Montgomery County Sentinel

SUPPLEMENT.

ROCKVILLE, MD., FRIDAY MORNING, MAY 10, 1872.

Laws--General.

PUBLIC GENERAL LAWS

PASSED BY THE

GENERAL ASSEMBLY OF MARYLAND

At the January Session, 1872

PUBLISHED BY AUTHORITY.

[CHAPTER 383.]

AN ACT

To make provision for payment of the State Bonds past due, and others not yet due, by selling the State stocks and bonds hereinafter mentioned.

WHEREAS, It is to the interest of the State to sell her six per cent. Baltimore City Stock, standing to the credit of the Sinking Fund, and amounting to one hundred and fifty-four thousand five hundred and fifty dollars; provided, the same can be sold at not less than ninety-six cents in the dollar; and her stock in the Farmers' National Bank of Annapolis, amounting to forty-six thousand four hundred and seventy dollars, provided the same can be sold at par; and her stock in the Chesapeake and Delaware Canal Company, amounting to eighty-one thousand two hundred and fifty dollars; and the bonds of the Susquehanna and Tide Water Canal Company, provided, this stock and these bonds can be sold at not less than their par value, and subject to the provisions of the Constitution; and

WHEREAS, It is the interest of the State to pay off the balance of her funded debt, amounting to seven hundred and twenty-five thousand dollars, consisting of bonds issued for the benefit of the Susquehanna and Tide Water Canal Company under the provisions of chapter 386 of the Acts of 1838, and past due since 1875; and also to pay off balance of her currency debt, amounting to two hundred and sixteen thousand eight hundred and seventy-five dollars and thirty-seven cents, principally of bonds issued for the benefit of the Chesapeake and Ohio Canal Company, and past due since 1870; therefore,

Section 1. Be it enacted by the General Assembly of Maryland, that the Comptroller be, and he is hereby directed to advertise, if not less than thirty days, for sealed bids for the State bonds due or past due. Upon a day named in said notice, interest on said bonds will cease, and that they must be presented for payment at the place where they are made payable.

Sec. 2. And be it enacted, That the Comptroller is hereby directed to pay said bonds out of any unappropriated moneys in the Treasury; provided, the same can be spared from its ordinary requirements, but should the condition of the Treasury not admit of such application of its means, he is hereby authorized and directed to sell the State's six per cent. Baltimore City stock, standing to the credit of the Sinking Fund, and amounting to one hundred and fifty-four thousand five hundred and fifty dollars; provided, the same can be sold at not less than ninety-six cents in the dollar; and the State stock in Farmers' National Bank of Annapolis, amounting to forty-six thousand four hundred and seventy dollars, provided, the same can be sold at not less than par, and apply the means thus raised to the payment of these past due bonds.

Sec. 3. And be it enacted, That when paid, these bonds shall be recorded by the Treasurer, and burned by him in the presence of the Governor and Comptroller, of which fact he shall also make a record.

Sec. 4. And be it enacted, That the Comptroller of the Treasury be, and he is hereby directed to give notice, of not less than sixty days, to the holders of the State's five per cent. sterling bonds, which will mature in 1890; that on a day named he will exchange Maryland six per cent. currency bonds for the State's five per cent. sterling bonds, aforesaid, at the rate of four dollars and eighty-four cents per pound sterling, or that he will pay the par value for all such sterling bonds as shall be presented for payment, as aforesaid.

Sec. 5. And be it enacted, That the Governor, Comptroller and Treasurer, constituting the Board of Public Works and acting as such, are hereby fully authorized and directed to effect a sale of the State stock in the Chesapeake and Delaware Canal Company, amounting to eighty-one thousand two hundred and fifty dollars, and of the bonds of the Susquehanna and Tide Water Canal Company, held by the State, amounting to one million of dollars; provided, the said stock and bonds can be sold at par, sale to be subject to the provisions of the Constitution.

Sec. 6. And be it enacted, That the Board of Public Works shall report the sale of said stock and said bonds, or either of them, if any sale be effected, to the Legislature at its next session, for its ratification or rejection; or in the event of a sale not being effected, they shall report to the Legislature for their information, any offer they may have received, and their opinion as to the advantages of accepting such offer, and also as to the probability of effecting a sale, and at what price.

Sec. 7. And be it enacted, That this Act shall take effect from the date of its passage.

We hereby certify that the aforegoing is a true and perfect copy of an Act passed the General Assembly of Maryland, at the January Session, 1872.

AUGUSTUS GASSAWAY,
Secretary of the Senate.
MILTON Y. KIDD,
Chief Clerk House of Delegates.

Approved April 1, 1872.

[CHAPTER 430.]

AN ACT

To repeal section 89, Article 56, of the Code of Public General Laws, entitled Licenses, and to re-enact the same as amended.

