sums estimated as necessary by the charity commissioners.
- Sec. 32: Annually in January the charity commissioners shall submit to the county commissioners a statement of receipts and disbursements and file vouchers, copies of contracts, and list of persons in the jail.
- Sec. 33: Monthly the sheriff shall send the charity commissioners a list of the names and descriptions of the persons in the jail, showing the sentence and offense for which each was committed and names of the committing officers.
- Sec. 35: Charity commissioners shall maintain accounts for the jail and almshouse separately.

### **Acts of 1886, Ch. 3**

An act to repeal and reenact Secs. 1, 10, and 14 of and to add a section to Art. 11, re almshouse, insane persons, and prisoners in FR, approved 2-3-1886

- Sec. 1: Biennially in February the FR Board of County Commissioners shall appoint five commissioners of charities and corrections.
- Sec. 10: Annually in February the charity commissioners shall appoint an overseer or keeper of the almshouse and manager of the farm and other needed employees.
- Sec. 14: Annually in February the charity commissioners shall select one of themselves as treasurer who shall receive funds appropriated for the almshouse and support of prisoners and proceeds from the sale of farm produce.
- Sec. 30A: If no bids are received for furnishing supplies for inmates of the almshouse and jail, the charity commissioners may procure them by private purchase.

## **Acts of 1886, Ch. 200**

An act re almshouse in SO, approved 4-7-1886

- Sec. 1: SO Board of County Commissioners is authorized to sell the almshouse property.
- Sec. 2: County commissioners are authorized to purchase a suitable place for an almshouse and to improve it.

## **Acts of 1886, Ch. 262**

An act re pauper children, approved 4-7-1886, effective 7-1-1886

- Sec. 1: It shall not be lawful for trustees of the poor to receive and retain in an almshouse or poorhouse a child between the ages of three and sixteen for more than ninety days unless the person is mentally or physically disabled and thus incapable of labor or service.
- Sec. 2: Trustees of the poor shall place pauper children with a proper family, educational institution, or home for children. They shall appoint an agent to visit such children at least once every six months and inquire into their treatment and welfare and report to the trustees of the poor.

## **Acts of 1886, Ch. 487**

An act to add sections to Art. 58, Public General Laws, lunacy commission, approved 4-7-1886

- Sec. 13: Lunacy Commission is created for supervision over all public, corporate, and private institutions in which insane persons are detained.
- Sec. 20: The secretary or a commission member shall visit each institution, including almshouses where insane are kept, every six months and report to the commission.
- Sec. 25: Lunacy Commission may require a written report from the institution.
- Sec. 27: The institutions shall keep records of all patients.
- Sec. 32: No person shall be committed to or confined as a patient except upon the written certification of two physicians. This shall not apply to voluntary commitments.
- Sec. 34: Institutions shall maintain records on the mental conditions of patients.

## **Acts of 1888, Ch. 47**

An act re pauper cemetery in DO, approved 2-29-1888

- Sec. 1: DO Board of County Commissioners shall purchase from one to five acres near Cambridge as a public cemetery for the burial of paupers. It shall be called the DO Public Cemetery.

## **Acts of 1892, Ch. 332**

An act to repeal and reenact Secs. 1-27 of Art. 10, Public Local Laws, re almshouse in DO, approved 4-4-1892

- Sec. 1: DO Board of County Commissioners shall have exclusive management of the almshouse.
- Sec. 2: County commissioners may employ an overseer of the almshouse.
- Sec. 3: County commissioner shall quarterly visit the almshouse to examine the conditions and affairs. County commissioners shall make all sales and purchases. They may lease the almshouse and farm on bid.
- Sec. 4: County commissioners may require outpensioners to relinquish their pensions and be admitted to the almshouse.
- Sec. 5: County commissioners may grant outpensions.
- Sec. 6: County commissioners shall annually publish with their statement of county expenditures a statement of the financial condition of the almshouse.

### **Acts of 1896, Ch. 239**

An act to add sections to Art. 6, Public Local Laws, re almshouse in CA, approved 4-2-1896, effective 5-15-1896

- Sec. 26A: CA Trustees of the Poor are authorized to sell up to 200 acres of the almshouse farm from the eastern portion, omitting any arable land. The sale shall be reported to the county commissioners for their ratification.
- Sec. 26B: Trustees shall designate one of themselves as treasurer to receive the sale proceeds.
- Sec. 26C: Sale proceeds shall be used to pay outstanding debts.

### **Acts of 1896, Ch. 281**

An act to repeal and reenact Secs. 1-2 and 10 of Art. 15, Public Local Laws, re almshouse in KE, approved 4-2-1896

- Sec. 1: Annually in April the KE Board of County Commissioners shall appoint five trustees of the poor.
- Sec. 2: There shall be one trustee from Election District 1 or 7, one from Election District 2 or 6, and one each from Election Districts 3-5. By lot the trustees shall determine which ones shall serve one year and which ones three years. Thereafter the term of office shall be three years.
- Sec. 10: Annually in September the trustees shall appoint an overseer of the almshouse and other necessary employees.

### **Acts of 1896, Ch. 443**

An act to repeal and reenact Secs. 17-18 of Art. 6, Public Local Laws, re almshouse in CA, approved 4-4-1896

- Sec. 17: The overseer in CA shall keep a list of beggars, vagrants, and other offenders committed to the almshouse and a list of persons, except for family members and inmates, who at any time eat a meal at the almshouse. Overseer shall publish these lists when ordered to do so by the trustees of the poor.
- Sec. 18: The overseer shall keep an account of funds and materials received and of expenditures

for the support of inmates and report them to the trustees. Except for medicine, supplies shall be purchased by the overseer on credit of the trustees only upon their order.

