DAILY CLIPPER

WM. WALKE.....Publisher.

TUESDAY, MAY 30, 1865.

TO ADVERTISERS.

The following exhibit of our regular rates will be found of service:

1 Square	1 Time	$ 50
"	2 Times	75
"	3 "	1.00
"	1 Week	1.75
"	1 Month	4.00
"	3 Months	10.00
"	6 "	18.00
"	1 Year	30.00

ONE SQUARE CONTAINS, SIX LINES OF SPACE.

THE CITY COUNCIL.

First Branch, May 29—Present James Young, Esq., President.

The Chairman presented a petition from the clerk of the Superior Court, asking that he may be authorized to make an index of the papers of said Court; referred.

Mr. Gorrach submitted a number of ordinances relative to the opening and closing of streets; laid on the table.

Mr. Wayson submitted a resolution providing for the construction of a wooden bridge on Decker street, and for the construction of a carriage road around the Bolton depot; laid on the table.

Mr. Wayson submitted a resolution requesting the Committee on the Fourth of July celebration, to provide for an intellectual demonstration on the Fourth at Druid Hill Park; passed.

Also, a resolution to repair a pump on the corner of Chew and Aisquith streets; referred.

Mr. Hatch submitted a preamble and resolution, extending a vote of thanks and a sword to General James Lowry Donald, for his devotion and fidelity to the Union during the rebellion; adopted by an unanimous vote.

A resolution was received from the Second Branch relative to a cart-stand on Camden street. Laid on the table.

Mr. Gorrach submitted a resolution relative to the encouragement of Southern trade. Adopted.

Mr. Foreman submitted a resolution to place patent water traps at the corners of Lexington and Arch streets, which was laid over.

Mr. Nichols called up the resolution to pay to John R. Winside $44 for services rendered the city. Adopted.

Mr. Gorrach called up the ordinance providing for the annual appropriations for 1865, which was passed.

Mr. Stewart submitted a resolution to repair a pump at the corner of Canal and Granby streets. Adopted.

Mr. Wayson called up the resolution to place a railing around the fountain in Madison Square. Adopted.

Mr. Kwait submitted a resolution appropriating $5,000 in aid of the Union Orphan Asylum. Adopted.

Mr. Wayson submitted a resolution directing the Board of Public School Commissioners not to make or allow any change in the public school system in this city. Adopted. Adjourned.

Second Branch.—Present, David Harvey, Esq., President.

The Chair presented a communication from John Hemerson, a director on the part of the city of the Baltimore and Ohio Railroad Company, in relation to a letter from the Comptroller, in which he gives a reason for voting in the Board upon the question of the tariff of car transportation, and states that his action was based upon a strict regard for the interests of Baltimore. The communication was also signed by W. M. Evans; read.

A communication received from the First Branch, containing the memorial asking the Council to appropriate the sum of $10,000 for the educational improvement of the colored people of the city.

Also, a favorable report on the petition of Messrs. J. W. Pratt & J. Higgs, to erect a steam engine on their premises, in the city; read.

A communication was received from the Mayor, with an invitation from the ladies of the Christian Commission, to attend the festival at the New Assembly Rooms; accepted.

The resolution of the Committee on the Fire Department favorable to the petition of Jacob Hilbert, to place chemical works at Cross street, was received from the First Branch and read.

The bill authorizing the Comptroller to supply the lamplighters with all necessary articles used in the discharge of their duties, was presented and rejected. Mr. Irelan said that the resolution was too comprehensible, that the lamplighters might include in necessary articles rubber shoes, umbrellas, &c. Adjourned.

COURT PROCEEDINGS.

U. S. District Court—Hon. William Tell Giles, Judge. Wm. Price, Esq., Attorney. The following business was transacted in this court on yesterday:

In the matter of the petition of Lewis J. Fabius, the petition was suspended under the provisions of the act of Congress of March 3, 1863.

The court received the following communication from Col. Woolley in reference to the case:

Baltimore, May 29, 1865.

The undersigned respectfully returns in answer to the writ of this Honorable court commanding the undersigned to bring before this Honorable court the body of Lewis J. Fabius, with the reasons why the said Lewis J. Fabius is held in custody by the undersigned, if he be so held, that the said Lewis J. Fabius is held in custody by the undersigned as a prisoner committed to his charge and detained by him under the authority of the President of the United States.