Section 1. Be it enacted by the General Assembly of Maryland, That section 89, Article 56, of the Code of Public General Laws, entitled Licenses, be repealed and re-enacted so as to read as follows:

89. If any person shall barter or sell any goods, wares or merchandise, or spirituous and fermented liquors, and lager beer, in quantities not less than a pint, without taking out license therefor, as hereinbefore provided, he shall, on conviction, pay a fine of not less than twenty dollars, nor more than one hundred dollars for each offense; and, upon failure to pay said fine, and the costs of prosecution, shall be committed to jail, and confined therein until such fine and costs are paid, or for the period of twenty days, whichever shall first occur.

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

We hereby certify, that the aforegoing is a true and perfect copy of an Act passed the General Assembly of Maryland, at the January Session, 1872.

AUGUSTUS GASSAWAY,
Secretary of the Senate.
MILTON Y. KIDD,
Chief Clerk House of Delegates.

Approved April 1st, 1872.

Laws--General.

[CHAPTER 276.]

AN ACT

To provide for cancelling the Stocks or Bonds of the State of Maryland, now held by the Treasurer to the credit of the Sinking Fund, and to provide for the investment of the augmentations of said funds.

Section 1. Be it enacted by the General Assembly of Maryland, That the Treasurer be, and he is hereby, directed on or before the 1st day of May next, in the presence of the Governor and Comptroller, to cancel and destroy all the bonds and certificates of stock of this State, now held in his office to the credit of the sinking fund; and all further payment by the State of interest on said bonds or certificates aforesaid, so required to be cancelled and destroyed, shall cease from and after the 1st day of April next.

Sec. 2. And be it further enacted, That before cancelling and destroying the said bonds and certificates as aforesaid, the Treasurer be, and he is hereby, authorized and required to cause to be made out a list of the said bonds and certificates, with the numbers and amounts of the same, and the names of the persons to whom said certificates are payable, and shall carefully examine and compare the same and file the said list in his office for preservation.

Sec. 3. And be it further enacted, That the Comptroller shall, on the 1st day of July next, and on the 1st day of July in every subsequent year, set apart to the credit of the sinking fund, the sum of ten hundred thousand dollars, which, in addition to all sums otherwise accruing to the sinking fund, is hereby appropriated for the purpose of taking up the existing debt of this State, and the Comptroller shall cause the same to be invested in stock or bonds of this State, purchased at par or less, and said bonds, after being cancelled as hereinafter directed, shall be credited to the sinking fund and held by the Treasurer, subject to the future action of the General Assembly.

Sec. 4. And be it further enacted, That whenever in the judgment of the Comptroller there shall be a surplus in the Treasury over above the amount necessary to meet the current expenses of the State as provided by law, he shall cause the same to be invested in the bonds or certificates of debt of this State purchased at par or less, and in all purchases of bonds or certificates hereby directed to be made; the Treasurer shall give the preference to the overdue debt of the State, and the Comptroller and Treasurer may, at any time, require the said overdue debt or some class thereof which can be regulated and accurately described to be presented at the place where made payable for payment, by giving not less than thirty days notice to the holders of such overdue debt, that on a day named in said notice, interest on said overdue debt or class thereof will cease, and if said bonds or certificates so overdue and particularly described in said published notice, be not presented for payment by said day, the payment of interest on the same shall cease, and no further payment of interest on the same shall be made.

Sec. 5. And be it further enacted, That if the overdue bonds or certificates of the State shall not be procurable in sufficient amounts, the Treasurer may invest the sum or sums required by this Act in any bonds or certificates of the State which may be offered for sale at the best rates possible for the State, and all such bonds or certificates maturing at some future day as may be purchased in pursuance of this Act shall be cancelled by the Treasurer in the presence of the Comptroller, by writing the word "Cancelled" across the face of said bonds or certificates with the date of said cancellation in red ink, and signing the name of the said Treasurer thereto also in red ink, and said bonds or certificates shall then be held by the Treasurer to the credit of the sinking fund and the interest thereon shall accrue to said fund until such time as the General Assembly may dispose of the said bonds or certificates.

Sec. 6. And be it further enacted, That the Comptroller is hereby directed to draw his warrant on the Treasury, for the payment of the bonds or certificates so taken up or purchased under the provisions of this Act.

Sec. 7. And be it further enacted, That all laws or parts of laws inconsistent with this Act, be and the same are hereby repealed.

Sec. 8. And be it enacted, That this Act shall take effect from and after the date of its passage.

We hereby certify that the aforegoing is a true and perfect copy of an Act passed the General Assembly of Maryland, at the January Session, 1872.

AUGUSTUS GASSAWAY,
Secretary of the Senate.
MILTON Y. KIDD,
Chief Clerk House of Delegates.

Approved April 1, 1872.

[CHAPTER 18.]

AN ACT

To repeal and re-enact with amendments, chapter forty-four, of the Act of eighteen hundred and seventy, entitled an Act to repeal and re-enact with amendments, section one hundred and seventy, Article thirty, Public General Laws, entitled, "Crimes and Punishments," sub-title "Rivers."

