

conviction thereof shall be fined for each offense not less than fifty dollars nor more than two hundred dollars, in the discretion of the court.

The description of telephone equipment set out in this section, has no application to cases in which parties have entered into lawful contracts in which they fix for themselves the terms of their contracts, and define what they are contracting for. *Simons Co. v. Md. Telephone Co.*, 99 Md. 170. And see *Maryland Telephone Co. v. Simons Co.*, 103 Md. 139.

See sec. 400 and notes to sec. 304.

An. Code, sec. 374. 1908, ch. 280.

310. Telegraph companies engaged in the business of transmitting communications by telegraph in the State of Maryland, and charging tolls therefor, shall show conspicuously on each and every telegram delivered the time it was filed for transmission and the time it was received at the office from which it is to be delivered. The time of filing the telegram at place of origin and the time received at destination of each and every telegram transmitted, as provided in this section, shall appear on each and every telegram under the captions "time filed" and "time received." Failure to comply with the provisions of this section shall be punishable by a fine of not less than ten dollars (\$10), nor more than two hundred dollars (\$200) for each and every telegram delivered in violation thereof.

This section relates only to messages from one point in the state of Maryland to another point in the state, and is a valid exercise of police power. This section is mandatory and cannot be waived by sender of a message so as to relieve the company from complying with its provisions, nor can sender be required to pay costs of notations as to time. *Postal Telegraph Co. v. State*, 110 Md. 613.

An. Code, sec 375. 1910, ch. 587, secs. 1, 2 (p. 66).

311. No telegraph, telephone or messenger company shall employ any person under fourteen years of age to call for or deliver any message nor require or permit any person in its employ under sixteen years of age to call for or deliver any telegram or other message between the hours of eight o'clock P. M. and eight o'clock A. M.

This section is a duplicate of art. 27, secs. 393 and 394.

An. Code, sec. 376. 1910, ch. 587, sec. 3 (p. 66).

312. No telegraph, telephone or messenger company shall require or permit any minor person in its employ to call for or deliver any telegram or other message at or to any house of ill repute or questionable character wherein is conducted any business tending to demoralize by example or contact said minor.

This section is a duplicate of art. 27, sec. 395.

An. Code, sec. 377. 1910, ch. 587, sec. 4 (p. 66).

313. Any company or representative thereof who shall violate the provisions of the two preceding sections shall be subject to a fine of not less than one hundred dollars nor more than five hundred dollars, or sixty days in jail or both, at the discretion of the court, for each and every offense.¹

This section is a duplicate of art. 27, sec. 396.

¹ Secs 152-244N and 378-381 of art. 23 of the An. Code of 1912, were repealed by the act of 1922, ch. 492—see art. 48A, "Insurance." The annotations of secs. 152-244N and 378-381 appear in this edition in foot-notes to art. 48A and to art. 48A, sec. 146.