

co-partnership or corporation now so engaged in said business in this State, who shall fail to register with said Board in accordance with Section 296 of this Article, shall continue to carry on said business of Undertaking in this State, such person, co-partnership or corporation shall apply to said Board of Undertakers for a license to carry on the business of Undertaking and all such individuals, members of such co-partnership and officers and employees of such corporation whose duties shall engage him or her in the care, preparation for burial, burial or shipment of dead human bodies and the disinfection of the clothing and bedding of such deceased person who shall have died from an infectious or contagious disease or the premises in which he or she shall have died, shall present himself or herself before said Board at the time and place to be fixed by said Board and if the Board shall find, upon due examination and the payment of an examination fee of twenty-five dollars, that the applicant or applicants are of good moral character, twenty-one years of age and free from habits liable to interfere with the performance of the duties that he or she desires to perform, then said applicant or applicants shall be examined as to the proper sanitation and disinfection of the clothing and bedding of persons dying from infectious or contagious diseases and the premises in which they shall have died; of the Laws of this State and the Local Laws of the residence of such deceased person relative to burials and burial permits and the proper care, preparation for burial and burial or shipment of dead human bodies and if said applicant or applicants shall pass said examination, then said Board shall issue to said applicant or applicants, upon the payment of the fee of five dollars, a license to carry on said business of Undertaking in the State of Maryland up to and including the first of May next succeeding the granting of said license, which license may be renewed annually under the same terms and provisions as are provided in Section 296 of this Article, provided that nothing contained herein shall apply to any bona fide employee of a licensed Undertaker acting under his or her supervision.¹

Since the act of 1910, ch. 444, re-enacts the same provisions as were declared void in *State v. Rice*, 115 Md. 317, a demurrer to counts of an indictment based on said act is properly sustained. *Keller v. State*, 122 Md. 679 (decided prior to act, 1924, ch. 575).

See notes to sec. 296.

1924, ch. 575, sec. 237.

298. No license granted or issued under the provisions of this sub-title shall be assignable or transferable and such license shall specify the name of the person, co-partnership or corporation to whom it is issued and the date on which such license shall terminate, and such license shall further state that the person, co-partnership or corporation to whom it has been issued may carry on the undertaking business in the State of Maryland during the period therein specified; and any renewal of said license shall set out the name of the person, co-partnership or corporation to whom the same has been issued and the period for which it has been issued, and no renewal of such license shall be assignable or transferable.

¹ This section not mentioned in title of the act of 1924, ch. 575, but included in the act.