

or their agent or attorney and in case an appeal shall be taken by any party other than the United States it shall be accompanied by an affidavit of the party appellant or his or their agent or attorney that the same is not taken for the purpose of delay but because the affiant firmly believes that injustice has been done and upon the filing of said appeal the said court or a judge thereof shall make such orders as may be necessary for the purpose of putting in issue for trial by jury the amount of the fair value of all and singular the estate or interest in the lands mentioned in the report of said receivers; provided, that the United States may pay the costs and refuse to take the lands, if in its judgment the compensation assessed therefor, either in the report of the receivers or the verdict of the jury, is excessive.

SEC. 5. *Be it further enacted,* That should any State desire to acquire the lands occupied by any command from said State or said battle-fields, said lands not having been already acquired by the United States, said State may acquire said lands in the same manner as has hereinbefore been pointed out for the acquisition of lands by the United States; and lands so acquired shall be released from taxation as long as they are held for historical and memorial purposes only, but the State of Maryland shall not surrender jurisdiction in civil and criminal processes to any other State, so far as concerns any other lands so acquired.

SEC. 6. *Be it further enacted,* That any historical society, or any society representing any organization or organizations of troops engaged in said battles of Antietam or Monocacy or either of them which society may have been incorporated under the laws of the State of Maryland may acquire title or lands occupied by said organizations in said battle-fields or either of them in the manner thereinbefore stated, provided that the United States shall have preference in such acquisition of lands and provided further, that any lands so acquired shall be free from taxation as long as they are used exclusively for historical or memorial purposes and no longer.

Approved April 7th, 1892.

CHAPTER 639.

AN ACT to provide for the destruction of fruit trees in the State of Maryland infected with the disease known as the "yellows."

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That it shall be unlawful for any person to keep,