The undersigned has the honor to report that the said prisoner, Lewis J. Fabius, is charged with using treasonable language and aiding and abetting the enemies of the United States now in rebellion. The undersigned farther respectfully reports that he cannot, as he apprehends, produce the body here in court of the said Lewis J. Fabius, by reason of provisions of the act of Congress, approved March 3d, 1863, entitled "an act relating to habeas corpus," and by reason of the proclamation of the President of the United States, made in pursuance thereof, which, as the undersigned understands them, are a rightful prohibition to the return signed to comply with the mandate of this Honorable court herein referred to.

J. R. Woolley,
Lieut. Col. and Provost Marshal,
Middle Department, 6th A. Corps.

Court adjourned until Monday, June 12 h.

Criminal Court—Judge Bond.—The following business occupied the attention of this Court yesterday:

Edward Lloyd, charged with selling liquor on Sunday; case *stated* by the State's Attorney. Hanson Young, colored, stealing twenty pounds of brass, the property of Charles Savage; guilty. John D. Reischell, selling liquor on Sunday; case removed to Baltimore county. John Imhoff, selling liquor on Sunday, four counts; fined $100 in one case, the others *stetted* upon the payment of costs. Ann Meteer, keeping a bawdy house; not guilty.

The following parties, charged with larceny, were arraigned and pleaded not guilty:—John McLaughlin, Henry Hanson, colored, Mary Primrose, colored, and Mary Brown, colored.

The case of J. W. Savine, charged with being a non-resident and selling cigars by sample, was held under *caveat*.

Ann Channing, charged with selling liquor on Sunday, pleaded guilty, and was fined $20 and costs.

City Circuit Court.—Judge Alexander.—The following business was transacted in this Court on yesterday:

Edward Woodside vs. Jane Woodside. Decree divorcing complainant *a vincolo matrimonii*.

Samuel M. Dukehart and wife vs. Mary Dukehart and others. Petition asking for the sale of certain property on Water and Hollingsworth streets, and for the appointment of a trustee.

Superior Court.—Before Hon. Judge Martin. The following business occupied the attention of this Court yesterday:

Alfred J. Uman vs. S. R. Patterson and W. W. Kingsbury; jury out.

Assignment to-day, 527 to 579.

[*Reported for the Baltimore Clipper.*]

Towsontown, May 29, 1865.

Circuit Court for Baltimore County—Before Hon. D. G. H. Emory. John T. Ensor Esq., prosecuting attorney for the State.

The case of the State vs. James During, indicted for assault with intent to kill, was set for trial on Friday, June 23. Messrs. Bearman and Jones appeared for the accused.

William Huskington *vs.* C. F. Middleton. Appeal from Justice Thomas H. Robinson. Judgment affirmed. Mr. Warrington for appellant; N. R. Gill, Esq., for appellee.

C. F. Middleton *vs.* William Huskington. Judgment rendered in favor of plaintiff for the sum of $145 70. A judgment by default was entered in this case on the 15th inst., and extended to-day. N. R. Gill, Esq., for plaintiff.

The cases of Norris, Shipley and Gore, indicted for perjury, was set for trial on Monday, June 5th.

The remainder of the day was occupied with the argument of the prayers in the case of Marshall vs. Slater. Before reported. An action by plaintiffs to recover the sum of $2,100 from defendant for masonry done on the Northern boundary of Baltimore city, for said defendant while acting as the city contractor for said work; Messrs. Gittings and Machen for plaintiffs, Messrs. Preston, Bearman and Grason for defendant.

The argument before the jury in the above case will be made to-morrow, which case has already occupied the attention of the court for nearly two weeks.

The case of Henry Cook, one of the parties indicted for the robbery of Noah Worthington, was, upon affidavit, removed to the criminal court for Baltimore city. A. Stirling, Jr., is his counsel. Adjourned until to-morrow at 10 o'clock.

Judge Emory has appointed Mr. Charles Whittemore crier of the court in the place of J. W. Owings, removed.

The chancery cause of Griffith vs. Curtis, which was begun on Saturday last, was postponed until Saturday, the 10th inst. Messrs. Geary and Griffith for complainant; Messrs Gittings and Bearman for defendant. K.

AMUSEMENTS.

An Excellent Entertainment.—Mr. Drew was the recipient of a hearty welcome last night at the Holliday, and dashed off his characters in a lively manner. To-night the bill will consist of the plays of The People's Lawyer, rendered famous by the great John E Owens, a burlesque upon Camille, and the farce of His Last Legs, in all of which Mr. Drew will appear. This is an exceedingly attractive bill and will no doubt attract a large audience.

