The Ellicott City Times.

ELLICOTT CITY, MD., SATURDAY, MAY 14, 1892.

SUPPLEMENT.

PUBLIC GENERAL LAWS.

CHAPTER 278.

AN ACT to repeal sections 2, 5, 11, 12, 13, 14, 15, 16, 17, 20, 20 A, 21, 28, 33 and 34 of Article 72 of the Code of Public General Laws, tit e 'Oysters," and to re-enact the some with amendments, and to add certain new sections to said. Article to follow in proper order the respective sections in order of precedence and to be designated as sec-tions 20 B, 20 C, 20 D, 20 E, 20 F, 20 G, 20

SECTION 1. Be it enacted by the General Assembly of Marviand, That sections 2, 5, 11, 12, 13, 14, 15, 16, 17, 20, 2) A, 21, 28, 73 and 34 of Article seventy-two of the Cole of l'ublic General Laws, tittle "Oysters" be an I the same are hereby repeated and re-enacted with amendments, and that certain new sections be and the same are hereby added to said Article to follow the numerical sections of said Article in order of precedence to be designated as sections 20 B, 20 C, 20 D, 20 E.

2) F, 20 G 2) H, and 21 A, to read as to said respective sections, as follows: Section 2. The comptroller of the treasury shall upon application of any person who has been a resident of this State for twelve consecutive months next preceeding such application, issue a license to such resident, and to no other person, to employ such boat in tak-ing or catching oysters, with scoop, dredge or similiar instrument, within the waters of the Chesapeake Bay. Potomac River, and in Easton Bay outside of a line drawn from the southwest corner of Kent Point to Wade's Point; provided that nothing herein contained shall authorize the taking or catching of oysters with scoop, dredge or similiar instrument, on any oyster bar within one and one half miles of Talley's Point, Sandy Point, Hacketts Point, Thomas Point's Holland's Island bar and Three Sisters; nor within one and one half miles of Holland's Point bar, nor of Swan's Point bar, nor between Poplar Island and the mainland of Talbot County, south of a line drawn from the north point of Poplar Island to Low's Point on the main-land; nor north of a line drawn from the end of the south bar of Poplar Island to Paw Paw Cove on Tilghman's Island, nor within one-forth of a mile west of Poplar Island, nor within one-half mile of Plum Point, nor with in the boundary lines of any county, unless herein otherwise specified; which license shall hold good for one season only, and shall only authorize the catching of oyeters between the fifteenth day of October and the first day of April, on which day the dredging season shall en I and the license expire; but it shall be lawful for the owner of any such licensed boat henever said owner shail sell and convey, by bill of sale for a bond fide consideration, said boat to any person who has been a resident of the State of Maryland, for at least one year, to transfer said license to said vendee with said

boat, which license, when transferred, shall entitle said vendee to the same privileges of catching or taking oysters with said boat in the waters of this State, that the original ven-dor or assignor had had before said assignment, provided, said vendee and assignce shall appear before the comptroller of the treasury and make oath before him to all the facts, matters and things required of said original yendor or assignor, before taking out such license; upon which said license, the said comptroller shall certify in writing the fact of said vendee or assignce having taken said or assignce shall pay to the said Comptroller the sum of five dollars for the use of the Oyster Fund. The provisions of this section in relation to time of taking oysters, the time of expiration of license, and to transfer of ownership shall apply to all vessels license by any county in this State, to take and entch oysters with scrape or scoop, and any law general or local, in conflict herewith shall be void and of no effect; provided, that the time specified in this section shall not apply to take oysters with scoop or scrape, which time shall begin on the first day of October and end on the thirty-first day of March, excep Talbot and Dorchester Counties where the time for taking oysters with scoop, scrape dredge, shall begin on the first day of October and end on the first day of March. Section 5. Before granting such license the comptroller shall receive for it from the applicant at the rate of three dollars per ton every ton the boat may measure, and the license shall be exhibited whenever called forfeited and shall be condemned by order of any Judge of a Circuit Court most accessible to the place of her capture, or if captured in Baitimore City, by order of the City Court, an I shall be sold by the sherift of the county where condemned, or if condemned in Balti more City, by the sheriff of said city to the

for by any officer of this State.

Section 11. Any bost, owned wholly or in part by any non-resident, used in catching opsters in this State, with scoop, dredge or similar instrument, is hereby declared to be nighest bidder for cash, after twenty days notice of the time and place of sale, such no tice to be published at least three times in a , having the largest circulation, printed in Baitimore City or in the County where condemned, one-forth of the proceeds of such sale shall be paid to the party making the capture, including the officers and crews of the State Fishery Force, and the balance shall be paid into the treasury of the State to be credited to the oyster fund; provided, however, that any person claiming an interest in such vessels, shall have the right to make an appeal upon giving to the State a good and sufficient bond as required in such cases; provided, however, that when the bond fides of the owner of any vessel shall be called in question, the burden of proving such bonce eles shall be upon those claiming to be such owners; and provided also, that upon taking such appeal and filing such bond the said vessel shall be released from custody. Section 12. The Comptroller shall have painted in black figures on white canvas, two sets of numbers corresponding to the license to catch oysters with scoop, scrape, dredge or any other similar Instruments; each figure shall be twenty-two inches in length and of proportionate width, and the figures at least six inches apart, and he shall give to each person taking out such license two numbers thereof, one of which shall be securely sawed upon the star board side, and in the middle of that part of the mainsail which is above the bove the bonnet and reef, these numbers

close reef, and the other number on the port side, in the middle part of the jib which is shall be placed in an upright position, and worn at all times during the dredging season, and returned at the end of the season, and shall not be concealed or defaced; and no other number shall be exposed to view or used, than that which is furnished by the comptroller: any person who shall violate the provisions of this section shall be deemed guilty of a misdemeanor as provided in section twenty-one A of this Act, and in any such case, the boat or vessel shall be forfeite! and condemned, in the discretion of the Judge in the manner provided in section ten. The provisions of this section shall apply to all boats licensed to take oysters with scrape or scoop Ly any county in this State, except, that the numbers for such boats shall be painted red instead of black, and the numbers shall be delivered by the Comptroller to the Clerks of the Courts as they may be ordered, and the end of the season all licenses not used, shall be returned by said clerks to the comptroller, and the said clerks shall also pay to the comproller, one-tenth of all moneys received by him for such licenses, which sum shall be placed to the credit of the "Oyster Fund." S. ction 13. If any boat or vessel shall be

seen sailing on any of the waters of this State which are exempted from dredging by law, in the same manner in which they sau to take or entel oysters with scoop, scrape, drag or dredge or similar instrument, the said boat or vessel shall be pursued by any officer authorized by this Article to make arrests, and if oysters, or the dre lges or dredge-line, or deck wet, indicating the taking of oysters at said time, and properly equipped for taking or catching oysters with scoop, scrape, drag or dredge, or similar instrument, such fact shall be primet facic evidence, that the said boat or vessel has been used in violation of sections one to forty-three inclusive; and it shall be the duty of the officer to arrest the person in command of said boat or vessel, and to seize the said boat or vessel, together with all her equipments, and bring the same before a Judge. or Justice of the Pence of the county having jurisdiction, or, if in the Chesapeake Bay, the county most accessible or convenient, to be dealt with according to law; provided, that nothing in this Art cle shall be construed to prohibit vesse's from seeking harbor in any waters of this State. The provisions of this section sha'l extend to all boats licensed to

to take oysters with scoop or scrape by any county of this State. Section 14. Any resident of this State desiring to enteh or take oysters, with rakes or tongs, for sale, in any of the waters of this State, shall first obtain by application to the C.erk of the Circuit Court for the county wherein he may resile, a license therefor, and such license shall have effect from the fif-teenth day of September in the year, in which it may have been obtained to the twentieth day of April, inclusive, next succeeding, proPUBLIC GENERAL LAWS.