### **Acts of 1896, Ch. 474**

An act re outpensions in FR, approved 4-4-1896

- Sec. 2: Outpensions levied by the FR Board of County Commissioners shall be payable to the indigent person only, except when the individual is a lunatic or imbecile. In that case the pension shall be paid to the person providing care.

### **Acts of 1898, Ch. 32**

An act to repeal and reenact Sec. 14 of Art. 24, Public Local Laws, re almshouse in WO, approved 3-8-1898

- Sec. 14: Annually in June the WO Trustees of the Poor shall appoint a keeper of the almshouse, physician, and other needed agents. Their term of office shall begin on the next January 1.

### **Acts of 1900, Ch. 260**

An act re almshouse in WO, approved 4-7-1900

- Sec. 1: WO Trustees of the Poor are authorized to sell Rochester and Purnells Outlet upon which is located the almshouse.

### **Acts of 1900, Ch. 603**

An act to repeal and reenact Secs. 1 and 3 of Art. 59, Public General Laws, re insane persons, approved 4-10-1900

- Sec. 1: When a person is alleged to be insane and without sufficient means to pay for maintenance at an asylum, the county commissioners or BC supervisors of city charities shall upon the written certification of two physicians have the individual sent to the almshouse or a hospital at county expense. If requested by any interested party, the county circuit court or BC Criminal Court shall have a jury determine whether a person is insane.

### **Acts of 1904, Ch. 23**

An act to repeal and reenact Secs. 1-28 of Art. 20, Public Local Laws, re almshouse in SO, approved 3-3-1904

- Sec. 2: SO Board of County Commissioners shall meet at the almshouse in January, May, August, and November to adopt rules and by-laws for the management of the facility.
- Sec. 3: County commissioners shall appoint an overseer of the almshouse annually in May and a physician and other officers annually in November. Overseer shall take office the next January 1.
- Sec. 7: The overseer shall keep a list of poor vagrants and other offenders committed to the

almshouse and of insane persons committed to the insane annex.

- Sec. 8: The overseer shall keep accounts of all materials received, expenses incurred in maintenance of the poor and other matters, and funds received from the sale of produce. Annually in April the accounts shall be filed with the county commissioners.
- Sec. 10: If proceeds from the sale of produce are insufficient for the expenses of the almshouse and insane annex, the county commissioners shall levy additional sums.
- Sec. 12: Justices of the peace may commit disorderly persons, unless they give security, to the workhouse for not over three months.
- Sec. 13: Any county commissioner may direct the admission of a poor person to the almshouse.
- Sec. 14: Justices of the peace may commit vagrants and beggars, having no visible means of support, to the almshouse for not over three months.

### **Acts of 1904, Ch. 421**

An act to repeal and reenact Sec. 2 of Art. 59, Public General Laws, re insane persons, approved 4-8-1904

- Sec. 2: Beginning on January 1, 1909 the state shall be charged with the cost of the care and treatment of dependent insane persons. State Board of Lunacy shall transfer them from the county almshouses and county and city asylums to a state hospital.

### **Acts of 1904, Ch. 586**

An act to repeal and reenact Sec. 9 of and to add sections to Art. 6, Public Local Laws, re almshouse in CA, approved 4-12-1904

- Sec. 9: Poor houses and associated land shall be vested in the CA Board of County Commissioners. The almshouse shall be used for the reception of the poor, and the workhouse for reception of vagrants and other offenders.
- Sec. 9A: County commissioners may sell the almshouse farm at public sale.
- Sec. 9B: If the farm is sold, the county commissioners shall purchase up to fifty acres within two miles of Denton. If the farm is not sold, the county commissioners may construct buildings on the present farm under the joint supervision of themselves and the trustees of the poor.

### **Acts of 1906, Ch. 32**

An act to repeal and reenact Art. 4, Public General Laws, re almshouses, approved 2-27-1906

- Sec. 1: An institution maintained by a county for the care and custody of indigent poor shall be known as the county home, instead of almshouse.
- Sec. 2: It shall not be lawful for trustees of the poor to receive and retain in a county home a child between the ages of three and sixteen for more than ninety days unless the person is mentally or physically disabled and thus incapable of labor or service.
- Sec. 3: Trustees of the poor shall place pauper children with a proper family, educational

institution, or home for children. They shall appoint an agent to visit such children at least once every six months and inquire into their treatment and welfare and report to the trustees of the poor.

### **Acts of 1906, Ch. 40**

An act re almshouse in KE, approved 3-6-1906

- Sec. 1: KE Trustees of the Poor are authorized to sell part of the almshouse property or make an exchange of lands with George Bell.

### **Acts of 1906, Ch. 442**

An act re almshouse in WI, approved 4-5-1906

- Sec. 1: WI Board of County Commissioners is authorized to sell at public or private sale all or part of the timber on the almshouse farm or all or part of the land, located in Quantico Election District and containing 197 acres, as conveyed by Levin T.H. Irving, trustee, in 1871 in Land Records TFJR 3, p. 24. The land shall first be offered at public sale.
- Sec. 2: If the land is sold, the county commissioners may purchase other property and construct buildings thereon.