Front Street Theatre.—The attendance at this place of amusement, last night, was enough to bring tears to the eyes of a sensitive manager. A large number of persons were turned away from the doors unable to wedge in. The house was packed like a drum of fig, up and down, and the inference was arrived at that Geo. C. Charles, the young comedian, was a popular man. Mr. C. has a natural vein of humor, without which no actor can be a successful comedian—humor in action, gesture, or expression, which sets the audience laughing before he opens his mouth. To-night Mr. Lariette, a popular member of the company takes his first benefit, on which occasion a splendid bill will be presented, Mr. Charles appearing as Shandy Maguire.

The Iron Clads.—Sharpley's Minstrels will reappear to-night at the Institute in a programme replete with sweet music and comicalities. As usual, Sharpley and Sandford will open their inexhaustible budget of witticisms.

☞Dr. Mead was once assailed in a pamphlet by Dr. Woodward. The Doctors met—a fight ensued with swords. Mead disarming his adversary, ordered him to beg for his life. "Never," said Woodward—"never till I am your patient."

MINIATURE ALMANAC FOR 1865.

June.	Sun rises.	Sun sets.	Moon's Phases.	June.	D.	H.	M.
29-Monday	4 42	7 19					
30-Tuesday	4 41	7 19					
31-Wednesday	4 41	7 19	First qr	1	3	21	m
1-Thursday	4 40	7 20	Full	9	4	00	m
2-Friday	4 40	7 20	Last qr	16	4	52	m
3-Saturday	4 39	7 21	New	23	2	58	m
4-Sunday	4 39	7 21					

MARINE AFFAIRS.

PORT OF BALTIMORE, May 29, 1865.

ARRIVED.

Steamer Louisiana, Porter, from Norfolk—to M S Falls.

Steamer James T Brady, Young, from Norfolk—to A W Shaw.

CLEARED.

Steamer Louisiana, Porter, Norfolk.

Steamer James T Brady, Young, Norfolk.

Steamer Martha Stevens, Chance, New York.

Steamer Richard Willing, Candiff, Philadelphia.

SAILED.

Ship Winfield Scott, Annapolis Roads, to load for Panama—in tow of steamer Emma.

Brig Almon Rowell, Sagua la Grande.

Brig Ten Sisters, Halifax.

CLEARED FOR BALTIMORE.

Schr Pearl, King, Philadelphia, 27th inst.

Schr Broadfield, Crowell, Boston, 26th instant.

MEMORANDA.

Ship Annapolis, Pickett, adv at Liverpool for Baltimore 30th inst.

The "Sostrene Classen," was loading at Liverpool, 13th inst for Baltimore.

FINANCIAL AFFAIRS.

SALE AT THE BALTIMORE STOCK BOARD.

Furnished by Leonard J. Tormey, Stock and Bill Broker, No. 22 South Street.

May 29, 1865.

1,715 American Gold (large)			136
1 100 do do (large)			136⅛
1 500 do do (large)			136⅛
25 000 do do (large) s15			136
12,000 do do (large) s10			136⅛
300 U. S. 5-20's			103⅛
2 shares Balto. and Ohio R. R.			167
500 shares Maryland Copper Co.			45
250 shares Santa Clara b30			17⅛
250 do do			17⅛
500 shares Rudisell Min. Co.			23
1,000 Baltimore & Ohio R. R. b's '75			100⅛
200 shares Md. Anthracite C'l Co b30			21

Sales at the Merchants' Exchange Board to-day.

3,700 American Gold (large)			137
1,120 do do (large)			136⅞
1,000 do do (large) s30			136⅞
2,000 do do (large) s3			137
5,000 do do (large) b10			137
5,000 do do (large) b15			137
6 shares Baltimore & Ohio R. R.			103
15 shares Merchants' Bank			120
1,400 City Stock, '90			100⅛
200 shares Santa Clara b30			17
200 do do b30			17⅛
100 do do			17⅛
400 do do b30			17
1,000 N. C. R. W. b's '95			65⅞

Pricesel Stocks and Bonds in N. Y., May 29.

