

seven hundred pages, exclusive of the index and tables of cases and statutes, and shall be uniform in size, style and form with said volume 96 Maryland reports; nor less than twelve hundred copies of said volumes shall be printed. The publisher shall deliver to the state library three hundred copies of each volume bound in first-class law sheep; and the State shall pay therefor to the publisher the sum of six hundred dollars, being at the rate of two dollars per volume. And the publisher shall keep on hand in the city of Baltimore for sale during the period of this contract and for five years thereafter a sufficient number of the volumes which shall be so published to supply the public demand therefor, and sell the same to the public at a price designated in his proposal for volumes bound in first-class law sheep and at the price designated for volumes in sheets unbound. The reports shall be published promptly from manuscript to be supplied by the reporter and under his supervision. If there be any unreasonable delay in the printing or publication of said reports, it shall be his duty to employ others to complete the work at the cost of the contracting party. The said contract shall be awarded by the reporter to the person whom he shall determine to be the most responsible bidder, who will agree to publish the said reports in the manner aforesaid and sell the same on terms most advantageous to the public, and at the lowest price; and the said publisher shall also agree to sell the advance sheets of said volume at a price fifty cents less per volume than he shall be entitled to receive for the bound volumes thereof. No other publication of said reports shall be authorized by the State so long as its copyright thereon remains in force; provided the publisher or his assigns shall supply the demand therefor at the price stipulated in the contract.

A publisher to whom the contract for printing the Maryland reports has been awarded under this section, can not be compelled by mandamus to supply said reports in wholesale quantities to other dealers to serve their independent trade. Object of the act of 1904, ch. 327, and obligation of the publisher thereunder. *Curlander v. King*, 112 Md. 519.

1904, art. 80, sec. 4. 1904, ch. 327, sec. 5.

4. The performance of the said contract by the publisher shall be secured by a bond in the penal sum of ten thousand dollars, with two or more sureties satisfactory to the treasurer of the State, and the form of the contract and the bond shall be approved by the attorney-general. If at any time in the opinion of the court of appeals the publisher shall fail to publish the reports promptly, or otherwise fail satisfactorily to fulfil the terms of the contract, and that such failure shall, in their opinion, continue for a period of three months after a written notification thereof given by them to said publisher, then at any time after the expiration of said period the court of appeals may by any instrument or paper, in writing, terminate the contract in such manner as to take effect at such date as they shall deem just and proper.

This section referred to in construing section 3—see notes thereto. *Curlander v. King*, 112 Md. 526.