### **Acts of 1908, Ch. 435**

An act to repeal and reenact Sec. 2 of Art. 59, Public General Laws, re insane persons, approved 4-6-1908

- Sec. 2: Beginning on January 1, 1911 the state shall be charged with the cost of care and treatment of dependent insane persons. State Board of Lunacy shall transfer them from the county almshouses and county and city asylums to a state hospital.

### **Acts of 1910, Ch. 133**

An act to add sections to Art. 6, Public Local Laws, re almshouse in CA, approved 4-11-1910

- Sec. 10B: Upon a decision to not sell the almshouse farm, per provisions of Sec. 9A, the CA Board of County Commissioners may sell not over 250 acres of the farm, excluding arable land and sufficient woodland.
- Sec. 10C: Sale proceeds shall be paid to the trustees of the poor for payment of their debts and improvements to the farm.

### **Acts of 1910, Ch. 387**

An act to repeal Acts of 1900, Ch. 260, re almshouse in WO, approved 4-11-1910

- Acts of 1900, Ch. 260, re sale of land by WO Trustees of the Poor, is repealed.



**Acts of 1910, Ch. 396**

An act to repeal and reenact Secs. 1-28 of Art. 24, Public Local Laws, re almshouse in WO, approved 4-11-1910

- Sec. 1: The title to and control of all property owned by WO Trustees of the Poor shall be vested in WO Board of County Commissioners.
- Sec. 2: County commissioners shall be charged with the maintenance and support of the poor.
- Sec. 3: County commissioners shall adopt rules and regulations and appoint an overseer or superintendent of the almshouse property, physician, and other agents. The overseer shall keep and render to the county commissioners an account of stock, utensils, and other items, expenses of maintaining the property and poor, and money received from the sale of produce. County commissioners shall keep a record of all matters pertaining to the almshouse and its land.
- Sec. 4: County commissioners may sell at public or private sale all or part of Rochester and Purnells Outlet on which is located the almshouse and residence of the overseer and may sell all or part of the timber on the land. Before anything is sold at private sale, it shall first be offered at public auction.
- Sec. 5: If all the land is sold, the county commissioners shall purchase other property and construct buildings thereon if necessary. Any surplus sale proceeds shall be used for the poor.
- This act shall take effect at the end of the term of office of the current trustees of the poor.

**Acts of 1910, Ch. 545**

An act re TA almshouse, approved 4-8-1910

- Sec. 1: TA Board of County Commissioners is authorized to establish, build, and maintain a county home, almshouse, or asylum for the poor, needy, feeble-minded, or insane.
- Sec. 2: County commissioners are authorized to acquire a suitable site.

**Acts of 1910, Ch. 598**

An act re TA almshouse, approved 4-11-1910

- Sec. 1: TA Board of County Commissioners is authorized to sell at public or private sale the present county home or almshouse, located in Trappe District on the road between Hambleton and Oxford. Sale proceeds may be applied toward the purchase of another site and the construction of buildings or toward the payment of outstanding bonds.

**Acts of 1910, Ch. 715**

An act to add sections to Art. 59, Public General Laws, re insane persons, approved 4-8-1910

- Sec. 38E: Lunacy Commission shall have the authority to appoint a board of visitors for each county asylum and almshouse where insane persons are confined. Each board shall have five members, including two women. Any member may visit and inspect the institution. The boards shall send monthly reports of such visits to the Lunacy Commission and present suggestions and

criticisms.

- Sec. 38G: The expense for the care and treatment of patients in a state hospital for the insane shall be a charge on the county sending the person there. The superintendent of the hospital shall send to the county treasurer quarterly statements showing amounts due.

### **Acts of 1914, Ch. 650**

An act re almshouse in DO, approved 4-10-1914

- Sec. 1: DO Board of County Commissioners is authorized to sell at public or private sale all or part of the almshouse farm. It shall first be surveyed.
- Sec. 2: Sale proceeds may be used for the purchase of other property and construction of buildings thereon and for the care and maintenance of the poor.

### **Acts of 1914, Ch. 737**

An act re almshouse in WO, approved 4-13-1914

- Sec. 1: WO Board of County Commissioners may sell or lease to the Maryland Agricultural College for demonstration work all or part of the almshouse farm, located two and one-half miles from Snow Hill, fourteen miles from Pocomoke City, and fourteen miles from Berlin.

### **Acts of 1916, Ch. 299**

An act to repeal Secs. 1-16 of Art. 17, Public Local Laws, and enact the following, re almshouse in PG, approved 4-11-1916

- Sec. 1: PG Board of County Commissioners is hereby constituted the PG Trustees of the Poor.
- Sec. 2: In June 1916 and biennially thereafter the trustees shall select a chair and a secretary. The secretary shall keep the minutes of meetings and countersign all checks. The chair shall be one of the trustees.
- Sec. 4: Trustees may sell, lease, or otherwise dispose of the almshouse property and purchase additional property.
- Sec. 5: Trustees shall have charge of the governance, support, and maintenance of the almshouse and may appoint an overseer.
- Sec. 6: County commissioners shall annually levy for the care and maintenance of the poor. Trustees shall annually publish an itemized budget estimate for the upcoming year.