the taking or catching of ovsters in my creek, cove, river, inler, bay or sound within the limits of any county, other than that wherein the license shall have been granted, and that the boun taries of the counties bordering on navigable waters shall be strictly construed so as not to permit the residents of either county to take or catch oysters beyond the middle of the dividing channel; provided, that nothing in this section shall be so construed as to prevent the citizens of Queen Anne's and Kent Counties from using the waters of the Chester river in common, or the citizens of Dorchester and Wicomeco Counties from using the waters of Nanticoke river in common, or the citizen's of Queen Anne's and Talbot Counties from using the waters of Wye river and the mouth thereof in common, or the citizens of Dorchester and Talbot Counties from using the waters of the Choptank river in common. Provided. however, that the County Commissioners s'all be authorized to give special permission to any woman who has no visible means of sup-port, to take and catch oysters without license provided, also that boys under fifteen years of age shall not be required to license. Section 15. Each and every license to take

or catch oysters for sale, with rakes or tongs, shall state the name, ago and residence of the person to whom the same is to be granted, the number, and the county in which the same is to be used, and every applicant for such license shall pay to the Clerk of the Court, when such license may be granted, and before the issuing and delivery of the same, the sum of three dollars, and also the sum of fifty cents as a fee to the clerk for issuing the same. Nine-tenths of the amount received from tong-ing licenses shall be paid by the clerk, to the chool commissioners for the public schools in the respective count es where such licenses are issued; the sum received from white tongrs to go to the white schoo's, and the sum re ceived from colored tongers to go to the col-

Section 16. Every applicant for license to take or catch oysters with rakes or tongs, shall be required to make outh, or affirma-tion, before the clerk authorized to issue the ame, or some Justice of the Peace, on whose certificate of the taking of such oath or affir-mation, the clerk shall issue said license, that the facts set forth in said license are strictly true; than he has been a bong file resident of the county for twelve months next preceding his application for said license, that he desires and intends to use said license in the county in which he resides, or the waters used in common, as hereinbefore provided in this Article, and that he will comply with and obey all the laws of this State regulating the taking or catching of oysters.

Section 17. The comptroller of the treas-ury shall cause to be printed and delivered to the Clerk of the Circuit Courts for the several counties, the requisite number of such blank licenses, and take receipts for the same as for other licenses turnished; and said clerks shall, on the first Monday of March and December of each year, return to the comptroller a list and account of such licenses issued by them, and at the end of each tonging season, shall return ail unused licensed to him, and shall pay over to the comptroller one-teath of the amount received by him for such licenses, which amount the said comptroller shall place to the credit of the "Oyster Fund," and no license to take or eatch bysters with rake or tongs shall be used on any boat or vessel scoop, drag, dredge or any similar instrument during the season for which such boat or ves-

sel is licensed and ail licenses shall expire at the end of the season. Section 20. That all oysters taken from any waters of this State (either with scoops, dredges or any similar instrument, or tongs or rakes) shall be culled upon their natural bed or ba as taken, and all oyster shells, and oysters whose shells measure less than two and onehalf inches in length, measuring from hinge to mouth, shall be included in said culling, and replaced upon said bed or bar as taken.
Section 2) A. Any person who shall have orsiers in his possession, which contain more than five per cent. of shells and small oysters, shall be guilty of a misdemeaner, and in ascertaining such percentage the officer of the oyster police force, oyster measurer, or inspector, is hereby authorized and directed to select such an amount of oysters contained in the pile, hold, bin or other place as he may

think necessary, and to cult or have called the amount so selected. Section 2) B. In order to ascertain the quantity of small oysters, under size, and snells in any bulk or cargo, it shall be the duty of any purch iser, with the measurer, to cult or have culled one standard measure or tub out of every fitty tubs, and in the event of the cargo or bulk being less than fifty tubs, then one standard tub from such quantity as there may be, and it found to contain five per cent. or less, of shells and small oysters, then the purchaser shall pay for all oysters taken by him, without any allowance for shells and small ovsters, and in the event of there being over five per cent. of shells and small oysters, then said cargo shall be considered as not properly cuited, and the owner shall be subject to the penalties prescribed in section

twenty-one A of this Article. Section 20 C. It shall be unlawful for any packer, commission man or other person to purchase or receive any cargo or portion of cargo of oysters which shall not have been culted in the mianir provided in section twenty of this Act; and as soon as any cull-tub shall be shown to contain more than five per cent. of empty shells an loysters, and oysters of which the shell measurement shall be less than two and one-half inches from hinge to mouth, sail cargo shall, for the purposes of this section be deemed to have been un-

Section 2) D. Any packer, commission man or boatman who shall conspire or agree with any other person to evade any of the provisions of this Act, or who shall knowingly connive at or participate in such violation Section 2) E. It shall be the duty of the general measurer and inspector of ovsters to supervise the operation of this Act, so far as may be possible, and diligently to aid in the enforcement of its provisions. Section 2) F. Any general measurer and inspector of oysters in this State, who shall knowingly permit any evasion or violation of this Act to take place without causing the arrest of the offender, shall be deeme I guilty of