Section 1. Be it enacted by the General Assembly of Maryland, That chapter forty-four of the Acts of eighteen hundred and seventy, be, and the same is hereby repealed and re-enacted to read as follows:

170. If any ballast, ashes, filth, earth, soil, oysters, or oyster shells, be taken, unladen or cast out of any ship, steamboat, scow, pungy or other vessel, on any pretence whatever, in the Chesapeake Bay, above "Sandy Point" or in the waters of Herring Bay, or in any river, creek or harbor within this State, below high water mark, the master or other person having charge or command of such ship, steamboat, scow or other vessel, shall upon conviction thereof before any Justice of the Peace of this State, be fined not less than twenty dollars, nor more than one hundred and fifty dollars, one-half of which amount shall be paid to the informer, and the other half to the State; provided however, that any one convicted of violating the provisions of this Act, shall be entitled to appeal to the Circuit Court of the county in which he was convicted, or to the City Court of Baltimore City, if the offence was committed in the City of Baltimore; provided, that nothing herein contained, shall be construed to apply to the improvement of harbors, or to effect any existing Act of Assembly, relating to the construction of wharves or to rights of riparian proprietors.

171. The Commanding Officer of the Oyster Police Force, is hereby required and directed to enforce the provisions of this Act.

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

We hereby certify, that the aforegoing is a true and perfect copy of an Act passed the General Assembly of Maryland, at the January Session, 1872.

AUGUSTUS GASSAWAY,
Secretary of the Senate.
MILTON Y. KIDD,
Chief Clerk House of Delegates.

Approved Mar. 1, 1872.

Laws--General.

[CHAPTER 275.]

AN ACT

Ceding to the United States of America the jurisdiction over certain lands on the Potomac River in Prince George's county, with the water rights and other rights pertaining thereto for the site of Fort Foote.

Section 1. Be it enacted by the General Assembly of Maryland, That the jurisdiction and control of the lands hereinafter described or any portion thereof, situate on the Potomac River, in Prince George's county, that may hereafter be conveyed by deed duly executed, acknowledged and recorded, to the United States of America for the site of a Fort, and the water, water rights and all other rights appertaining thereto, whenever the same shall be so conveyed, be and the same are hereby vested in the United States of America for military and naval purposes, beginning for said lands at a stone at or near the shore of the Potomac River, and in the divisional line between the lands of F. W. Rozier and the heirs-at-law of Benedict Edelin, deceased, and running thence north seven degrees and fifty minutes, east thirteen hundred and ninety-four feet with the Potomac River, thence north eight degrees and fifty-five minutes, west four hundred and seventy-six and five-tenths feet with said river, thence north forty-five degrees and twenty-five minutes, west two hundred and ninety-seven feet with said river, thence north twenty-eight degrees and fifty-five minutes, west four hundred and twenty-nine feet with said river, thence north thirteen degrees and fifty minutes, west sixty-six and five-tenths feet with said river, thence leaving said river, thence west seventy-four degrees, east nine hundred and seven and three-tenths feet, thence south one degree and thirty minutes, east eight hundred and sixty feet, thence south thirty degrees and thirty minutes, east four hundred and five feet, thence north eighty-nine degrees and thirty minutes, east one hundred and sixty-five feet, thence south forty degrees, east three hundred and twenty-nine and five-tenths feet, thence south twenty-four degrees and fifteen minutes, east five hundred and nine and five-tenths feet, thence south eight degrees and fifty minutes, east two hundred and forty-four feet, thence south eight degrees and fifty minutes, west three hundred and fifty-two feet, thence south three degrees, east five hundred and two and five-tenths feet, thence south one degree and forty minutes, east five hundred and forty-three and five-tenths feet to the Potomac River, thence with said river the following courses and distances: north fifty-one degrees and thirty-nine minutes, east five hundred and three and three-tenths feet, north thirty-four degrees and fifty-four minutes, east two hundred and thirty-one feet, north twenty-one degrees and nine minutes, east three hundred and thirty feet, north two degrees and thirty-six minutes, west one hundred and ninety-eight feet, north thirty-two degrees and twenty-one minutes, west three hundred and thirty-feet, and thence north seventy-six degrees and forty-two minutes, west thirty-three feet to the place of beginning, containing sixty-six acres, two roods and seventeen and a quarter square perches of land, be the same more or less, provided always, that this cession and jurisdiction are granted upon the express condition that this State shall retain a concurrent jurisdiction with the United States in and on the said ceded lands and territory, or the portion thereof that may be so as aforesaid conveyed, so far as that, all civil and such criminal process as may issue under the authority of this State, against any person or persons charged with crimes committed without said lands and ceded territory, may be executed therein in the same way and manner as though this cession and consent had never been made and granted, except so far as such process may effect the real and personal property of the United States within the said ceded territory.

