

discretion of the said justice, not exceeding for each offence, the number of thirty-nine lashes; *Provided always*, that the master or mistress of said slave, or any other person, may release said slave, so convicted, on payment of thirty dollars, one half to the informer, and the other half to be paid to the justice, and by him applied as hereafter directed; *And provided further*, that if such slave shall act as aforesaid by the order of his owner or employer, he shall not be subject to whipping as aforesaid, but the owner or employer giving him the order shall be subject to the penalty of twenty dollars.

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Proviso.

3. AND BE IT ENACTED, That it shall and may be lawful for any person or persons whatsoever, to destroy or remove any seine or seines staked or fixed across said river to obstruct the passage of fish as aforesaid.

Seines so staked may be destroyed.

4. AND BE IT ENACTED, That if any person shall be sued or impleaded for destroying any such seine or seines fixed across said river contrary to the true intent and meaning of this act, it shall and may be lawful for such person or persons to plead the general issue, and give this act and the special matter in evidence, and if upon trial the plaintiff or plaintiffs shall be nonsuited, or shall discontinue his or their suits, then and in such case the defendant or defendants shall recover costs.

General issue pleadable.

5. AND BE IT ENACTED, That every justice of the peace shall, at the levy court of his county, account for all sums of money recovered by virtue of this act, under the penalty of one hundred dollars.

Justices of the peace to account for monies recovered under this act.

6. This act to continue until the tenth day of October, eighteen hundred and ten, and until the end of the next session of assembly that shall happen thereafter.

Duration.

Further continued by 1810, ch. 147, and other annual continuing acts.

CHAP. LXXIX.

*An Act to incorporate the President and Directors of the Baltimore Water Company.* Lib. TH. No. 2, fol. 71.

Passed Dec. 24.

WHEREAS William Cooke, John M. Kim, James A. Buchanan, John Donnell, Solomon Etting, James Mosher, Jonathan Ellicott, John Hollins, and other citizens of this state, have formed themselves into a company, and raised a large sum of money, for the purpose of introducing a copious supply of wholesome water into the city of Baltimore, which they have nearly completed, to the great accommodation and benefit of the inhabitants of said city;

Preamble.

2. BE IT ENACTED, by the General Assembly of Maryland, That the said William Cooke, John M. Kim, James A. Buchanan, John Donnell, Solomon Etting, James Mosher, Jonathan Ellicott and John Hollins, and such other persons as have subscribed and joined, or shall hereafter subscribe and join, the said company, on the same terms with the original subscribers, be and they are hereby incorporated and made a body politic, for the purpose herein after declared; and that the said body politic shall be known and distinguished by the appellation of The President and Directors of the Baltimore Water Company, and shall have full and ample power and authority to do, perform and execute, all and every matter and thing which any similar corporation may or rightfully can do, and shall have perpetual succession, and to that end, and for perpetuating the said incorporated body, the individuals com-

Persons incorporated.