a mis lemeanor. Section 2) G. For the purpose of the enforcement of the provisions of this Act, the tiovernor is hereby empowered and directed to appoint 8 inspectors by and with the connt of the Senate who shall not be engaged in any branen of the oyster business, at a salary of six hundred dollars each for the season, beginning the first day of September and ending on the first day of May following in each and every year; said inspectors to be assigned respectively as follows: one to Baltimore City, one to Anne Arandel County, one to Oxford, one to St. Michaels, one to Crisfield, one to Cambridge, one to Wicomico County and one for Somerset County outside of Crisfield District, whenever in any other of the counties of the State, new oyster packing and shipping interests, shall arise of sufficient importance to justify such appointment or appointments, the Governor, in his discretion, is empowered to appoint such additional inspectors necessary for the enforce ment of this Act; and it shall be the duty of said inspectors to patrol their respective distriets regularly each working day during the oyster season, and they shall have power to inspect all oysters found in the possession of any person or persons, or on board of any vessel, and if upon such inspection any such inspector shall be convinced that any of the visions of this Act have been violated, he shall have power and it is hereby made his duty to arrest, immediately, such offender and take him before the nearest or most convenient Justice of the Peace in any county of the State or a Police Justice of Baltimore City, who shall as speedily as possible hear and dispose of such case, in accordance with the provisions of this Article; and said inspectors shall be allowed no extra compensation for conveyance, boat help or other ordinary expenses, except in cases of arrest, where m the nature of the case, he may quired to furnish means of conveyance and other necessary expenses for the safe conduct of the offender so arrested, in which cases, upon presentation of proper vouchers he shall be atlowed only his actual expenditures, and the treasurer of the State on the warrant of the Comptroller, which the said Comptroller is hereby directed to issue, is hereby directed to issue, is hereby directed to issue, is hereby directed to pay said inspectors the amount of their monthly salaries on the first day of each month succeeding the month in which the service shall have been performed from the fund hereinatter provided for. The said inspectors shall take and subscribe an each for efficient in the said inspectors. oath (or affirmation) such as is commonly required in positions of similar character; and in the event of milure to properly perform the duties herein prescribed, small be deemed

guilty of a misdemennor.

Section 2) II. For the purpose of raising

section 2) II. For the purpose of raising the revenue necessary to the requirements of this Act, a tax of ten cents per hundred of bushels of oysters purchased, by each and every packer, shipper and wholesale and retail dealer or dealers, of any kind in oysters, tail dealer and an all attach bushers, shipmers, the bushese shipmers.

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and wholesale and retait dealers and dealers of any kind in oysters, who shall monthly make a sworn statement of the quantity of oysters purchased and forward said statement on the first day of the month succeeding the month in which such purchases shall have been made with the amount of money due on account of said tax to the treasurer of the State; and in default of said statement and payment as herein provided, or in the event of any one making a false oath, for the default, the of-fender shall be deemed guilty of a misdemeanor, and for making such talse oath in addition to the penalties herein imposed, shall be indictable and panishable as is now provided for the crime of perjury. Section 21. It shall be unlawful for any person or persons to take or catch oysters, or to have oysters in his or their possession be tween the twentieth day of April and the first

day of September in each and every year; provided, that oysters caught before the twentieth day of April may be disposed of at any time before the thirtieth day of April, provided that this section shall not prevent transportation companies from carrying oysters brought from other States, nor hotel and restaurant keepers or private persons from purenasing oysters outside of the State of Maryland, nor shall it be construed to prevent any person from taking oysters for private use or transplanting or cultivating not for sale, at any time from his private beds within the State; persons violating the provisions of this section shall be deemed guilty of a misdemeanor.

Section 21 A. Any person who shall violate any provisions of sections twenty and and twenty one A inclusive of the Act, shall be deemed gunty of a mi-demeanor and upon conviction thereof before any tribunal of competent jurisdiction for such offences in this State, shall be fined not less than twenty five dollars nor more than three hundred dol-lars, in the discretion of the Julge of the Court or tribund in which such person shall be tried, or imprisoned in the county or city jail, or in the House of Correction, for not less than one month nor more than twelve months in the discretion of the Judge or Justice trying the same; provided however, that any owner, master or person in charge of a conce, boat or vessel used in taking or catching oysters with rakes or tongs, who shall be canoe, boat or vessel, oysters containing more than five per cent. ot shells and small oysters as provided in section twenty A, shall be fined a sum not less than ten dollars nor more than fifty dollars in the discretion of the Judge of the Court, or the Justice of the Peace before whom such person shall be tried; and onehalf of every fine imposed for a violation of this Act shall be paid to the informer, and such informer shall be entitled to receive the same though he be an officer of the State or any city or county therein.

Section 23. The Board of Public Works shall have power to remove any officer of said force for neglect of duty or incompetency, and the commander of the force shall have power to suspend any officer of the force for a period of, not exceeding thirty days for any neglect of duty with the consent of the said Board of Public Works, and any officer commanding in said force shall have power to any city or county therein. manding in said force, shall have power to remove any subordinate under his command

and appoint a person to fill the vacancy whenever the interest of said service may in his judgment require him so to do. of the State Fishery Force shall be fitteen hundred dollars, and the salary of Deputy Commander in charge of steamers shall be one thousand dollars per annum; and they shall have power to appoint one officer at a salary of six hundred dollars per annum, one engineer or machinist at a salary of eight hundred dollars per annum, and one pilot at a salary of thirty dollars per month, three scamen at a salary of twenty-five dollars eac's per month, two firemen at a salary of twenty-five dollars each, per month, one steward and one cook at a salary of twenty-five dollars each, per month, and each Deputy Commun-der of sloops or vessels shall receive a salary of eight hundred dollars per ann um; he shall the power to appoint one officer at a salary of five hundred and fitty dollars per aunum, and four seamen at a salary of forty dollars per month during the oyster season and thirty dollars per month after the season each, to be

selected from the district in which they are respectively to serve. Section 31. The officers and crews of the vessels aforesald shall each receive one ration per day of the quality and quantity such as is allowed by low to the officers and crews of the revenue marine of the United States, but no rations shall be allowed to officers or crews of sailing vessels; and in addition to the aforegoing the comptroller is hereby directed to issue annually his warrant on the treasurer in the sum of fifteen dollars for each member of the Fishery Force in favor of the Commander to be expended by him in the purchase of uniforms for the members of said force and the members of said force shall at all times keep themselves neatly clothed in proper uniform when on duty, and the treasurer is hereby required to pay said warrant.
Section 2. 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 to the extent that they are so inconsistent; provided that nothing herein contained shall apply to Worcester County. Section 3. And be it enacted, That nothing herein contained shall be construed to affect any prosecution for violations of the existing laws of this State or for offences against the

same committed before the passage of this 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 correct copy of an Act of the General Assembly of Maryland, passed January Session,

