

CHAP. 136.

Passed Jan 23 1816

Election of commissioners

Meetings of commissioners

Town incorporated

Commissioners to qualify

Vacancies, how to be supplied

CHAP. CXXXVI.

An Act to provide for the appointment of Commissioners for the regulation and improvement of the Town of Cumberland, in Allegany County, and to incorporate the same. Lib. TH. No. 4, fol. 686.

A Supplement, 1818, ch 11. See 1805, ch 92, and 1816, ch. 79.

1. **BE IT ENACTED**, by the *General Assembly of Maryland*, That five judicious and discreet persons, residing in said town, and holding real property therein, shall be elected by ballot, on the first Monday of June eighteen hundred and sixteen, and on the the same day in every year thereafter, at the court-house in said town, by the free white male citizens of the age of twenty-one years, and having resided in the said town of Cumberland for the space of one whole year next preceding the day of election, and the five persons who shall appear to have the greatest number of votes at the close of the election, shall be declared duly elected the commissioners of said town, and shall have and exercise all the powers vested in them by this act.

2. **AND BE IT ENACTED**. That the said commissioners shall meet upon the business of the town at least four times in every year, to wit: On the first Monday in May, July, October and December, and oftener if they deem it necessary; that at their first meeting in each year they shall elect, from among themselves, one of their own members to be their chief burgess for that year, provided he continues so long in office, and upon all questions the chief burgess shall be entitled to vote as one of the commissioners.

3. **AND BE IT ENACTED**, That the town of Cumberland shall be and is hereby erected, constituted, and made an incorporate town, and that the corporate body of the said town consist of a chief burgess and four other commissioners, which chief burgess and commissioners shall be a body incorporate and one community for ever, in right, and by the name of *The Chief Burgess and the other Commissioners of the Town of Cumberland*, and shall be able and capable to sue and be sued at law, and to act and to execute, do and perform, as a body incorporate, which shall have succession for ever, and to that end to have a common seal, and the same to change and alter at pleasure.

4. **AND BE IT ENACTED**, That the commissioners so chosen shall assemble on the first Monday in July next ensuing their election, or as soon thereafter as may be convenient, at the court-house in said town, and before they proceed to execute the duties imposed on them by virtue of this act, shall take an oath, or affirmation, before some justice of the peace, that they will diligently and faithfully, to the best of their judgment, perform the duties of commissioners of the said town, according to the provisions of this act, without favour, partiality or prejudice; and a certificate of such qualification shall be made out and returned by such justice of the peace to the said commissioners, to be filed and recorded among their proceedings.

5. **AND BE IT ENACTED**, That if any vacancy shall happen in the office of one or more of the commissioners, by death, resignation, or otherwise, it shall be lawful for the remaining commissioners, and they are hereby required, to cause an election to be made at the court-house in said town, by all persons qualified to vote as aforesaid, for one or more persons, resident as aforesaid,