### **Acts of 1916, Ch. 566**

An act to add sections to Art. 59, Public General Laws, re insane and mentally retarded persons, approved 4-18-1916, effective 6-1-1916

- Sec. 3A: County commissioners and BC supervisors of city charities shall investigate the financial conditions of persons committed under preceding sections and their relatives and other persons legally charged with their support in order to determine the ability to pay all or part of the

expenses of care in an institution. The financial reports shall be submitted on forms prepared by the state Lunacy Commission. Upon the death of the person committed the county commissioners or BC supervisors may make claims against the estate for reimbursements.

- Sec. 3B: Provisions of Sec. 3A shall apply to persons already committed.
- Sec. 46A: Provisions of Sec. 3A shall be applicable to feeble-minded persons sent to the Maryland Asylum and Training School under the provisions of Sec. 46.

## **Acts of 1916, Ch. 670**

An act re mothers relief, approved 4-18-1916

- Sec. 1: In BC there shall be board for mothers relief, to consist of three persons appointed by the mayor for four year terms. Board shall investigate applications for relief, hear all witnesses, and execute this act. Instead of appointing the board, the mayor may assign its duties and powers to the supervisors of city charities.
- Sec. 2: Any widowed mother of a child or children under age fourteen, who is unable to support them and maintain her home, may apply for relief to the county commissioners or BC board where she resides.
- Sec. 4: BC board or county commissioners shall hold a hearing on the application, but beforehand shall investigate the facts stated in the application. The investigation report shall be filed for review with the juvenile court or county circuit where a county has no juvenile court.
- Sec. 5: Upon a decision that relief is necessary, the court shall order monthly payments by the county treasurer or city comptroller for maintenance of the children under age 14.
- Sec. 6: Families getting relief shall be visited at least once every two months by the BC board or county commissioners.
- Sec. 7: If the mother is improperly caring for the children or no longer needs support, the agency shall report this to the juvenile or circuit court which shall revoke the order for relief.
- Sec. 10: State funds are appropriated to BC and the counties for administration of this act.

## **Acts of 1918, Ch. 60**

An act to repeal and reenact Sec. 8 of Art. 18, Public Local Laws, re almshouse in QA, approved 4-10-1918, effective 6-1-1918

- Sec. 8: Annually in November the QA Trustees of the poor shall appoint an overseer of the almshouse and other necessary officers and servants.

## **Acts of 1922, Ch. 29**

An act re executive agency reorganization, approved 3-1-1922, effective 1-1-1923

- Part VII, Sec. 1: Department of Welfare is established and shall be headed by a Board of Welfare.
- Part VII, Sec. 4: There shall be a Board of Mental Hygiene.
- Part VII, Sec. 5: All powers and duties of the Lunacy Commission outlined in Art. 59, Public General Laws, and other legislation shall be transferred to the Board of Mental Hygiene.

**Acts of 1922, Ch. 146**

An act to repeal and reenact Acts of 1906, Ch. 442, re almshouse in WI, approved 4-13-1922, effective 6-1-1922

- Sec. 1: WI Board of County Commissioners is authorized to sell at public or private sale or all or part of the almshouse farm, located in Quantico Election District and containing 197 acres, as conveyed by Levin T.H. Irving, trustee, in 1871 in Land Records TFJR 3, p. 24. The land shall first be offered at public sale.
- Sec. 2: Sale proceeds shall be applied to county debts or general expenses.

**Acts of 1922, Ch. 527**

An act to repeal Secs. 1-8 and 10-26 of and to add sections to Art. 6, Public Local Laws, re almshouse in CA, approved 4-13-1922, effective 6-1-1922

- Sec. 1A: CA Board of County Commissioners shall have charge of the almshouse and its property and provide for the support and maintenance of persons committed there.
- Sec. 3C: Annually in December the county commissioners shall appoint an overseer or keeper of the almshouse and manager of the farm to take office on January 1. They shall also appoint other necessary employees.
- Sec. 4D: The overseer shall pay proceeds from the sale of produce to the county commissioners.
- Sec. 5E: County commissioners may designate the county farm agent to supervise the overseer and the management and cultivation of the farm.
- Sec. 8H: The overseer shall keep a list of persons committed to the almshouse and accounts of materials and crops and submit them to the county commissioners.

**Acts of 1924, Ch. 313**

An act to repeal and reenact Sec. 5 of Art. 24, Public Local Laws, re almshouse in WO, approved 4-9-1924

- Sec. 5: Upon the sale of the almshouse property the WO Board of County Commissioners shall invest the proceeds in interest bearing securities, the income from which shall be used for the care and maintenance of the poor. County commissioners may also use the fund for the purchase of property and construction of buildings for care of the poor.

**Acts of 1927, Ch. 538**

An act to add Art. 70A to Public General Laws, re old age pensions, approved 4-26-1927, effective 6-1-1927

- Sec. 1: BC Mayor and City Council and county commissioners are authorized to establish a system of old age pensions. After a year or more, they may abandon the system.
- Sec. 3: A pension may be granted to an applicant who is age sixty-five or older, U.S. citizen, resident of BC or a county, and has no one responsible for support.