CARLTON SHAFER, Chief Clerk of the House of Delegates. W.G. PURNELL, Secretary of the Senate. Approved by the Governor, March 31st 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 or allow to be and remain on his land or premises, in the State of Maryland, any peach, almond, apri-cot or nectarine tree infected with the contageous disease known as the Yellows, or to offer for sale, or shipment, or to sell or ship to others any such trees, or the fruit thereof in any form; and any person convicted before any Justice of the Peace of selling, or shipp-ing said trees or the fruit thereof in any form knowing the same to be so discased shall be fined a sum not exceeding ten dollars and costs, or upon failure to pay the same, shall be confined in the county jail for a term not exceeding thirty days, provided the pro-visions of this act shall not apply to Washington County.
Section 2. And be it enacted, That the rees and fruit so infected shall be subject to destruction as a public nuisance as hereafter provided, and no damages shall be awarded any Court of this State, or by any Justice of the Peace thereof, against any person or persons for entering upon land or premises and destroying such diseased trees and fruit it done in accordance with the provisions of this Act, and it shall be the duty of every person as soon as he becomes aware of existence of such disease in any tree or fruit owned by him to forthwith destroy by burn-

ing the same, or cause it to be destroyed by Section 3. And be it enacted, That it shall e the duty of the County Commissioners of the various Counties, on the application of three or more Citizens of said County to appoint each year three competent pench growers for each election district of the several ties, or for such of said election districts as said Commissioners may deem fit, to act as "Tree and Fruit Inspectors," who shall hold said office during the year following their appointment, or during the pleasure of said County Commissioners. Section 4. And be it enacted, It shall be the duty of said "Tree and Fruit Inspectors" immediately after their appointment to give notice thereof in such newspapers of their County as they may select, and it shall be their duty whenever it comes to their notice that the direct has been been applied to their notice. that the disease known as the "Yellows" ex-ists in any trees, or fruit in their respective election districts, to proceed forthwith to examme or cause to be examined the trees or fruit supposed to be infected, and if the disease is found after such examination to exist, a distinguishing mark shall be placed upon said diseased trees by said "Tree and Fruit Inspectors," or by some one directed by them, and the owner thereof notified personally or by a written notice left at his usual place of residence, or by leaving the notice with the person in charge of the trees or fruit, or in is hereby levied on all such packers, shippers to contain a simple statement of the facts as

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move and destroy by fire the trees so marked within thirty days from the date of the service of said notice, and in case of fruit so infected, such notice shall require the person in whose possession or control it is found to immediately destroy the same or cause it to be lestroyed by fire. Section 5. And be it enacted, Whenever any person shall refuse or neglect to comply with the order to desiroy the trees or fruit so ordered to be destroyed it shall be the duty of said "Tree and Fruit Inspectors" to lodge a

complaint before one of the Justices of the Peace of the County, who shall forthwith summon the owner, or other person so neglecting or retusing, 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 "Tree and Fruit Inspectors" t shall be the duty of said Justices of the Peace to forthwith issue an order to said "Tree and Fruit Inspectors," or one of them, or to a Constable of said County to destroy said trees or truit and for the purpose of destroying the same it shall be lawful for said "Tree and Fruit Inspectors" 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. Section 6. And be it enacted, And it shall be the duty of said Justice of the Peace, in passing the order as provided in the preced-

ing 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 and 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 thirt; days.

Section 7. And be it enacted, "Yellowa" is ereby declared to be a contageous disease affecting the constitution and vital growth of the tree, and manifested by the following symptoms or one of them, 1st A premature ripening of the fruit, which is flavorless, and with the color thereof not solid, but mottled or variegated; 2nd Wiry growth of shoots from the trunk, or branches of the tree. Section 8. And be it enacted, That said "Tree and Fruit Inspectors" together or any two or one of them may discharge the duties imposed by this Actand that they shall receive for each day of actual service a per diam of

12,00, and in the same ratio for a fraction of a day, to be paid by the County Commissioners o the County, as well as such other charges and expenses as they shall be put to in the discharge of the duties of this Act shall be paid by the County Commissioners. All expenses however, arising out of the failure or refusal of the owners or occupant of any lands or premises to obey the order of the Tree and Fruit Inspectors and that they shall Le put to in the removal and destruction of any tree or truit shall be and constitute an where said trees and fruit were found recoverable by the County Commissioners of the County for County purposes through the agency of the Tax Collector as taxes col-

Section 9. And be it enacted, That if any erson shall in anywise interfere with or hinder and impede said "Tree and Fruit Inspec-tors" or any of them, their agents or workmen or the Constable and his assistants in the performance of their duties under this Act such persons shall be guilty of a misdmeanor and shall be punished by fine not exceeding (0),09 or by imprisonment in County term not exceeding three months or by both ine and imprisonment SECTION 10. And be it enacted that this Act shall take effect from the date of its pas-

We hereby certify that the aforegoing is a correct copy of an Act of the General Assem-bly of Maryland, passed January Session, CARLTON SHAFER,

Chief Clerk of the House of Delegates. W. G. PURNELL, Secretary of the Senate

Approved by the Governor, April 7th, 1892.

CHAPTER 41.

AN ACT to repeal and re-enact with amend ments Section twelve of Article forty-eight "Inspectious," sub-title "Tobacco" as the same was repealed and re-enacted by the Acts of Eighteen hundred and ninety, Chapter two hundred and sixty-two, and to add an additional Section to said Article, under said sub-title, to be known as Section 12 A, providing for the storage of Goods, Wares and Merchandise in the unused obacco warehouses. SECTION 1. Be it enacted by the General Assembly of Maryland, That Section twelve of Article forty-eight of the Code of Public General Laws, title "Inspections."

"Tobacco" as the same was repealed and re-enacted by the Acts of Eighteen hundred and ninety, Chapter two hundred and sixty-two, be and the same is hereby repealed and reenacted so as to read as follows: 12. Warehouses numbers one and two shall be consolidated under one management. to be known as "Number One," and ware houses numbers three and four consolidated in like manner to be known as "Number Three," (except in the case hereinatter pro-vided for,) and number five shall remain as at present, and the inspectors of such warehouses shall cause the tobacco therein to be inspected under their personal supervision as before required; when, however, warehouses numbers one, three and five shall become so filled with tobacco as to render the operation thereof difficult, or there is a prospect of such crops of tobacco as will overcroud the same, the inspectors shall report the facts to the Governor of the State, and if it shall appear to the liovernor that the necessities of the case require it, he shall appoint additional inspectors for warehouses numbers two and four, or for only one of them, as his judgment may dictate, and such inspectors shail appoint the necessary clerks, screwmen and laborers to conduct the business thereof, and such clerks, screwmen and laborers shall be under the supervision and direction of the inspector

so appointed, in all respects as in warehouses inbers one, three and five; provided lowever, that the Governor be, and he is hereby autorized to re-arrange the consolidation of said warehouses in such manner as will, in his judgment, best secure the efficient conduct of the business thereof; and provided, further, that if the Governor, after careful investigation, shall determine that the amount of tobacco on hand and in prospect does not demand the retention of all the storage room available in the several warehouses, he may designate one or more of them to be used for general storage purposes, as provided for in

