

the thickly settled or business parts of cities, towns or villages, or eighteen miles per hour in the outlying or not thickly settled parts of cities, towns or villages, or twenty-five miles per hour in the open country outside of the limits of cities, towns or villages, or if the rate of speed of any motor vehicle used only for the transportation of merchandise shall exceed the maximum limit above prescribed, such rate of speed shall be prima facie evidence that the person operating such vehicle is operating the same at a rate of speed greater than is reasonable and proper, and in violation of the provision of this Section, and the burden of proof shall be upon him to show that such rate of speed was not greater than was reasonable and proper, as above set forth. And no motor vehicle shall be operated upon any highway of this State at a rate of speed greater than thirty-five miles per hour under any circumstances or conditions, under penalty of a fine of not less than twenty-five dollars or more than one hundred dollars, and suspension of the operator's license for not less than three months, if, upon a hearing had after notice as elsewhere provided in this sub-title, the Commissioner of Motor Vehicles shall determine that such rate of speed was in fact exceeded.

Nothing in this Section or any other Section of this sub-title shall be taken in any way to add to or detract from the right of any person injured in his person or property by the negligent operation of a motor vehicle to sue and recover damages as in the case of the negligent use or operation of other vehicles, and the violation of any provision of this sub-title shall not be taken to give any right of action to any individual who would not be entitled to the same in the absence of such provision.

SEC. 2. *And be it further enacted*, That this Act shall take effect from the date of its passage.

Approved April 16th, 1914.

CHAPTER 833.

AN ACT to amend the Charter of Preston, by repealing Sections one to twenty-seven, inclusive, of Chapter 689 of the Acts of the General Assembly of Maryland for the year eighteen hundred and ninety-two, being "An Act to incorporate the Town of Preston in Caroline County," and all amendments and additions thereto, except as hereinafter retained and preserved, and to re-enact the same with amendments.