Sec. 2. And be it enacted, That the said lands or portion thereof, when conveyed as aforesaid, and over which the jurisdiction is granted by this Act, together with all personal property which may thereafter be within the bounds thereof, belonging to the United States, or to any of the officers or agents of the United States, shall be exonerated and discharged from all taxes and assessments which may be at any time imposed by the authority of this State, when so long as the said lands or portion thereof respectively, are, and shall remain the property of the United States, and be used for the purpose aforesaid.

Sec. 3. And be it enacted, That this Act shall take effect from the date of its passage.

We hereby certify, that the aforegoing is a true and perfect copy of an Act passed the General Assembly of Maryland, at the January Session, 1872.

AUGUSTUS GASSAWAY,
Secretary of the Senate
MILTON Y. KIDD,
Chief Clerk House of Delegates.

Approved April 1, 1872

[CHAPTER 258.]

AN ACT

For the better protected of Landowners bordering on the Chesapeake Bay and its Tributaries.

SECTION 1. Be it enacted by the General Assembly of Maryland, That any owner or claimants of logs cast by wind and tide upon the land or shore of the Chesapeake Bay or its Tributaries, or any person or persons, for him or them, who shall wilfully mark, stamp, imprint, or indent any log or logs, lying and being upon any of the land or shore, contiguous to, and lying upon the Bay or its Tributaries, shall forfeit and pay, upon conviction thereof, not less than one hundred nor more than one thousand dollars, or be imprisoned in the county jail of the county wherein he may be convicted, for a term not less than four months, nor more than two years, or both fine and imprisonment, in the discretion of the Court, twenty-five per cent. of the fine to go to the informer, and the remainder to the Public School fund of the county wherein the offence was committed, after the expenses of the trial have been paid.

Sec. 2. And be it enacted, That any judgment against any landowner or his tenant for logs drifted and cast by wind and tide upon the land or shore of the Chesapeake Bay or its Tributaries, is null and void and of no effect whatever, unless the owner or claimants of the logs shall have actually paid to the landowner, or his tenant, not less than twenty-five cents, for each and every log claimed by him, the said owner.

Sec. 3. And be it enacted, That all acts or parts of acts inconsistent with the provisions of this act, be, and the same are hereby repealed.

Sec. 4. And be it enacted, That this Act shall take effect from the date of its passage.

We hereby certify, that the aforegoing is a true and perfect copy of an Act passed the General Assembly of Maryland, at the January Session, 1872.

AUGUSTUS GASSAWAY,
Secretary of the Senate.
MILTON Y. KIDD,
Chief Clerk House of Delegates.

Approved April 1, 1872.

Laws--General.

[CHAPTER 105.]

AN ACT

To authorize the Clerk of the Circuit Court for Montgomery county, to place certain fees in the hands of the Sheriffs of the several counties of this State and the City of Baltimore for collection.

Whereas, E. B. Prettyman, Clerk of the Circuit Court for Montgomery county, has failed to place his fees since June term, eighteen hundred and sixty-eight, of said Court, in the hands of the Sheriffs of the several counties of this State and the City of Baltimore, for collection; Therefore,

Section 1. Be it enacted by the General Assembly of Maryland, That all fees due E. B. Prettyman, Clerk of the Circuit Court for Montgomery county, which have accrued since June term, eighteen hundred and sixty-eight, of said Court, shall be received and collected by the Sheriffs of the several counties of this State and of the City of Baltimore, in the same manner as fees due such officers have been heretofore collected, and such Sheriffs shall use and have the same means of enforcing payment of, and collecting said fees and be liable to the said E. B. Prettyman, Clerk as aforesaid, on their official bonds given at the time such fees are placed in their hands in the manner now provided by the existing laws of this State; provided, that nothing in this Act shall be so construed as to prevent the said E. B. Prettyman Clerk as aforesaid, from collecting said fees by warrant, suit or otherwise.

Sec. 2. And be it further enacted, That all said fees may be placed in the hands of said Sheriffs at any time before the first day of March, in the year eighteen hundred and seventy-three, and the said Sheriffs shall account for and pay over the same within nine months from the time such fees shall be placed in their hands for collection as aforesaid, and on failure to collect and pay over the same within the time required by this Act, to the said E. B. Prettyman, the official bonds given and approved as aforesaid, of such Sheriffs, shall be liable to be put in suit at the instance and for the use of the said E. B. Prettyman.

Sec. 3. And be it enacted, That nothing in this Act contained, shall be construed to make any Sheriff answerable for the failure to collect any fees so placed in his hands as aforesaid, unless the same by the use of due diligence could have been collected.

Sec. 4. And be it enacted, That this Act shall take effect from the date of its passage.

We hereby certify, that the aforegoing is a true and perfect copy of an Act passed the General Assembly of Maryland, at the January Session, 1872.

AUGUSTUS GASSAWAY,
Secretary of the Senate
MILTON Y. KIDD,
Chief Clerk House of Delegates.

Approved Mar 28, 1872.

[CHAPTER 451.]

AN ACT

To make valid deeds for lands sold by non-resident Executors.

