

1741. MAY.

CHARLES LORD BALTIMORE.

At a SESSION of ASSEMBLY begun and held at the City of ANNAPOLIS, the 26th day of May, in the 26th year of the dominion of the right honourable CHARLES, absolute Lord and Proprietary of the provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. *anno domini* 1741, and ended the 22d day of June following, in the 27th year of his lordship's dominion, the following laws were enacted.

SAMUEL OGLE, ESQUIRE, GOVERNOR.

C H A P. I.

An ACT to enable the visitors of the free-school of Kent county for the time being to lease one moiety of the land, except ten acres, belonging to the same school. Lib. BLC. fol. 215.

Passed 22d of June, 1741.

Preamble.

WHEREAS the visitors of the free-school of Kent county, by their petition to this general assembly, have set forth, that the moiety of the land belonging to the same school, assigned for the conveniency of making corn and grain, and for pasturage to the master, lying contiguous to Chester-town, would prove of much greater advantage if the same was divided into small lots or parcels, and leased out to the inhabitants of the said town, and others of the neighbourhood, for pasture or meadow ground, than if made use of as the act of assembly directs, besides, that the making of corn and grain must necessarily take up some part of the master's time, which ought to be employed in attendance on the school, and being apprehensive that leases of the same land, made either by them or the master, would not be binding on a succeeding master, in case of death or removal, and therefore prayed an act of assembly to enable them to make such leases, which is thought reasonable to grant;

Visitors to divide the land, &c.

II. BE IT THEREFORE ENACTED, *by the right honourable the Lord Proprietary, by and with the advice and consent of his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same,* That the visitors of Kent county free-school for the time being, or the major part of them, be and are hereby authorized and empowered to divide and lay out all that northernmost or uppermost moiety of the land belonging to, and purchased for, the use of the free-school aforesaid, except ten acres, into so many convenient lots or parcels as to them, or the major part of them, shall seem meet, not exceeding the quantity of three acres to each lot, and the same, so divided and laid out, to number and distinguish by the numbers one, two, three, and so on, and to demise and lease out the same to the highest bidders, ten days public notice being first given, for any term of years, not exceeding twenty-one years, under such yearly rents as the same visitors, or the major part of them, shall think proper and reasonable.

Leases to be good, &c.

III. AND BE IT FURTHER ENACTED, That all such leases as the aforesaid visitors, or the major part of them, shall make of the land aforesaid, according to the directions of this act, shall be good and valid to the person or persons taking the same for the terms therein mentioned, and shall be binding as well on the master of the same school at the time of making such lease or leases, as on any succeeding master or masters who shall be admitted to, or put in possession of, the same school, at any time after the making of the same lease or leases, any law, statute, other act of assembly, usage or custom, to the contrary notwithstanding.

How the rents are to be applied.

IV. AND BE IT FURTHER ENACTED, *by the authority aforesaid,* That the monies arising on the leases aforesaid, for the rents of the lands aforesaid, shall be applied to the use of, and paid to the master of, the school aforesaid for the time being, and not otherwise; and if it shall happen at any time during the continuance of any such terms, that there be no master of the said school, that then and in every such case all monies arising on such leases, during such vacancy, shall be paid to, and received by the visitors aforesaid, and by them, or the major part of them, laid out and applied for the use and benefit of the said school, as to them, or the major part of them, shall seem meet.

C H A P.