SEC. 2. And be it enacted, That the following Section, to be known as Section 12 A. be, and the same is horeby added to said Article forty-eight, title "Inspections," sub-SEC. 12 A. Whenever the Governor may have designated one or more of the tobacco warehouses to be used for general storage purposes, he shall have power to appoint a person to take charge of the same, and such erson shall receive such salary, not exceed ing eighteen hundred dollars a year, as the Governor may name. And such storage of warehouse keeper, by and with the approva of the Governor, shall have power to appoin such clerical force and laborers at such compensation as the Governor may direct, no exceeding one thousand dollars per annual for clerks, and not exceeding two dollars per diem for laborers, as may be necessary for t economical management of the business of the said warehouse or warehouses. All such salaries to be paid out of the receipts for storage and no other tource. Before entering upon the discharge of his duties, the sai storage or warehouse keeper shall give a bon with satisfactory security to be approved by the Governor, in the penalty of twenty thou-sand dollars for the faithful performance of the duties imposed upon him by law, and for the full and punctual returns to the Comptroller of the Treasury, at the end of cac quarter, of the receipts and disbursements of the warehouse or warehouses under his charge, and said bond shall be recorded in the office of the clerk of the Supreme Court of Baltimore City, he shall, with the assent of the Governor, make all contracts for the storage of goods, wares and merchandise in the warehouse or warehouses under his charge, and keep accurate accounts of the receipts and disbursements of the same, of which he shall make quarterly returns in the same manner as the impactors of tobacco are required to do. Should the Governor be of the opinion that it would be more advantageous to the State to rent said tobacco va e

house or warehouses or parts thereof than to have the same used as a storage warehouse or warehouses as hereinbefore provided, he is hereby authorized to rent the

same for a period not exceeding four years and upon such terms as he may deem most beneficial to the State, the contract of renting to be submitted to and approved by the Attorney General, provided however that the

warehouse or warehouses so rented shall not be used for the purpose of the inspection of

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obacco that would be in conflict with the obacco inspection warehouses.

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 correct copy of an Act of the General Assembly of Maryland, passed January Session,

CARLTON SHAFER, Chief Clerk of the House of Delegates W. G. PURNELL, Secretary of the Senate Approved by the Governor,
March 2nd, 1892.

CHAPTER 657.

AN ACT to amend Article twenty-three of the Code of Public General Laws, title "Corporations," by inserting after section one hundred and sixty-seven, an additional section to be designated 167. A, providing for the service of notice in condemnation processings and other practice therein. proceedings and other practice therein. SECTION 1. Be it enacted by the General Assembly of Maryland, That Article twentythree of the Cede of Public General Laws, title "Corporations," be and the same is hereby amended by inserting therein, after section one hundred and sixty-seven, the following additional section to be designated 167 A.

Section 167 A. The notice of the time and place of the meeting of the jury of inquisition given by the company to the owner or owners shall be served by delivering a copy of the same to every such owner, if such owner can be found within this State, and in case the owner be an infant or non compos mentis, in addition to the service on such owner, a copy of the notice shall be left with the parent or guardian of the infant, if there be one within this State, and with the committee or other person having the care of the person or estate f the person alleged to be non compos mentis, if any such committee or other person be found within this State. In case any owner or person on whom such notice is above required to be served, be not found within this State, then such notice may be served either by delivering a copy thereof to such owner or person to be served wherever found, or by the publication of the same at least once a week for two successive weeks in some newspaper published in the county where the lands or property sought to be condemned may be, or if such lands or property lie within the City of Baltimore, by publication of such notice at least twice a week for two successive weeks in some daily new-paper published therein. Any court, to which the inquisition of the jury may be returned for confirmation, may in its discretion, by order, either require the legal guardian or committee of the infanttor nonsane owner (if there be such guardian or committee within the jurisdiction of the court) to appear, show cause against such confirmation r otherwise protect the interests of such infant or non-sane owner, or appoint a guardian ad litem to represent such infant or non-sane ower and protect the interests of such owner. Sec. 2. And be it further enacted, That this Act shall take effect from the date of its Dassage.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, CARLTON SHAFER. W. G. PURNELL. Secretary of the Senate. Approved by the Governor, April 7th, 1892.

CHAPTER 100.

AN ACT to repeal and re-enact with an amendment section one hundred and seventy one of Article ninety-three of the Code of Public General Laws, title "Testamentary Law," sub-title "Guardian and Ward" as repealed and re-enacted by the Acts of the General Assembly of Maryland, January ession of Eighteen hundred and ninery, chapter two hundred and eleven. SECTION 1. Be it enacted by the General Assembly of Maryland, That section one hundred and seventy-one of Article ninety-three of the Cole of Public General Laws, title "Testamentary Law," sub-title "Guardian and Ward," as repealed and re-enacted by the Acts of the General Assembly of Mary and, January session of Eighteen hundred and ninety, chapter two hundred and eleven,

be and the same is hereby repealed and reenseted so as read as follows: Section 171. They shall order the guardian who has received; from any Trustee of a Court of Equity any proceeds of real estate of his ward sold by such trustee, or the proceeds of the sale of leaseho'd estate of his ward, sold by order of the Orphans' Court, or money's belonging to his ward, to invest the same in mortgages, on unincumbered real estate, worth at least double the samount loaned, or such public stocks, permanent funds; or other good securities, to be selected by said guardian as will yield the highest rate of interest that clearly for the benefit of the ward, order the same to be invested in land, and the investment selected shall be reported to the court for its approval before becoming permanent, and the increase or surplus income of such investment, after what may be necessary for the maintenance and education of the ward, shall be invested in like manner under the direction and approval of the court, and no part of the principal shall be applied to the main--nance, and education of the ward without the order and consent of the Orphans' . Court first had and obtained. SEC. 2. And be it further enacted, That this Act shall take effect from the date of its We hereby certify that the nforegoing is a correct copy of an Act of the General Assem-

bly of Maryland, passed January Session, CARLTON SHAFER. Chief Clerk of the House of Delegates. W. G. PURNELL.

Secretary of the Senate Approved by the Governor, March 10th, 1892.

CHAPTER 658.

AN ACT to repeal and re-enact with amend-ments Section 25 of Article 47 of the Code of Public General Laws of Maryland, title "Insolvents."

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section twentyfive of Article forty-seven of the Maryland Code of Public General Laws, title "Insolvents," be, and the same is hereby repealed and re-enacted so as to read as follows, viz.: SECTION 25. If any real estate, chattels, real or personal property of an insolvent shall have been decreed to be sold, by virtue of any decree of any court of equity, for the enforcement of a mortgage, of if there be a power of sale or a consent to a decree for a sale contained in any mortgage or bill of sale of real estate, chattels, real or personal property of an insolvent, as the case may be, the filing of the petition in insolvency, either by or against the insolvent, as herein before provided, and the subsequent proceedings in insolvency on such petition shall not disturb, defeat or impair the right of the mortagee to apply for a decree, of the trustee named in the decree, or the mortgagee, or bargainee, or his assignee, or person authorized in the mortgage or bill of sale to make sale, to proceed with such sale, or to execute the power of sale contained in said decree, mortgage or bill of sale, unless the right or power or consent to decree shall be waived, in writing by the mortgagee, or his proper representatives, and in all such cases, in the absence of waiver of right by the mortgagee or his proper representatives as herein before provided, the trustee in insolvency shall only be authorized to sell the equity of redemption of the insolvent in all such property covered by decree, mortgage or bill of sale as aforesaid. this Act shall take effect from the date of its We hereby certify that the aforegoing is a rorrect copy of an Act of the General Assembly of Maryland, passed January Session, 1802.