Section 1. Be it enacted by the General Assembly of Maryland, That all deeds of conveyance heretofore or hereafter duly executed, acknowledged and recorded according to law, among the Land Records in any county in this State by executors of the last will and testament, executed with the formalities required for the passing of real estate by the laws of this State, and proved according to law, of any non-resident testator, conveying lands lying in said county, shall be as valid and effectual in law and equity as if made by executors under last will and testament duly executed, proved and recorded in the office of Register of Wills in this State, for lands lying therein, and whose sales of real estate under the authority of said will were duly made and reported to, and ratified by an Orphans' Court in this State; provided, that an authenticated copy of the said last will and testament shall be then filed and recorded in a Register's office of this State, in the county where the lands lie, and provided further, that full authority was given by the said last will and testament to the executors to sell and convey the said real estate.

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

We hereby certify that the aforegoing is a true and perfect copy of an Act passed the General Assembly of Maryland, at the January Session, 1872.

AUGUSTUS GASSAWAY,
Secretary of the Senate
MILTON Y. KIDD,
Chief Clerk House of Delegates.

Approved April 1, 1872.

[CHAPTER 431.]

AN ACT

To release the bonds of Captains of Military Companies from liability for the non return of uniforms in certain specified cases.

Section 1. Be it enacted by the General Assembly of Maryland, That in all cases where any member or members of the Military Companies of this State shall have served for the full term of enlistment of three years, and shall have failed to return his or their uniforms to the Captain or Captains of his or their respective commands, the bond or bonds of said Captain or Captains be, and the same are hereby, released and discharged from all liability for damages for the non-return of the same.

Sec. 2. And be it enacted, That this Act shall take effect from and after the date of its passage.

We hereby certify, that the aforegoing is a true and perfect copy of an Act passed the General Assembly of Maryland, at the January Session, 1872.

AUGUSTUS GASSAWAY,
Secretary of the Senate.
MILTON Y. KIDD,
Chief Clerk House of Delegates.

Approved April 1, 1872.

[CHAPTER 90.]

AN ACT

To add an additional section to Article 81, of the Code of Public General Laws of this State, titled Revenue and Taxes, under the sub-title Assessment of Stocks for State purposes.

Section 1. Be it enacted by the General Assembly of Maryland, That the following section be added to Article 81, of the Code of Public General Laws of this State, entitled Revenue and Taxes, under the sub-title Assessment of Stocks for State purposes.

149. The Comptroller of the Treasury shall, on or before the first day of May in each year, assess the shares of capital stock in all banks, banking associations, and other incorporated institutions or companies incorporated by this State, except railroad and canal companies, at the true market value thereof, in dollars and cents; and for the purpose of ascertaining the true value of such shares, the Comptroller is hereby authorized and empowered to examine upon oath any officer of the same, touching the affairs thereof, or to examine upon oath any other person as a witness, whom he may be advised has important information in regard to the value of such shares of capital stock, and any such officer refusing to answer upon oath touching the affairs of such bank, banking association, or company,

Laws--General.

or which he is an officer, shall forfeit and pay to the State of Maryland the sum of five hundred dollars.

Sec. 2. And be it enacted, That this Act shall take effect from and after the date of its passage.

We hereby certify, that the aforegoing is a true and perfect copy of an Act passed the General Assembly of Maryland, at the January Session, 1872.

AUGUSTUS GASSAWAY,
Secretary of the Senate.
MILTON Y. KIDD,
Chief Clerk House of Delegates.

Approved April 1, 1872.

[CHAPTER 316.]

AN ACT

To add an additional section to Article 5 of the Code of Public General Laws, entitled Appeals.

Section 1. Be it enacted by the General Assembly of Maryland, That the following additional section shall be added to Article 5, of the Code of Public General Laws, entitled Appeals.

Sec. 2. In all trials upon any indictment or presentment in any Court of this State, having criminal jurisdiction, it shall be lawful for any party accused or for the State's Attorney in behalf of the State of Maryland, to except to any ruling or determination of the Court, and to tender to the Court a bill of exceptions which shall be signed and sealed by the Court as now practiced within this State in civil causes and the party tendering such bill of exceptions may appeal from such ruling or determination to the Court of Appeals; provided, that the accused for the accomplishment of such appeal shall make oath that such appeal is not taken for delay, and such appeal shall be heard by the Court of Appeals at the earliest convenient day after the same shall have been transmitted to the said Court, and after such appeal shall be entered, no judgment shall be rendered against the accused in case he shall be found guilty, until the Court of Appeals shall have determined upon the exception and remand the case to the Court below.

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

We hereby certify that the aforegoing is a true and perfect copy of an Act passed the General Assembly of Maryland, at the January Session, 1872.

AUGUSTUS GASSAWAY,
Secretary of the Senate.
MILTON Y. KIDD,
Chief Clerk House of Delegates

Approved April 1st, 1872.

[CHAPTER 229.]