- Sec. 7: As a condition to the grant of a pension, the county circuit court or BC Superior Court may require the transfer of property of the applicant to the county commissioners or BC supervisors of city charities who shall manage it and pay the net income to the persons entitled.
- Sec. 8: Applications for old age pensions shall be filed with the county circuit courts or BC Superior Court.
- Sec. 9: Courts shall order an investigation and then decide on granting the pension and the amount. The decisions shall be final.
- Sec. 10: Courts shall give each pensioner a certificate showing the date when the payments should begin and the amount of each installment. Each pensioner shall file with the court any reports required by the county commissioners or BC supervisors. When circumstances change, the courts may revoke or modify the pension certificate.
- Sec. 12: If a pensioner is found incapable of caring for oneself or managing money, the court may direct that payments be made to a person or institution that will handle the care or money.
- Sec. 18: Jurisdictions that establish an old age system shall appropriate the necessary funds.
- Sec. 19: At the end of each calendar year the clerks of the county circuit courts and BC Superior Court shall report to the state Board of State Aid and Charities on the amounts paid for pensions, number of applicants, and number granted, denied, or canceled.

### **Acts of 1929, Ch. 401**

An act to repeal and reenact Secs. 21-31 of Art. 88A, re mothers relief, approved 4-11-1929, effective 6-1-1929

- Sec. 21: Any widowed mother of a child or children under age fourteen, who is unable to support them and maintain her home, may apply for relief to the county commissioners or BC supervisors of city charities where she resides. These officials shall investigate the application.
- Sec. 22: Upon a decision that relief is necessary, the juvenile or circuit court shall order monthly payments by the county treasurer or city comptroller for maintenance of the children under age 14.
- Sec. 6: Families getting relief shall be visited at least once every two months by the BC supervisors or county commissioners.

### **Acts of 1931, Ch. 114**

An act to repeal and reenact Art. 70A, Public General Laws, re old age pensions, approved 4-6-1931

- Sec. 1: BC Mayor and City Council and county commissioners are authorized to establish a system of old age pensions.
- Sec. 3: A pension may be granted to an applicant who is age sixty-five or older, U.S. citizen, resident of BC or a county, and has no one responsible for support.
- Sec. 5: Applications shall be filed with the county commissioners or BC supervisors of city charities.
- Sec. 6: County commissioners and BC supervisors shall order an investigation and then decide on granting the pension and the amount. The decisions shall be final.
- Sec. 9: If a pensioner is found incapable of caring for oneself, the county commissioners or BC

supervisors may direct that payments be made to a responsible person or institution.

- Sec. 15: Jurisdictions that establish an old age system shall appropriate the necessary funds.
- Sec. 18: Annually a report on the number of applicants, numbers denied, granted, or canceled, and amounts expended shall be filed by the county commissioners and BC supervisors with the governor. The BC report shall also be filed with the mayor and city council.

### **Acts of 1935, Ch. 586**

An act to repeal and reenact Secs. 1-8 of and to add sections to Art. 88A, Public General Laws, re welfare, approved 4-29-1935, effective 6-1-1935

- Sec. 2: State Board of State Aid and Charities shall be the central coordinating and directing agency of welfare activities outlined in this act.
- Sec. 8D: State board shall be authorized to create in each county a welfare board which shall be an administrative department of the local government. County boards shall administer public assistance and general outdoor relief and services to families and individuals in need, including relief under the mothers assistance law, old age pensions, relief to the handicapped, and care of neglected, dependent, and delinquent children which shall encompass providing probation service to the courts having jurisdiction over minors.
- Sec. 8E: Each county welfare board shall consist of seven persons, one of whom shall be a county commissioner. The other six shall serve three year terms, with two replaced each year, and shall be appointed by the county commissioners from a list submitted by the state aid and charities board. Vacancies shall be filled in the same manner. Each county board shall annually select one of themselves as chair.
- Sec. 8G: BC Department of Welfare shall be vested with the powers and functions of the county welfare boards.

### **Acts of 1935, Ch. 592**

An act to repeal and reenact Secs. 1-19 of and to add a section to Art. 70A, Public General Laws, re old age pensions, approved 4-25-1935, effective 6-1-1935

- Sec. 1: A statewide system of relief for the aged is hereby established which shall be administered by the counties and BC, subject to partial reimbursement by the state and to supervision by the state Department of Old Age Pensions and Relief.
- Sec. 3: A pension may be granted to an applicant who is age sixty-five or older, U.S. citizen, resident of BC or a county, and has no one responsible for support.
- Sec. 5: Applications shall be filed with the county welfare boards or BC Department of Welfare.
- Sec. 6: These officials shall order an investigation and then decide on granting the pension and the amount. Decisions may be appealed to state Board of Old Age Pensions and Relief whose decision shall be final.
- Sec. 7: The local welfare agencies may revoke, modify, or increase any pension.
- Sec. 9: If a pensioner is found incapable of caring for oneself or managing money, the local welfare agency may direct that payments be made to a person or institution that will handle the care or money.

- Sec. 15: County commissioners and BC Mayor and City Council shall annually appropriate for one-third of all old age pensions and all administrative costs. The state shall reimburse each county and BC two-thirds of the pension payments. Claims shall be presented monthly to the Comptroller of the Treasury.
- Sec. 16: There shall be a state Department of Old Age Pensions and Relief to execute this act. It shall be headed by the Board of Old Age Pensions and Relief. The local boards shall be the county welfare boards and BC Department of Welfare. If the state department and board are not created, its duties and powers shall be vested in the state Board of State Aid and Charities.
- Sec. 18: At the end of each fiscal year, ending September 30, the local welfare agencies shall submit a report on the number of applicants, numbers denied, granted, or canceled, and amounts expended to the state administrator of pensions and relief.