CARLTON SHAFER, Chief Clerk of the House of Delegates. W. G. PURNELL. Secretary of the Senate Approved by the Governor, April 7, 1892. CHAPTER 436.

ments Section two of Chapter 332 of the acts of the General As ambly of eighteen hun-dred and ninety, entitled "An Act to reg-ulate the Measurement of Pens, Beans and other farm products." SECTION 1. Be it enacted by the General Assembly of Maryland, That Section two of Chapter 332 of the acts of the General Assembly of eighteen hundred and Binety, en-

AN ACT to repeal and re-enact with amend-

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titled "An Act to regulate the Measurement of Peas, Beans and other farm products" be, and the same is hereby repealed and re-enacted with amendments so as to read as follows: 2. That the dimensions of any barrel so used, shall be stamped by the inspector of weights and dry measures of the city of Baltimore upon the same, in three conspicuous places, and any person using a barrel for the measurement of pens, beans and like farm products, without being so stamped, shall be fined not less than one hundred dollars or more than five hundred dollars, said fine to be collected as other fines are now collected, and it shall be the duty of said inspector of weights and dry measures of the city of Baltimore, from time to time to inspect the barrels used for the measurement of said pens, beans and other farm products, and to see that the provisions of this act are complied with, and upon the conviction of any person or corporation under the provisions of this act, one-laif of the fine sed shall be paid to said inspector o

weights and dry measures of the city of Bal-SECTION 2. And be it enacted, That this Act shall take effect from the date of its pas-We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session,

CARLTON SHAFER. Chief Clerk of the House of Delegates. W. G. PURNELL, Approved by the Governor, April 7, 1892. Secretary of the Senate

CHAPTER 627.

AN ACT to repeal Sections 31 A and 31 B of Article fifty-six of the Code of Public General Laws of the State of Maryland, title "Licenses," as enacted at the January session of 1820, Chapter 152, and to re-enact the same with amendments.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Sections 34 A and 34 B, of Article 56 of the Code of Public General Laws of the State of Maryland, title "Licenses," as concted at the January session of 1890, Chapter 159, be, and the same are hereby repealed and re-enacted so as to read as follows:

31 A. Every person who proposes to con-

duct the business of Shipping Masteror Ship-ing Broker in Baltimore City to ship men as dredgers or employees on vessels engaged in dredging or catching oysters, shall on or before September first in each year take out or procure a license for such business, and sha l pay therefor the sum of fifty dollars, and in case any agent, solicitor or runner shall be used or employed, then an additional license of fitty dollars shall be taken out and paid for each agent, solicitor or runner so used and

employed.

34 B. Any person conducting the business specified in the preceding section, or acting as agent, solicitor or runner, without having first procured the license as therein required shall on conviction thereof be subject to a fine of not less than one hundred dollars nor more than five hundred dollars, or shall be imprisoned in jail for not less than six weeks nor more than one year, or both fine and im-prisonment in the discretion of the Court. SECTION 2. And be it enacted, That this ·Hect from the date of its passage We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session,

CARLTON SHAFER. Chief Clerk of the House of Delegates. W. G. PURNELL, Secretary of the Senate. Approved by the Governor, April 7, 1892.

CHAPTER 419. AN ACT to prevent deception and fraud by owners or agents who may have control of any stalion kept for service, by proclaiming or publishing fraudulent or fale pedigrees or records, and to protect such owners or agents in the collection of fees for services of such stallions, and to prevent the entering of trotting horses out of their classes. SECTION 1. Be it enacted by the General Assembly of Maryland, That every owner of agent who may have the custody or control of any stablion, who shall charge a fee for the service of such stabilon, shall before advertising or offering such service to the public for any fee, reward or compensation, file with the clerk of the Circuit Court in the county agents reside or in which such stallion shall be kept for service, or if such service shall be offered in the city of Baltimore, then with the clerk of the Court of Common Pleas, a written statement giving the name, age, pedigree and record, if known, and if not known then that the same is unknown, the description, terms and conditions upon which such stallion will serve. Upon filing such state-men, the clerk of the Circuit Court for the county, or of the Court of Common Pleas of Baltimore, as the case may be, shall issue a agent or agents having the custody or control of such stallion, that such a statement has been filed in his office; the owner or owners, or agent or agen's of the owners of such stallion shall, then, post a written or printed copy of the statement so filed with such clerk in conspicuous place in each locality in which said stallion shall be kept for service. SEC. 2. Every owner or agent who shall proclaim or publish a fals; or fraudulent pedigree or record or statement of any kind regarding any stallion, or who shall neglect or refuse to comply with the provisions of Section one of this Act shall forfeit all fees for the services of such stallion, and the person or persons who may be deceived or detransfed by such false or transfel pedigree or record or statement may sue and recover in any court of competent jurisdiction such damages as may be shown to have been sustained by reason of such false and fraudulent FEC. 3. Whenever the owner or agent of

an owner or owners of any stallion shall have complied with the foregoing provisions of this act, the services of such staltion shall become isn on each mare served, together with the al of such mare resulting from such service for an amount agreed upon between the parties at the time of service, or in the event of no such agreement having been entered into between them, then in such an amount as specified for service fee of such stallion or stallion in the statement hereinbefore required to be filed with the clerks of said respective courts, provided, that a notice of such lien shall be filed within six months after such service, which lien shall terminate at the end of one year from the date of filing notice thereof, unless within that time an action shall be commenced for the enforcement thereof.

SEC. 4. It is hereby made unlawful for any person or persons, knowingly, to enter or cause to be entered for competition, or to compete for any purse, prize, premium, stake or sweepstake offered or given by any agricultural or other society, association or person or persons in the State of Maryland, and horse, mare or gelding, colt or filly under an assumed name or out of its proper class when such prize, purse, premium, stake or sweepstake is to be decided by a contest in trotting TACES. SEC. 5. And be it enacted, That any per-

son or persons found guilty of a violation of Section four of this Act shall, upon conviction thereof, be imprisoned in the penitentiary for not less than one year nor more than three years, or imprisoned in the jail of the county or the city of Baltimore, as the case may be in which the offence was committed for any definite period not less than six months, and shall be fined in any sum not exceeding one thousand do! are. SECTION 6. And be it enacted, That this Act shall take effect from the date of its we hereby certify that the aforegoing is a SECTION 2. And be it further enacted, That sembly of Marylan I, passed January Session,

CARLTON SHAFER. Chief Clerk of the House of Delegates. W. G. PURNELL, Secretary of the Senate. Approved by the Governor, April 7, 1892.