AN ACT

To repeal section 2 of Article 30 of the Code of Public General Laws, title Crimes and Punishments, sub-title Druggists, and the same is hereby repealed and re-enacted so as to read as follows:

Section 1. Be it enacted by the General Assembly of Maryland, That section 2 of Article 30, of the Code of Public General Laws, title Crimes and Punishments, sub-title Druggists, be, and the same is hereby, repealed and re-enacted so as to read as follows:

Sec. 2. And be it enacted, That if any Clerk, Register of Wills, Sheriff, Collector of Taxes, No ars Public or other officers whose duty it is to collect revenue due the State of Maryland or any county thereof, shall after the receipt of the said revenue, fail or refuse to pay the same into his possession and neglect to pay the same to the Treasurer of the State or to the County Commissioners, or the proper officer authorized to receive the same, for more than sixty days after the day upon which it is made by law the duty to pay the same, or if no particular day be specified by law for such payment, and such officer shall detain any revenue due to the State or to any county thereof, and which it is his duty to collect, and which he shall have collected, and shall neglect to pay the same into the Treasury of the State or to the County Commissioners, or the officer authorized to receive the same for the space of six months after he shall have so collected the same, such officer so offending in either case shall be deemed to be a defaulter, and upon indictment and conviction thereof, shall, in addition to any other penalties already provided by law, be for each offence imprisoned in the State Penitentiary not less than one year, nor more than five years, unless the amount for which he is a defaulter be sooner paid, and the certificate of the Comptroller of the State of Maryland, or of respective Clerks of the County Commissioners showing the accused to be a defaulter, shall, in every prosecution under this section be received as *prima facie* evidence of such defalcation, and the Judges of the Courts having criminal jurisdiction in this State, shall give this law in charge to the Grand Juries summoned to their respective Courts.

We hereby certify, that the aforegoing is a true and perfect copy of an Act passed the General Assembly of Maryland, at the January Session, 1872.

AUGUSTUS GASSAWAY,
Secretary of the Senate.
MILTON Y. KIDD,
Chief Clerk House of Delegates

Approved April 1, 1872.

[CHAPTER 228.]

AN ACT

To repeal and re-enact section 20, of an Act passed at the present Session of the General Assembly of Maryland, entitled an Act to regulate the Inspection of Tobacco.

Section 1. Be it enacted by the General Assembly of Maryland, That section 20, of the Act passed at the present Session, entitled an Act to regulate the Inspection of Tobacco be, and the same is hereby, repealed and re-enacted to read as follows:

Sec. 20. The several Inspectors having charge of the Tobacco Warehouses in the City of Baltimore, shall charge for reconditioning and repacking all stayed tobacco, the following prices, for one or two breaks one dollar, for full stay two dollars, to be paid by the owner or his agents, and for redrawing hogsheads of Maryland and Ohio tobacco, fifty cents, and for redrawing all other kinds, one dollar for each hogshead, redrawing to be paid by the owner or his agent the charge of outage shall be two dollars for every hogshead not exceeding eleven hundred pounds, and twelve and a half cents additional on every hundred pounds over eleven hundred pounds, to be paid by the shipper of the tobacco or his agent.

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

We hereby certify, that the aforegoing is a true and perfect copy of an Act passed the General Assembly of Maryland, at the January Session, 1872.

AUGUSTUS GASSAWAY,
Secretary of the Senate.
MILTON Y. KIDD,
Chief Clerk House of Delegates.

Approved April 1, 1872.

Laws--General.

[CHAPTER 173.]

AN ACT

Ceding to the United States of America jurisdiction over the land contained within the enclosures of the National Cemetery, near Annapolis.

Section 1. Be it enacted by the General Assembly of Maryland, That jurisdiction and control over the lands conveyed by Nicholas Brewer, Executor of Nicholas Brewer, deceased, to the United States of America as a National Cemetery, by deed bearing date 28th day of July, 1871, duly executed, acknowledged and recorded in Liber S. H. number 5, folio 583, one of the land record books of Anne Arundel county be, and the same are hereby granted and ceded to the said United States of America, which said lands are a part of the lands called "Todd's Range," lying and being in Anne Arundel county, and located on the north side of the county road from Carroll's Lane to the City of Annapolis, and contained within the following metes, bounds courses and distances, to wit: Beginning at a post on the south-west corner of the said National Cemetery, and north side of the said county road, and running from thence and bounding on the north side of the said county road as follows: South, eighty and three-four ths degrees, East eleven and nine tenth perches to the centre of the road leading from the Strawberry Hill farm, to the City of Annapolis; thence running down the centre of said road as follows: North, eight and one-half degrees, East seventeen and seventeen perches, North seventeen and one half degrees East twenty-two perches; thence leaving said road and running around and adjoining on the wall enclosing the said grounds laid out as a National Cemetery, as follows: North, fifty-three and one-fourth degrees, West, five and one half perches, South, sixty-nine and three-fourth degrees, West, fourteen perches; South thirty-three and one half degrees, West, four and one half perches, South, nine degrees, West four and one half perches, South, twenty-seven and one-fourth degrees, West, five and one-half perches; South, one-fourth degree, West, eight perches; thence South, one and three-fourth degrees, east fourteen and one-tenth perches, to the beginning, post containing about four and one-eighth acres of land, more or less: Provided always, that the cession and jurisdiction are granted upon the express condition that this Commonwealth shall retain a concurrent jurisdiction with the United States, in and on the said ceded lands so far as that all civil and such criminal process as may issue under the authority of this State against any person or persons charged with crimes committed within of the limits of said National Cemetery and in the State of Maryland, may be executed therein in the same way and manner as though this cession and consent had never been made and granted, except so far as such process may effect the real and personal property of the United States within the limits of the said National Cemetery.

