

**190.** Every person that shall profanely swear or curse in the presence and hearing of any magistrate, sheriff, coroner, county clerk, or constable, or be convicted thereof before any magistrate, by the oath of one lawful witness, or confession of the party, shall for the first oath or curse be fined twenty-five cents, and for every oath or curse after the first, fifty cents.

Id s 18  
1723, c 16, s 2  
Profanely  
swearing before  
certain officers

Fine.

#### DEFAULTERS.

**191.** If any clerk, register of wills, sheriff, collector of taxes, notary public, or other officers, whose duty it is to collect revenue due the State of Maryland or any county thereof, shall, after the receipt of the said revenue by him, wilfully detain the same in his possession and neglect to pay the same into the treasury of the State or to the county commissioners, or the proper officer authorized to receive the same, for more than sixty days after the day upon which it is made by law the duty to pay the same, or if no particular day be appointed by law for said payment, and such officer shall detain any revenue due to the State or to any county thereof, and which it is his duty to collect, and which he shall have collected and shall neglect to pay the same into the treasury of the State, or to the county commissioners, or the proper officer authorized to receive the same, for the space of six months after he shall have so collected the same, such officer so offending in either case, shall be deemed to be a defaulter, and upon indictment and conviction thereof shall in addition to any other penalties already provided by law, be for each offence imprisoned in the State Penitentiary not less than one year nor more than five years, unless the amount for which he is a defaulter be sooner paid, and the certificate of the comptroller of the State of Maryland, or of the respective clerks of the county commissioners, showing the accused to be a defaulter, shall in every prosecution under this section be received as *prima facie* evidence of such defalcation, and the judges of the courts having criminal jurisdiction in this State shall give this law in charge to the grand juries summoned to their respective courts.

1872, c 329  
When officers,  
whose duty it is  
to collect  
revenue due the  
State, to be  
deemed de-  
faulters

Punishment

What *prima*  
*facie* evidence.

#### MILLERS MIXING FLOUR.

**192.** No master, owner, miller, or other person properly belonging to or otherwise owning any mill within this State shall ask, demand, or receive for grinding any quantity of wheat, Indian corn, or rye above one-eighth part of every bushel of wheat, Indian corn, or rye by him so ground as aforesaid, under the penalty of fifty dollars for every such offence, one-half to the use of the State and the other half to the informer, to be recovered in the name of the State by action of debt before any justice of the peace as other small debts are recoverable. In St Mary's, Wicomico, and Worcester counties, the sixth may be taken for grinding rye and corn.

1878, c 375.  
Miller's tolls.

Penalty for  
taking excess-  
ive tolls