

the duty of said commissioners to lodge a complaint before one of the justices of the peace of said county, who shall forthwith summon the owner or other person so neglecting or refusing and upon being satisfied after an examination into the facts of the existence of the said disease in the trees or fruit as charged by said commissioners, it shall be the duty of said justice of the peace to forthwith issue an order to said commissioners, or one of them, or to a constable of said county, to destroy said trees or fruit, and for the purpose of destroying the same, it shall be lawful for said commissioners or constable to enter upon any premises in said county, and seize said diseased trees or fruit wherever found, and have the same destroyed by fire or otherwise.

1890, ch. 26, sec. 6.

193. It shall be the duty of said justice of the peace in passing the order as provided in the preceding section, to fix such fine and penalty as he may see fit, not exceeding the sum of ten dollars for each offense, and all costs incident to or attending such proceedings, and upon failure to pay said fine and costs, to commit said person to the county jail for a term not exceeding thirty days.

1890, ch. 26, sec. 7.

194. "Yellows" is hereby declared to be a contagious disease affecting the constitution and vital growth of the tree and manifested by the following symptoms or one of them: 1. A premature ripening of the fruit which is flavorless and with the color thereof not solid but mottled or variegated. 2. Wiry growth of shoots from the trunk or branches of the tree.

FUNKSTOWN.*

P. L. L., 1888, Art. 22, sec. 245. 1870, ch. 452. 1894, ch. 399, sec. 245.

195. The inhabitants of the town of Funkstown, in Washington county, are a body corporate, by the name of the Burgess and Commissioners of Funkstown, and by that name may sue and be sued, and may have and use a common seal.

1894, ch. 399, sec. 245A. 1927, ch. 262.

196. The corporate limits of the town of Funkstown are hereby declared as follows:

Beginning at the east edge of the south abutment of the State highway bridge over the Antietam Creek at Funkstown, and running thence along the southeast (left) bank of the Antietam Creek in a northeasterly direction a distance of seven hundred and ten feet to the west marginal line of Antietam Street; thence still along said creek on the south bank (left) thereof in a southeasterly direction a distance of nine hundred and forty feet; thence in a northeasterly direction a distance of one hundred and

*Formerly known as Jerusalem.