Sec. 2. And be it enacted, That the lands conveyed as aforesaid, and over which the jurisdiction is granted by this Act, together with all personal property, which may hereafter be within the bounds thereof, belonging to the United States, or to any of the officers or agents of the United States, shall be exonerated and discharged from all taxes and assessments which may be at any time imposed by the authority of this State, so long as the said lands are and shall remain the property of the United States, and be used for the purposes aforesaid.

Sec. 3. And be it enacted, That this Act shall take effect from the date of its passage.

We hereby certify, that the aforegoing is a true and perfect copy of an Act passed the General Assembly of Maryland, at the January Session, 1872.

AUGUSTUS GASSAWAY,
Secretary of the Senate.
MILTON Y. KIDD,
Chief Clerk House of Delegates.

Approved April 1, 1872.

[CHAPTER 210.]

AN ACT

To settle and adjust the Boundary Line between the State of Virginia and Maryland.

WHEREAS, the Commissioners appointed by the Act of the General Assembly of this State, at the January Session, 1868, chapter 370, have reported to this General Assembly that they meet a similar number of Commissioners appointed by the State of Virginia, at Washington City, on the 1st day of February, 1872, when it was ascertained that the Virginia Commissioners were empowered to settle and adjust the Boundary Line between the two States, and the Commissioners of this State were empowered to settle and adjust the Boundary Line only upon the Eastern Shore of the Chesapeake Bay, and that by reason of such dissimilar powers no further proceedings could then be had; and,

WHEREAS, this State is desirous of a speedy and amicable settlement and adjustment of all questions of boundary between the two States, which the State of Virginia may desire to raise, therefore,

Section 1. Be it enacted by the General Assembly of Maryland, That the said Commissioners, to wit: Isaac D. Jones, Levin L. Waters and Wm. J. Aydelott be, and they are hereby, continued Commissioners on the part of this State, and they are hereby authorized and empowered to meet the Commissioners who are appointed or may be appointed by the State of Virginia, and by compact to settle and adjust the Boundary Line between the two States, and in the event of agreement, the compact of boundary to be reported to the General Assembly of each of said States, for confirmation or rejection; and, upon the ratification of such compact of boundary, by the General Assembly of said States respectively, the boundary line therein described shall be fixed and established to remain forever, unless changed by the mutual consent of the said States of Virginia and Maryland;

Sec. 2. And be it enacted, That the sum of three thousand dollars be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated for the purpose of paying the expenses incurred by the Commissioners in the execution of the said Act of 1868, and such compensation to said Commissioners as the Governor shall deem reasonable, for their services under said Act, and also for the purpose of paying like compensation to the said Commissioner for services to be rendered under the authority conferred by this Act and the expenses to be incurred in its execution; and the Comptroller is hereby directed to issue his warrant or warrants upon the Treasurer in pursuance of the Governor's order therefor, in payment of such sums of money as may be hereby required.

Sec. 3. And be it enacted, That all Acts and parts of Acts inconsistent with this Act be, and they are hereby repealed, and this Act shall take effect from the date of its passage and approval.

We hereby certify, that the aforegoing is a true and perfect copy of an Act passed the General Assembly of Maryland, at the January Session, 1872.

AUGUSTUS GASSAWAY,
Secretary of the Senate.
MILTON Y. KIDD,
Chief Clerk House of Delegates.

Approved April 1, 1872.

Laws--General.

[CHAPTER 197.]

AN ACT

To repeal sections 7 and 8 of Article 71, of the Code of Public General Laws, entitled Oysters, as amended and re-enacted by the Act of eighteen hundred and seventy, chapter three hundred and sixty-four, regulating the taking and catching of Oysters with rakes and tongs, and requiring a license therefor, and to re-enact the same to read as follows:

Section 1. Be it enacted by the General Assembly of Maryland, That sections 7 and 8 of Article 71, of the Code of Public General Laws, entitled Oysters, as amended and re-enacted by the Act of eighteen hundred and seventy, chapter three hundred and sixty-four, be, and the same are hereby, repealed and re-enacted, so as to read as follows:

Sec. 7. Be it enacted, That any resident of this State owning or having in his possession any canoe or other boat under Custom House tonnage, and desiring to use said canoe or boat in taking or catching oysters for sale, with rakes or tongs, in any of the waters of this State, shall first obtain by application to the Clerk of the Circuit Court of the county, wherein he may desire or intend to use the said canoe or boat in taking or catching oysters for sale with rakes or tongs, a license therefor, and such license shall have effect from the first day of June, in the year in which it may have been obtained, to the first day of June next succeeding; provided, that such license shall not authorize the use of said canoe or boat in taking or catching oysters in any creek, river, cove, inlet, bay or sound within the limits of any county, other than that, wherein the license shall have been granted.