### **Acts of 1936, Ch. 149**

An act to repeal and reenact Secs. 1, 3, 5-6, 8, 11, 13, 15, and 20 and to repeal Secs. 16-19 and 21 of Art. 70A, Public General Laws, re old age pensions, approved 4-4-1936

- Sec. 1: A statewide system of relief for the aged is hereby established which shall be given and administered by the counties and BC, subject to partial reimbursement by the state and to supervision by the state Board of State Aid and Charities.
- Sec. 3: A pension may be granted to an applicant who is age sixty-five or older, U.S. citizen, resident of BC or a county, and has no one responsible for support.
- Sec. 5: Applications shall be filed with the county welfare boards or BC Department of Welfare.
- Sec. 6: These officials shall order an investigation and then decide on granting the pension and the amount. Decisions may be appealed to state Board of State Aid and Charities whose decision shall be final.
- Sec. 15: County commissioners and BC Mayor and City Council shall annually appropriate for one-third of all old age pensions and all administrative costs. The state shall reimburse each county and BC two-thirds of the pension payments. Claims shall be presented monthly to the Comptroller of the Treasury.

### **Acts of 1936, Ch. 145**

An act to repeal and reenact Secs. 15-23 of and to add sections to Art. 30, Public General Laws, re blind persons, approved 4-8-1936

- Sec. 20: The amount of public assistance to needy blind persons shall be determined by the county welfare boards and BC Department of Welfare.
- Sec. 21: Applications shall be made to these local agencies.
- Sec. 22: The local agencies shall investigate the applications.
- Sec. 27: An applicant may appeal the decision to the state Board of State Aid and Charities.
- Sec. 28: These public assistance grants shall be periodically reviewed by the local welfare agencies and necessary changes made.
- Sec. 31: When a recipient moves to another jurisdiction, the records shall be transferred to that

county or BC.

- Sec. 32: County commissioners and BC Mayor and City Council shall appropriate sufficient funds for the assistance grants.
- Sec. 34: All applications and records concerning any applicant shall be confidential and open to inspection only by authorized officials.

### **Acts of 1936, Ch. 148**

An act to repeal Secs. 21-27 of Art. 88A, Public General Laws, and to reenact them as Secs. 21-34, re dependent children, approved 4-4-1936

- Sec. 21: State department shall mean the state Board of State Aid and Charities, local units the county welfare boards and BC Department of Welfare, and dependent child a needy child under age sixteen.
- Sec. 22: The local units shall administer this act, report to the state department, and annually submit a budget to the county commissioners or BC Board of Estimates.
- Sec. 24: The local units shall determine the amount of assistance.
- Sec. 25: Applications shall made to the local units.
- Sec. 26: The local units shall investigate the applications, including home visits.
- Sec. 27: Applicants may appeal decisions to the state department.
- Sec. 28: The local units shall periodically review the assistance grants and revoke or change them as needed.
- Sec. 29: When a child moves to another jurisdiction, the records shall be transferred to that local unit which shall continue the assistance grant.
- Sec. 30: County commissioners and BC Mayor and City Council shall appropriate sufficient funds for the assistance grants.
- Sec. 31: The state department shall allocate state funds for the needy to the local units in amounts it prescribes.

### **Acts of 1937 Special Session, Ch. 3**

An act to add sections to Art. 88A, Public General Laws, re dependent children, approved 5-28-1937, effective 6-1-1937

- Sec. 21A: State Board of State Aid and Charities shall supervise the administration of assistance to dependent children, make rules and regulations, and prescribe forms.

### **Acts of 1937 Special Session, Ch. 4**

An act to repeal and reenact Secs. 16, 18, 20-21, 24, 27, 30, and 32 of Art. 30, Public General Laws, re blind persons, approved 5-28-1937, effective 6-1-1937

- Sec. 16: State Board of State Aid and Charities shall supervise the administration of assistance to needy blind persons, make rules and regulations, and prescribe forms.
- Sec. 24: If an applicant or recipient is unable to handle the assistance or has no legal guardian or



committee, the county circuit court or a BC equity court upon a petition from the local welfare agency shall have the authority to appoint a guardian for the assistance.

- Sec. 32: County commissioners and BC Mayor and City Council shall annually appropriate funds for one-half of the assistance grants to the needy blind. The state through state and federal funds shall provide the other one-half.

### **Acts of 1937 Special Session, Ch. 12**

An act repeal and reenact Art. 70A, Public General Laws, re old age pensions, approved 5-28-1937, effective 6-1-1937

- Sec. 5: State Board of State Aid and Charities shall supervise the administration of assistance to needy aged persons, make rules and regulations, and prescribe forms.
- Sec. 6: The local welfare agencies shall administer the provisions of this act, report to the state board, and submit budget estimates to the county commissioners and BC Mayor and City Council.
- Sec. 11: If an applicant or recipient is unable to handle the assistance or has no legal guardian or committee, the county circuit court or a BC equity court upon a petition from the local welfare agency shall have the authority to appoint a guardian for the assistance.
- Sec. 19: County commissioners and BC Mayor and City Council shall annually appropriate funds for one-half of the assistance grants to the needy blind. The state through state and federal funds shall provide the other one-half.

