

SEC. 3. *And be it enacted*, That this act shall take effect from the date of its passage.

Approved April 1, 1912.

CHAPTER 76.

AN ACT to appropriate a sum of money to pay Frederick Dallam for legal services rendered the State in defending two suits of D. E. Foot and Company and others, oyster packers, against the Comptroller of Maryland, involving the constitutionality, validity and effect of Chapter 735 and 413 of the Acts of the General Assembly of Maryland of 1910, providing an oyster inspection tax.

WHEREAS, The General Assembly of Maryland, at its Session of 1910, passed two acts, known as Chapter 735 and 413, respectively, each providing for an oyster inspection tax, though at different rates, and with different applications of the revenue derivable therefrom, and the Governor approved both of said acts, and on the same day, and the comptroller was required, under the opinion of the attorney general, to put into force said Chapter 735, which provides for a tax of two cents per bushel; and,

WHEREAS, Certain oyster packers declined and refused to pay said tax of two cents upon the grounds, among others, that said Chapter 735 was repealed by said Chapter 413, which provides for a tax of one cent, in that Chapter 413 was the later approved, and that said Chapter 735 was unconstitutional and void as being repugnant to various provisions of the Constitution of the United States and of the State of Maryland; and,

WHEREAS, The comptroller, by virtue of the power and authority conferred on him by sections 37, 38 and 39 of Article 19 of the Code of Public General Laws of the State of Maryland of 1904, and the amendments thereto, placed with Frederick Dallam for legal action the claims for said oyster inspection tax against D. E. Foote and Company and others, aggregating many thousands dollars; and,