Sec. 8. Be it enacted, That each and every license to take or catch oysters for sale, with rakes or tongs, shall state the name and residence of the person to whom the same is to be granted, the number, together with the length (to be obtained by top or over all measurement) of the canoe or other boat to be licensed, the county in which the same is to be used, and the period at which such license will expire; and every applicant for such license shall pay to the Clerk of the Court of the county where such license may be granted, and before the issuing and delivering of the same according to the following rates, viz: for any canoe or boat measuring in length twenty feet or less, the sum of two dollars; measuring from twenty to twenty-five feet, the sum of three dollars; measuring from twenty-five to thirty feet, the sum of four dollars, and all over thirty feet in length, including sloops under Custom House tonnage, the sum of five dollars.

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

We hereby certify, that the aforegoing is a true and perfect copy of an Act passed the General Assembly of Maryland, at the January Session, 1872.

AUGUSTUS GASSAWAY,
Secretary of the Senate.
MILTON Y. KIDD,
Chief Clerk House of Delegates.

Approved April 1, 1872.

[CHAPTER 196.]

AN ACT

To authorize the Comptroller of the Treasury to adjust and settle the accounts due by Collectors, Sheriffs, Clerks, Registers and other receivers of public moneys, in cases where the indebtedness accrued prior to, and including the year eighteen hundred and sixty-nine.

Section 1. Be it enacted by the General Assembly of Maryland, that the Comptroller of the Treasury be, and he is hereby, authorized and empowered to adjust and settle the claims of the State against all Collectors, Sheriffs, Clerks, Registers, and other Collectors or Receivers of public moneys, and their securities in all cases where the said claims accrued prior to, and including the year eighteen hundred and sixty-nine, and whether said claims be now in the form of judgments or otherwise, and for the purpose of closing all such cases, the Comptroller is hereby duly authorized to compromise the same by abating the interest that has accrued on any portion thereof or any part of the principal debt in his discretion, so as to best subserve the interest of the State, and shall grant discharges to the said parties and their securities, upon the payment into the Treasury of the amount required by him to be paid in settlement as aforesaid; provided, however, that the Governor and Treasurer, for the time being, shall each approve in writing of any such abatement before the same shall be effective; and provided further, that no discharge or acquittance under this Act shall be effective, unless the party or parties to be benefited by the same, shall first pay the State's Attorney, who shall have the case in hand the legal fees, and also all fees of Clerks and Sheriffs.

Sec. 2. And be it enacted, That the State's Attorneys shall, when required, render unto the Comptroller all the assistance he may require in the adjustment and settlement of the aforesaid claims, and the said State's Attorneys shall have power to examine evidence, and take and certify to affidavits as to the solvency of any official bond that may be in suit, or as to the solvency or insolvency of parties against whom fines and forfeitures were rendered in all cases, where such fines and forfeitures from part of the State's claim against the principal and securities on the bond aforesaid; and the State's Attorneys shall generally perform, and do all other acts and things germaine to the purpose of this Act that may be required in writing by the Comptroller as aforesaid, and shall certify and return to the Comptroller all the afosesaid evidences.

Sec. 3. And be it enacted, That in all cases wherein the Comptroller shall require the State's Attorneys to assist him in executing this Act, he shall allow them or any of them as compensation, a commission of five per cent. on any State claim that he may collect, or assist him, the Comptroller, in collecting; and the Comptroller is hereby authorized to expend in his discretion, under the approval of the Governor and Treasurer as aforesaid, the sum of five thousand dollars, or so much thereof as may be necessary, out of any moneys in the Treasury, not otherwise appropriated to pay the cost of taking and collecting the aforesaid evidence; provided, that all affidavits and other evidence that shall be taken in behalf of the party debtor to the State, shall be defrayed by said party, and the State shall not be answerable for the same.

Sec. 4. And be it further enacted, That the Comptroller may, whenever in his discretion he may deem it necessary, or for the interest of the State to employ an Attorney instead, and in place of the State's Attorney to assist him in carrying out the provisions of this Act, which said Attorney shall be entitled to receive the same compensation as is herein allowed to the State's Attorneys for the same services, and no more.

Sec. 5. And be it enacted, That this Act shall take effect from the date of its passage.

We hereby certify, that the aforegoing is a true and perfect copy of an Act passed the General Assembly of Maryland, at the January Session, 1872