## WRECKMASTER

### Acts of 1799, Ch. 82

An act re wreckmaster in WO, passed 1-3-1800

- Sec. 1: There are many ship wrecks on the Atlantic coast and their goods may be stolen.
- Sec. 2: Governor and council shall appoint a wreckmaster, residing near the coast. When a ship is in danger of being stranded or is stranded, the wreckmaster shall have the authority to demand the services of nearby vessels and men to assist the stranded boat and its crew. Within forty days thereafter the persons shall be rewarded for their efforts by the commander or owner of the boat or by the merchants whose goods were saved. The vessel and goods shall remain in the hands of the wreckmaster until the charges are paid or security given. Disagreements on the amounts to be paid shall be decided by an associate justice of the WO Court. Then if payments are not made within thirty days, the wreckmaster may sell the goods. Appeals may be taken to the chief justice of the WO Court. If no one claims the goods, the wreckmaster shall advertise in newspapers in Easton, BC, and Philadelphia. If still unclaimed after three months, the goods shall be sold. Surplus funds shall be paid to the state treasury where the funds shall be kept for the owners or insurers of the goods.
- Sec. 3: Wreckmaster shall give bond in the county court.

## ZONING

### Acts of 1922, Ch. 118

An act re surveys and plats in MO and PG, approved 3-23-1922

- Sec. 1: Acts re subdivisions within the Washington Suburban Sanitary District are repealed.
- Sec. 2: No plat or plan of any subdivision of land into streets, avenues, lots, and blocks within that district shall be received or recorded by the circuit court clerks unless it has been approved the Washington Suburban Sanitary Commission (WSSC).
- Sec. 3: After approval, the WSSC and county surveyors shall receive copies of the plats.
- Sec. 4: WSSC shall survey and plan a general system of highways, streets, roads, avenues, and alleys in the district, but without the authority to change the location of any county or state road. Then every subdivision shall conform to this plan.
- Sec. 5: WSSC shall establish grades for roads and streets except for state and county roads and shall first approve those to be established in incorporated towns.
- Sec. 6: Upon the request of an incorporated town the WSSC shall remap it, preserving the present lot, block, street, alley, and property lines, by numbering the squares and blocks consecutively. When the map is approved by the municipal authorities and recorded, the square and block numbers shall be used in land and tax records.
- Sec. 9: Appeals from rulings or requirements of the WSSC may be taken to the county commissioners where the land is located.

### Acts of 1927, Ch. 448

An act re zoning in MO and PG, approved 4-26-1927

- Sec. 1: The area in MO and PG, designated in this act, shall be known as the Maryland-Washington Metropolitan District.
- Sec. 2: The district shall be under the jurisdiction of the Maryland-National Capital Park and Planning Commission (MNCPPC), composed of six members, three each from MO and PG. The chair of the Washington Suburban Sanitary Commission shall be ex officio a member and charged to the number allotted to the county where that person resides. Governor shall appoint the other five members, subject to confirmation by the county commissioners. The terms of office shall begin on May 1, 1927 with two serving two years, two from MO serving six years, and two from PG serving six years. Vacancies shall be handled in the manner as the appointments. Governor shall designate the chair and shall appoint a general counsel to MNCPPC and a secretary treasurer.
- Sec. 3: MNCPPC shall maintain offices in MO, PG, and Washington, DC. It shall annually publish its receipts and disbursements, after an audit by the state auditor.
- Sec. 4: MNCPPC shall develop a plan for the physical development of the district including streets, roads, parkways, viaducts, bridges, waterways, parks, forests, squares, aviation fields, general locations of public buildings and properties and public utilities, and zoning for buildings and premises, and other other factors of city and regional planning. The purpose is to accomplish systematic development in coordination with other parts of Maryland and DC. Public hearings

shall be held on the plans. Actions taken shall be recorded on a map, plan, or descriptive matter, and a copy filed with the circuit court clerks.

- Sec. 5: The MNCPPC shall be funded by county property taxes.
- Sec. 6: MNCPPC may act in conjunction with the National Capital Park and Planning Commission created by the U.S. Congress in April 1926 and with federal, DC, Maryland, Virginia, MO, and PG, governments or any local subdivision within them.
- Sec. 7: MNCPPC shall have the authority to acquire land within the district by donation, purchase, or condemnation for parks, parkways, forests, streets, roads, and other public grounds.
- Sec. 8: MNCPPC shall have the authority to issue bonds for the acquisition of land and its development or improvement.
- Sec. 10: MNCPPC may acquire land, water rights, or buildings in fee or as easements by purchase or condemnation in the appropriate circuit court, as now provided by Art. 34, Public General Laws. Decisions may be appealed.
- Sec. 11: MNCPPC shall have surveys and plats made to show future locations of streets and roads on which public hearings shall be held before adoption. Adopted plats shall be filed with the circuit court clerk where the land is located. This action shall be deemed to be the opening of a road or street or the condemnation of property. County commissioners shall act as special boards of appeal to hear appeals from adopted plats.
- Sec. 14: No plat of any subdivision of land into streets, avenues, alleys, lots, and blocks in the district shall be recorded until approved by the MNCPPC so that the subdivision conforms to the general development plan. MNCPPC shall establish grades for streets, roads, and sidewalks including state and county roads. MNCPPC shall adopt regulations for the subdivision of land.
- Sec. 15: After a plan for streets and roads has been adopted and certified to the circuit court clerks, no street or road shall be located or constructed until approved by the MNCPPC.
- Sec. 17: MNCPPC shall investigate and report to the 1929 General Assembly on transportation services and facilities in the district.
- Sec. 19: MNCPPC may divide the district into zones regarding sizes of buildings, density of lot occupation, open spaces, and uses of buildings and land.
- Sec. 20: When the MNCPPC certifies a zoning plan to the county commissioners, the county commissioners of the affected county, sitting as a District Council, a legislative body, may regulate locations and uses of buildings and premises for trade, industry, residence, etc. and divide its portion of the district into zones.
- Sec. 21: The district councils may regulate the heights of buildings.
- Sec. 22: The district councils may regulate the sizes of buildings, density, and open spaces.
- Sec. 23: The district councils may amend or change zoning regulations, but only with approval of the MNCPPC. The district councils shall hold public hearings on regulations authorized by Secs. 20-23.
- Sec. 24: MO and PG shall each have a board of zoning appeals composed of three persons appointed by the county commissioners for four year terms.
- Sec. 25: No building shall be constructed in the district without the issuance of a building permit in conformity with regulations of the district council. Officials now designated to issue the permits shall continue to do so.
- Sec. 26: Decisions to refuse a permit may be appealed to the board of zoning appeals.

