

## 312E. Oath of vestrymen.

The bylaws of a parish may provide that every person chosen a vestryman shall, before he acts as such, take and subscribe the oath of support and fidelity required by the constitution and form of government, unless such person hath before taken such oath, and also make and subscribe a declaration of his belief in the Christian religion, and he shall also take and subscribe the following oath of office, to wit: "I, A. B. do solemnly swear, that I will faithfully execute the office of a vestryman of ..... parish, in ..... county, without prejudice, favour or affection, according to the best of my skill and knowledge;" which oaths and declarations any [justice of the peace, or any] vestrymen present, may administer and take.

## 318. Construction of lines; damage caused by erection of fixtures in general.

It may construct a line or lines of telegraph through this State, or from or to any point or points within this State, or upon the boundaries thereof, and along and upon any postal roads and postal routes, roads, streets and highways, or across any of the bridges or waters within the limits of this State, by the erection of the necessary fixtures, including posts, piers or abutments for sustaining the cords or wires of such lines, without their being deemed a public nuisance, or subject to be abated by any private party; provided, the same shall not be so constructed as to incommode injuriously the public use of said postal roads or postal routes, roads, highways and bridges or injuriously interrupt the navigation of said waters, or interfere with the convenience of any landowner more than is unavoidable; and this section shall not be so construed as to authorize the construction of any bridge across any of the navigable waters of this State; but the said corporation shall be responsible for any damage which any person or corporation may sustain by the erection, continuance and use of such fixtures; and in any action brought for the recovery thereof by the owner or possessor of any lands, the damages to be awarded may, at the election of such corporation, include the damages for allowing the said fixtures permanently to continue; on payment of which damages, the right of the corporation to continue such fixtures shall be confirmed, as if granted by the parties to the suit; provided, that no person or body politic shall be entitled to sue for or recover damages as aforesaid, until the said corporation, after due notice, shall have failed or refused to remove, in reasonable time, the fixtures complained of; or the president and directors of the said company may apply to a [justice of the peace] *judge of the Circuit Court for [of] the county or of the Superior Court of Baltimore C[c]ity* where such lands are, and such [justice] *judge* shall thereupon issue his warrant, directed to the sheriff of said county or city, commanding him to summon twelve disinterested persons, qualified to serve as jurors, to meet at the proper place, as directed by the [said justice] *judge*; and the sheriff shall qualify the said persons, by oath or affirmation, faithfully to perform the duties required of them by § 319 of this article.

## 329. Passenger railroad to keep track in repair where portion of turnpike, street or road used.

In all cases when any passenger railway company uses the roadbed or any portion thereof of any turnpike, street or road in any county