

LAWS

OF THE

STATE OF MARYLAND

MADE AND PASSED

**At the Session of the General Assembly Made
and Held at the City of Annapolis on the Second
Day of January, 1918, and Ending on the First
Day of April, 1918. ✨ ✨ ✨ ✨**

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SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 246 of Article 23 of the Annotated Code of Maryland, title "Corporations", sub-title "Mining Companies", be and the same is hereby repealed and re-enacted with amendments to read as follows:

246. The president and directors of any corporation mentioned in the preceding section shall be invested with full power to locate and construct a railroad or railroads, with necessary appurtenances, and shall be empowered to condemn a right of way for such purpose, beginning the same at, or near, the mines, manufactories or works of said corporation and running to any convenient point or points that may best suit the convenience and interest of said corporation, or beginning at the tipple or other works of said corporation or at a place where said corporation intends or designs to erect such tipple or other works, and running either on the surface, underground, or by elevated road, or partly on the surface and partly by the other methods, or one of them, to the vein of coal or other minerals at the point at which said corporation may desire to open or work the same; and to use and control said "railroad or railroads, and the necessary vehicles and appurtenances thereto belonging"; provided however that the right of condemnation granted by this section shall in no case be allowed to interfere with the workings of any other mine or mines.

Approved April 10th, 1918.

CHAPTER 205.

AN ACT to repeal Section 2 of Chapter 86 of the Acts of the General Assembly of Maryland of 1912, entitled "An Act to amend the charter of the Annapolis Water Company as the said charter was enacted by Chapter 123 of the Acts of the General Assembly of Maryland of 1865, by extending the powers of the said Company to hold real and personal property, providing for the management of said company by a board of directors and making other changes in said charter", and to re-enact the same with amendments, and to repeal any laws inconsistent therewith.

WHEREAS, The City of Annapolis, by power and authority contained in the provisions of Chapter 322 of the Acts of the General Assembly of Maryland of 1904, and Chapters 86 and 118 of the Acts of 1912, has acquired all the stock of the An-

napolis Water Company and the same is now owned by the said City of Annapolis and operated as a public utility by the corporation thereof; and

WHEREAS, At the time of the passage of the said Chapter 86 of the Acts of 1912 the said City did not own the entire stock of the Annapolis Water Company, and Section 2 of the said Act, providing for the future management of the Company by a board of three directors to be chosen by the holder or holders of a majority of the stock of the said Annapolis Water Company was enacted in view of the peculiar situation then existing, and could not make thorough and proper provision for such efficient management of the property as a part of the municipal administration as is now possible; and

WHEREAS, It is expedient and advantageous that the City Counselor, the legal representative and adviser of the corporation, and one other member of said municipal corporation should be directors of the Annapolis Water Company, in addition to the Mayor of the City of Annapolis for the time being and the other two directors as hereinafter provided.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 2 of Chapter 86 of the Acts of the General Assembly of Maryland of 1912, entitled "An Act to amend the charter of the Annapolis Water Company, as said charter was enacted by Chapter 123 of the Acts of the General Assembly of Maryland of 1865, by extending the powers of the said company to hold real and personal property, providing for the management of the said company by a board of directors and making other changes in said charter," be and the same is hereby repealed and re-enacted with amendments so as to read as follows:

SEC. 2. *And be it enacted,* That the said Annapolis Water Company shall be managed by a board of five directors, one of whom shall be the person who may be Mayor of the City of Annapolis, and who shall serve as such director during his term of office as Mayor; one of whom shall be the person who may be City Counselor of the City of Annapolis, and who shall serve as such director during the time for which he has been elected as such City Counselor; one of whom shall be an alderman of the municipal corporation of Annapolis, of the opposite political party of the majority of the said municipal corporation, who shall be elected by said corporation, the Mayor, Counselor and

Aldermen of the City of Annapolis, and who shall serve as such director for the time for which he has been elected as such Alderman. A fourth person of capability and fitness, a resident and citizen of the City of Annapolis, to supervise and look after the general operations of the Water Company, who shall not be a member of the municipal corporation of Annapolis, shall promptly upon the approval of this act, be appointed by the Mayor of the City of Annapolis as a director of the Annapolis Water Company for the term of four years from the last Monday in March, 1918, and every four years thereafter the appointment to such office shall be so made for each succeeding four years period, and the person so appointed shall act as President of the Company. A fifth person, also a resident and citizen of Annapolis, and who shall also not be a member of the said municipal corporation, shall be elected by the Mayor, Counselor and Aldermen for a term of four years beginning the last Monday in March, in the year 1920, upon the expiration of the term of Charles G. Feldmeyer, one of the present directors. At the expiration of the term of the two last named directors, or in case of the death or resignation of either of them, their successors shall be appointed, or elected as the case may be, as hereinbefore provided. The said Board of Directors is hereby invested with full and ample power to manage the Annapolis Water Company according to its best judgment, and to adopt and enforce all needful rules and regulations for the government of such employees as it may find necessary and expedient to have, and for the care and physical operation of the plant of the said Water Company in the interests of the health, comfort and proper material requirements of the people of the City of Annapolis, and shall have full charge of the development, maintenance and operations of the plant as a municipal property; provided, however, that the salaries of the members of the said Board of Directors, respectively, and of its employees, shall not be increased over the salaries now paid without the express authority of the Mayor, Counselor and Aldermen of the City of Annapolis. And provided, further, that no expenditure of money such as would be required for a filtration plant, or any expenditure in excess of two thousand dollars, may be made by the said Water Company without the approval of the Mayor, Counselor and Aldermen of the City of Annapolis being first had and obtained. Provided, further, that the said Mayor, Counselor and Aldermen of the City of Annapolis shall submit the question of whether or not a filtration plant shall be installed as part of the Annapolis water works

to the taxpayers of said City, listed as such at the time of such election on the books of the Collector and Treasurer of said City, said question to be determined by a majority of said taxpayers voting at such election; the said election to be duly called and held by, and under the direction of, the said municipal corporation within eight months after this act goes into effect. And the approval hereinbefore mentioned shall be given or withheld according to the result of said election, and, if given, the contract for the installation of said filtration plant shall, within one year from the date of said approval, be awarded by the said Water Company to the lowest bidder furnishing satisfactory corporate bond, said award to be made only after public advertisement for bids for such work, and which bids shall be publicly opened at a time and place designated in the advertisement; and provided, further, that such work shall be done under the supervision of a competent engineer selected by the said Water Company and approved by the said Mayor, Counselor and Aldermen of the City of Annapolis. And the said Mayor, Counselor and Aldermen of the City of Annapolis are hereby vested with full power and authority to do all things necessary and proper to carry out the provisions of this Act pertaining to the said election, and to appoint and qualify the necessary officials for holding said election and to designate the place or places therefor.

SEC. 2. *And be it enacted*, That all acts or parts of acts inconsistent with the provisions of this Act be, and they are hereby repealed to the extent of such inconsistency.

SEC. 3. *And be it further enacted*, That this Act is hereby declared to be an emergency law and necessary for the immediate preservation of the public health and safety, and the same being passed upon a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, shall take effect upon the date of its passage.

Approved April 24th, 1918.