- Sec. 27: The zoning appeal boards may permit a non-conforming use as an incidental accessory to a conforming principal use on the same lot, subject to conditions, and because of undue hardship on the property owner.
- Sec. 32: Sec. 14 shall take effect June 1, 1927. Until then Acts of 1922, Chs. 118 shall remain in effect.

### Acts of 1935, Ch. 331

An act to add a section to Art. 1, Public Local Laws, re zoning in AL, approved 5-17-1935, effective 6-1-1935

- Sec. 1: AL Board of County Commissioners shall adopt regulations governing the subdivision of land.

### Acts of 1939, Ch. 633

An act re zoning in AA, approved 5-24-1939

- Sec. 1: All of AA shall encompass the AA District.
- Sec. 2: The AA Planning Commission is established. It shall consist of seven persons - four appointed by the president of the county commissioners, subject to their confirmation and one of whom shall be a county commissioner outside of Election District 6, and three appointed by the mayor of Annapolis, subject to confirmation of the aldermen and one of whom shall be the mayor or an alderman. The term of office of the county commissioner and mayor or alderman shall cease at the end of their elected term of office. The other five shall serve five year terms. To achieve rotation the terms of the three initial county appointees shall be one, two, and four years respectively and the terms of the two municipal appointees shall be three and five years respectively. If a member is removed for misconduct, a record of the proceedings shall be filed with circuit court clerk. Planning commission shall select its own chair for a one year term. Planning commission shall maintain a record of its resolutions, transactions, findings, and determinations.
- Sec. 3: Planning commission shall adopt and may amend a general plan for the physical development of the county. It may adopt plans section by section or by one or more functional subject matters at a time. Before any adoption or amendment at least one public hearing shall be held. An attested copy of the plan and substantial amendments, enlargements, or additions shall be filed with the circuit court clerk.
- Sec. 7: No plat of any subdivision of land shall be recorded by the circuit court clerk until it has been submitted to and approved by the planning commission.
- Sec. 8: After public hearings the planning commission shall adopt regulations governing the subdivision of land.
- Sec. 9: Plats shall be acted on after a hearing, unless the applicant waives this right.
- Sec. 13: County commissioners and Annapolis mayor, counselor, and aldermen shall constitute the district council of the AA District. It shall maintain a record of its proceedings. Actions shall be taken only with concurrence of both a majority of the county commissioners and Annapolis officials. District council shall elect a chair for a one year term.

- Sec. 14: District council shall regulate the locations and sizes of buildings, density and distribution of population, and uses of buildings and lands.
- Sec. 15: In fulfilling these functions the district council shall use the plans adopted by the planning commission and may divide the county into districts and have different regulations for each district. Public hearings must be held on zoning plans.
- Sec. 17: District council may adopt regulations, but only with approval of the planning commission whose vote may be overruled by two-thirds of the council members. The same procedure may be applied to zoning regulations that are different from the general plan of the planning commission.
- Sec. 18: A board of zoning appeals is created. It shall consist of five members - two appointed by the county commissioners, two by the Annapolis mayor, counselor, and aldermen, and one by the four appointees. The term of office shall be five years. To achieve rotation the terms of the initial municipal appointees shall be three and four years respectively, county appointees two and five years respectively, and other one one year. The board shall annually select a chair and vice chair. Four members must concur in resolutions. The board shall meet at least once a month and shall keep minutes of their proceedings and records of examinations. District council may provide general rules of procedure for the zoning appeals board.
- Sec. 20: District council may authorize the zoning appeals board to make special exceptions to the uniform zoning regulations.
- Sec. 21: Appeals may be taken to the zoning appeals board by any person or firm aggrieved by the granting or refusal of a building permit, occupancy or use permit, or any other administrative decision based on zoning regulations adopted by the district council.
- Sec. 22: No building shall be erected or structurally altered without the issuance of a building permit in accordance with regulations adopted by the district council.
- Sec. 24: Planning commission shall prepare an official map the county showing public roads and roads on subdivisions plats.
- Sec. 32: The powers vested in municipal bodies and county commissioners by Acts of 1933, Ch. 599 [not abstracted] shall be vested in the AA District Council. Powers vested in any other planning commission or board of appeals shall be vested in the AA Planning Commission and AA Board of Zoning Appeals.
- Sec. 37: This act shall not take effect unless accepted by AA voters in November 1940.  
[Defeated]