CHAPTER 222.

AN ACT to repeal and re enact with amendments Section twelve of Article thirty-six of the Code of Public Ceneral Laws, title "Fees of Officers" sub-title "Clerks of Swerters 1. Re it engeted by the General Assembly of Maryland, That section twelve of Article thirty-six of the Code of Public General Laws, title 'Fees of Officers' subtitle 'Clerks of Courts' be and the same is hereby repealed and the following enacted in lieu thereof.

SEC. 12. The clerk of the Court of

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Appeals, the clerks of the Circuit Courts and the clerks of the Courts of the City of Baltimore, may charge the fees herein allowed for the performance of their respective duties, to wit: For filing any paper, or thing required to be filed and entering the same on the docket or minutes of the court to be charged but For docket entry of any judgment or

decree .

For entering the naturalization of any alien with certificate under seal, in-cluding all onths taken thereon For et tring the declaration of intention of an alien to become a citizen with certificate underseal and all oaths taken For granting any license of any kind

thereof, at large when demanded, to be charged to any person requiring the For every search for matter above a year's standing however remote the period may be if found..... for affixing the scal to every paper or thing when required, except writs and

for issuing writs or process of any kind under seal, for every ten words and so pro rata.. for issuing summons for witnesses, including the names of all witness ap-For issuing summons for witnesses duces For short copy of judgment not under For transcribing the docket entries in each suit and of each execution as required by law, for each transcript...... for certificate of the attendance of a witness or juror. For certificate under seal of the qualitication of any judge, or one or more justices of the peace to any instrument of writing, including all searches made for the purpose of said certificate....... For certificate under seal of an admis-

ror recording anything required by law

papers, for each ten words or figures and for arraigning a criminal...... For drawing, empanueling and swear-ing a petit jury, and entering the same on the docket..... For drawing, empanneling and swearing a grand jury, and entering the same on the minutes of the court...... For each oath taken in the court, and entering the same... For each entry necessary to be made on transfers of property, for each ten words and so pro rata, except alphabets to docket For extracting tall deeds for each ten

words or tigures and pro rata...... For copying surveyor's plots or recording the same, the same per diem allowed to surveyor's for making them. All original papers to which a party is entitled, to be delivered without charge No search to be charged for looking for any judgment, or other record or thing of which a copy is required, or which may be necessary to be recited in any Buit or progress. No charge to be made for any docket entry not actually made. For receiving and paying over all ines or otherwise, five per centum, except the clerk of the court of Common Pieas, who shall receive one per centum commission for receiving and paying over such public money.
For entering satisfaction of judgment on justices docket..... For granting hawkers and pedlers license, to be paid by the hawker or

pedler 1 00 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 correct copy of an Act of the General Asmbly of Maryland, passed January Session,

CARLTON SHAFER, Chief Clerk of the House of Delegates. W. G. PURNELL, Secretary of the Senate. Approved by the Governor, March 28th, 1892.

CHAPTER 357.

AN ACT to protect associations and unions of workingmen and persons in their labels. trade-marks and forms of advertising, and to punish offenders for a violation of the

SECTION 1. Be it enacted by the General Assembly of Maryland, That whenever any person, association or union of workingmen have adopted, or shall hereafter adopt for their protection any label, trade-mark or form of advertisement announcing and denot-ing that goods to which such label, trademark or form of advertisement shall or may be attached, were manufactured by such person or by a member or members of such sociation or union, it shall not be lawful for any person or corporation to counterfeit or imit its such label, trade-mark or form of advertisement. Every person violating this Section shall be deemed guilty of a misdemeanor and shall upon conviction by any court having criminal jurisdiction be punished by imprisonment in the city or county jail for not less than three months nor more than one year or by a fine of not less than one hundred ollars nor more than five hundred dollars, or both in the discretion of the court. SEC. 2. And be it enacted, That every person, corporation or association who shall use any counterfeit or imitation of any label, trade-mark or form of advertisement of any such person, union or association, knowing the same to be counterfeit or imitation, he shall be guilty of a misdemeanor and shall on conviction by any court having criminal the city or county juil for a term not less than one month nor more than one year or by a fin; of not less than one hundred dollars nor more than two hundred dollars, or both in the discretion of the court, and the burden of proving that the defendant aid not know the true character of the said label, trademark or form of advertisement and that he used the same in good faith shall be on the SEC. 3. And be it enacted, That every such person, association or union that has heretolore adopted, or simil hereafter adopt, a label, trade-mark or form of advertisement as atoresaid, may file the same for record, in the office of the Secretary of State, by leaving two comes cau desparts or fac-similes thereof, with the Secretary of State, and said secretary

shad deliver to such person, association union so filing the same duty attested certificate of the record of the same, for which he shall receive a fee of one dollar. Such certificate of record shall be in all suits and prosecuions under this Act sufficient proof of the doption of such label, trade-mark or form of advertisement, and of the right of said person, sociation or union to adopt the same. No label shall be recorded that probably would be mistaken for a label already of record, of which question the said secretary shall be the SEC. 4. And be it enacted, That every such person, association or union adopting a label, trade-mark or form of advertisement as aforesaid may proceed by suit to enjoin the manufacture, use, di-play or sale of any such counterfeit, or imitations, and all courts having jurisdiction thereof shall grant injunctions to restrain such manufacture, use, display or sale, and shall award the complannant in such suit such damage resulting

from such wrongful manufacture, use, dis- quired by Section 9 of this Act, or whoever play or sale, as may by said court be deemed just and reasonable, according to the evidence in the case, and shall require the defendants to pay such persons, associations or unions, the profits derived from such wrongful manufacture, use, display or sale. and in addition to court costs, such reasonable attorneys fees as the court may allow, and said court shall also order that all such counterfeits or imitations in the possession or under the control of any defendant in such case be delivered to an officer of the court, or to the complainant to be destroyed.

SEC. 5. And be it conceed, That every person who shall use or display the genuine abel, trade-mark or form of advertisement of any such person, association or union, in any manner not authorized by such person, union or association, shall be deemed guilty of a mademeanor and shall on conviction be punished by imprisonment in the city or county jail not less than one month nor more than one year, or by a fine of not less than fitty dollars or more than two hundred dollars, or both in the discretion of the Court.

SEC. 6. And be it enacted, That any

rerson or persons who shall in any way use

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the name or real of any such person, association or union, or officer thereof, in and about the sale of goods or otherwise, not being authorized to so use the same, shall be guilty of a miselemeanor, punishable on conviction by imprisonment in the city or country built or a term of that less than there county juil for a term of not less than three months or more than one year, or by a fine of not less than fifty dollars nor more than three

undred dollars, or both, in the discretion of the court.
SEC. 7. And be it enacted, That all the Acts and parts of Acts inconsistent with this Act are hereby repealed.

