

CHAP. LXXIX. Suits deemed transitory, &c.

XII. AND BE IT ENACTED, That any suit, action or complaint, by the said corporation, against any person or persons whomsoever, on account of, or grounded on, a trespass or injury done to the said works, or any tunnels, conduits, canals, water-rcourses, mound, plug, cock, reservoir, dyke, engine, machine or thing, appertaining to the same, shall in every instance be held and deemed as transitory in its nature, and may be brought, sustained and tried, in any court in this state, having jurisdiction in such like cases.

Penalty for polluting the water, &c.

XIII. AND BE IT ENACTED, That if any person shall wilfully pollute the said water, between the pumping-house of the said company and the mill on Jones Falls, now owned and occupied by John Stricker and William Patterson, by throwing any dead animals, or other impure substances, into the same, or by swimming, bathing or washing themselves, or by washing cloaths or the skins of any dead animals or other impure things therein, or by erecting any necessary or other nuisance so near the said water as to pollute the same, the person or persons so offending shall forfeit and pay to the said company a sum not exceeding twenty dollars for every such offence, to be recovered by warrant, before any magistrate of the county or city of Baltimore, and shall be obliged to remove the said nuisance, or forfeit and pay the sum of ten dollars for every day the same shall continue, to the use of Baltimore county, to be recovered by action of debt at the suit of the state.

Corporation not to enter into negotiations, &c.

XIV. AND BE IT ENACTED, That it shall not be lawful for the said corporation to enter into any negotiations on bills or notes, nor to deal in exchange, discount, or other commercial or banking operation, other than to vest their capital in stocks of chartered companies, or in public securities, or to borrow money as may be found necessary for the carrying on the works proposed; and dividends of the profits of the stock shall be annually made, reserving only, at the discretion of the directors, such proportion as they, or a majority of stockholders, shall deem sufficient for maintaining and supporting the works necessary to promote or attain the object of this incorporation; and if the said corporation shall not carry into effect the intentions of this act, within five years from the passage thereof, in that case all the powers hereby vested in them shall cease and determine.

Acts repealed.

XV. AND BE IT ENACTED, That all acts of assembly heretofore passed on this subject, be, and the same are hereby declared to be, repealed, null and void.

CHAP. LXXX.

Passed 24th of Dec. 1808.

An ACT to establish and confirm certain acts done by justices of the peace in Allegany county.

Certain acts declared valid, &c.

BE IT ENACTED, by the General Assembly of Maryland, That if any justice or justices of the peace in Allegany county, holding, or having held, any office of profit or trust under the government of the United States since the fourth day of November, seventeen hundred and ninety-nine, hath acted, or shall have acted, at the same time as a justice or justices of the peace in Allegany county, in every such case all and singular the act or acts done, performed or executed, by or before such justice or justices of the peace aforesaid, by virtue of his or their official authority under this state, and within the proper limits of his or their jurisdiction, shall be and the same are hereby declared valid and effectual, to all intents and purposes, in the like manner as if such justice or justices of the peace aforesaid, at the time of doing or performing such act or acts, had not held any office of profit or trust under the government of the United States.

CHAP. LXXXI.

Passed 24th of Dec. 1808.

A Further supplement to the act, entitled, An act relating to servants and slaves.

Testimony of negroes, &c. may be received, &c.

BE IT ENACTED, by the General Assembly of Maryland, That in all criminal prosecutions against any negro or mulatto slave, or against any mulatto descended from a white woman, or against any negro or mulatto free or freed, the testimony of any negro or mulatto slave, or the testimony of any mulatto, descendant from a white woman, or the testimony of any negro or mulatto free or freed, may be received in evidence for or against them, any law now existing to the contrary notwithstanding.

CHAP. LXXXII.

Passed 24th of Dec. 1808. Preamble.

An ACT for the relief of Jacob Penn, of Anne-Arundel county.

WHEREAS Jacob Penn, of Anne-Arundel county, by his petition to this general assembly, hath set forth, that he is very poor, and far advanced in old age, and from an entire loss of one of his hands is rendered totally incapable of procuring a support for himself, wife and four children, by