SEC. S. And be it enacted, That this Act shall take effect from the date of its passage.
We hereby certify that the aforegoing is a correct copy of an Act of the General Assem-

bly of Maryland, passed January Session, CARLTON SHAFER, Chief Clerk of the House of Delegates. W. G. PURNELL, Secretary of the Senate. Approved by the Governor,
April 4, 1892.

CHAPTER 596.

AN ACT to prevent and punish fraud in sales of goods, wares and merchandise at public or private sale by Itinerant Vendors, and to regulate such sales.
SECTION 1. Be it enacted by the General

Assembly of Maryland, That the words 'Itinerant Vendors,' for the purpose of this Act, shall be construed to mean and include all persons, both principals and agents, who engage in a temporary or transient business in this State, either in one or more places in one locality, or in travelling from place to place selling goods, wares and merchanlise, and who, for the purpose of carrying on such business hire, lease or occupy any building or structure to the artificial and selections. structure for the exhibition and sale of such

goods, wares and merchandise. SEC. 2. Be it enacted. That the provisions of this Act shall not apply to sales made to dealers by commercial travellers or selling agents in the usual course of business, nor to bona fide sales of goods, wares and merchan-dise by sample for future delivery, or to hawkers on the streets or pedlers from

vehicles. SEC. 3. Be it enacted, That every Itinerant Vendor who shall sell or expose for sale, nt public or private sale, any goods, wares or merchandise without State and local licenses therefor, issued as hereinafter provided, shall be guilty of a mislemeanor and shall be punished by fine not exceeding one hundred dollars, or by imprisonment not exceeding sixty days, or by both such fine and imprison-

SEC. 4. Be it en:cted, That all persons, both principals and agents, who shall, by circular, handbill, newspaper, or in any other manner, advertise any such sales as those referred to in the Section last preceding, betore proper licenses shall be assued to the Vendor, shall be guilty of a misdemeanor, and shall be punished by fine not exceeding one hundred dollars, or imprisonment not exceeding sixty days, or by both such fine and ing sixty days, or by both such fine and SEC. 5. Be it enacted, That it shall be the duty of every Itinerant Vendor, whether principal or agents, before commencing business, to take out a State license and local but nothing herein contained shall effect the rights of any municipal corporation or Board of County Commissioners to pass such ordinances or orders relative to Itinerant Vendors

as may be permissible under the general law or under their respective charters or powers. SEC. 6. Be it enacted, That every lunerant Vendor desiring to do business in this State shall deposit with the clerk of the Court of n Pleas in the city of Baltimore, or the clerks of the Circuit Courts in the counties, the sum of five hundred dollars as a special deposit, upon application in proper form, and the payment of a further sum of one hun-dred dollars as a State license fee, the said clerk shall issue to him an Itmerant Vendor's license, authorizing him to do business in this state in conformity with the provisions of this Act for the term of one year from the date thereof, or a proportional part of said sum for any tractional part of a year not less than one month, and all licenses so issued shall be made to expire on the first day of May next succeeding the date of their issues. Every license shall set forth a copy of the application upon which it is granted. Such license shall not be transferable, nor give authority to more than one person to sell goods as an Itinerant Vendor, either by agent or clerk, or in any other way than in his own proper person, but any licensee may have the assistence of one or more persons in conducting his business, who shall have authority to aid that principal but not to act for or without him. SEC. 7. Be it enacted, That all applications for licenses shall be sworn to, shall disclose the names and residences of the owners or parties in whose interest said business is conducted, and shall be kept on file by the clerk of the court; and a record shall be kept by him of all licenses issued upon such applica tions. All files and records, both of the clerk of the court and of the respective clerks to the county commissioners, or the clerk or officer designated to collect license fees by any incorporated town or city in this State, shall be in convenient form and open for public in-

SEC. S. Be it enacted, That before selling under said State license every Itinerant Vendor shall exhibit the same to the clerk to the county commissioners, or to the clerk or officer designated to collect license fees by any incorporated town or city in this State where he proposes to make sales. And upon pay ment to said clerk or officer of a further local license tee, to be ascertained in the manner provided in the following section, and the proof of payment of all such other license lees, if any, as are legally chargeable upon local sales, the clerk or officer shall endorse upon it the words "local license fees paid," and shall affix his official signature, together with the date of such endorsements. Any failure to obtain a local license, if any, and for proper en lors made on the said license, shall be subjected to the same penalty as though no State license had been issued. SEC. 9. Be it enacted, That any Itinerant Vendor before making any sales of such goods, wares and merchandise, shall furnish to the clerk or officers designated in Section 8, of this Act, where any goods, wares and mer-chandise are kept or to be kept or exposed for sale or sold by him or them, a true statement of the average quantity and value of the stock of goods, wares and merchandise so kept and exposed for sale. The person furnishing such statement shall make oath that the same is true, and said onth may be administered by said clerk or any officer qualified to ad-minister oaths. Such clerk or officer shall thereupon ascertain the amount to be paid for the local license, by a computation based upon the average valuation of such stock of goods, wares and merchand se so kept or exposed for sale, in the ratio and of the rate per thousand dollars of valuation of the last preceding tax levy made in such city or county, and upon receipt of the amount so fixed and ascertained shall issue to the person filing or furnishing such statement a local licens; authorizing the sale of such goods, wares and merchandiss within the limits of such county or city, which license shall be and continue in force so long as the licensee thereunder shall continuously keep and expose for sale in such city or county such stock of goods, wares and merchandise, except that such license shall in any event terminate and expire on the first day of May next following its date. If the tatement required by this Section is not filed as a oresaid, the clerk or officer designated in Section 8 of this Act, of the city or county in which such goods are so kept or exposed for sale, or where such Itinerant Vendor desires to sell such goods, wares and merchandise, shall thereupon fix the sum to be raid for such license, which sum shall be binding upon the

SEC. 10. Be it enacted. That whoever neglects or refuses to file the statement remakes a false and fraudulent representation therein, shall be punished by a fine of not less than twenty dollars, nor more than one hun-dred dollars, for each and every day that such goods, wares and merchandise are kept or exposed for sale.

SEC. 11. Be it cnac'el that whenever a person liable therefor, and after demand made by the officer or clerk whose duty it is to collect said license fees of the city or county collect said license fees of the city or county in which he is located, refuses or neglec's to pay the license fee provided for in this Act, the said clerk or officer may, in his own name, but for the use and benefit of such city or county, maintain an action therefor in like manner as for his own delt. Police Marietrates in Baltimore city, and Justices of the Peace in the counties, shall have concurrent jurisdiction with the Circuit Courts in the counties, and the Crimial Court in Baltimore city and of complaints under

countries, and the criminal court in Partitions city of such actions and of complaints under Section 4 of this Act,
Sect 12. Be it enacted, That no Itinorant Vendor shall advartise, represent or hold forth any sale as an insurance, bankeunt, insolvent, assignee, trustee, testator, executor, administrator, receiver, wholesale or manu-