[*Through L. J. Tormey, Stock and Bill Broker, No. 22 South Street.*

	1st B'd.	2d B'd.
United States 6's, 1881, Coupon	106⅞	106⅞
" 5-20's	103⅞	103⅞
" in currency	99⅞	99⅞
American Gold	135⅞	136
Tennessee's	64	64
North Carolina 6's	41⅞	
Missouri 6's	65	65
Canton Company	35⅞	35⅞
Maryland Coal and Iron Co.	29	29
Quicksilver, new	31	31
New York Central Railroad	97⅞	97
Erie Railway Company	74	73⅞
Preferred		
Hudson River Railroad	95⅞	95
Harlem Railroad		
Reading Railroad	92⅞	92
Michigan Central Railroad	167	166
Michigan S. and N. I. R. R.	58⅞	58⅞
Illinois Central Railroad	116	116
Cleveland and Pittsburg R. R.	61	61
Chicago and Northwestern R.	24	23⅞
" Preferred	54⅞	53
Cleveland and Toledo Railroad		
Chicago and Rock Island R. R.	93⅞	93⅞
Milwaukee & Prairie du Chien	26	
Ohio & M. Railroad	27⅞	27⅞
St. Louis, Alton & Terre Haute	25	

Tone of the Market.....Dull. Weak.

By Telegraph from New York, 4o'clock P. M.

American Gold	136
Erie	73⅞
Southern	58
C. & N. W. common	24⅞
Rock Island	93⅞
Fort Wayne	91⅞
Cumberland	29⅞
Reading	91
N. Y. Central	97⅞
Hudson River Railroad	97⅞
Reading	91⅞
Mariposa	60

Tone of the market, Heavy.

At Evening Stock Exchange, 10 o'clock, P. M. Furnished by L. J. Tormey, Stock and Bill Broker, No. 22 South Street.

American Gold	137⅞
Erie Railway Company	73⅞
Hudson	97⅞
Reading	91⅞
Michigan S. and N. Indiana Railroad	57⅞
Chicago and Northwestern R. R.	24⅞
" Preferred	54⅞
Cumberland	29
New York Central	97⅞
Chicago and Rock Island Railroad	93⅞
Cleveland and Pittsburg Railroad	60⅞
Fort Wayne	91⅞
Ohio and Miss. certificates	23⅞
Quicksilver	30⅞

Tone of the market—Dull and heavy.

BALTIMORE MARKET.

May 29, 1865.

COFFEE—Very little doing but prices steady for Rio at 22⅞@24 cents, gold, as to quality.

FLOUR.—We note sales on 'Change of 200 bbls. Howard Street Super at $7 75, and 300 bbls. Ohio Extra at $8 per bbl. Market firm at the close. We quote.

Howard Street Super	$7 50	@ 7.75
" " Shipping Ex.	8 12⅞	@ 8.25
" " Retailing Ex.	8 37⅞	@ 8.50
" " Family	9 50	@ 9.00
Ohio Super	7.50	@ 9.00
" Shipping Extra	7.75	@ 9.00
" Retailing Extra	8.00	@ 9.00
" Family	9.00	@ 9.50
City Mills Standard Super	7.50	@ 9.00
" Ship. brands Extra	9.25	@ 9.75
Baltimore Family	11.00	@00.00
" High Grades Extra	10.50	@00.00

Rye Flour—First quality dull at $6 00.

Corn Meal—Sales of City Mills at $4.12⅞.

GRAIN.—Market dull. Sales of prime Red Wheat at $1.95@2.00; fair white $2.10; Corn at $3@90 cts. for white; and yellow do. $1@3 cents and Oats at 80 cts. weight.

PROVISIONS.—Market is steady—Bacon Shoulders at 15@16 cts; Sides at 17½@18 cts. and Sugar-cured Hams at 24@25 cents; new prime Mess Pork has sold at $24 and closed steady. Western Lard remains nominal, at 15½@16 cts. and Baltimore refined at 22½ cts.

MOLASSES.—Quotations nominal, Clayed Cuba 32@42 cents, Muscovado do. in hds., 45@50 cents, English Island 45@75 cents, and Porto Rico 50@75 cents.

SALT.—Sales of Ground Alum represented at $1.75@1 80, and Marshall's Fine at $2.75@2.85. Market quiet.

SUGARS.—Less inquiry for all grades. We quote:

Cuba and P. L. fair to good ren'g	@10.25	@10.75
" " " good gr'y	11.25	@12.00
" " " prime gr'y	12.50	@12.25
Porto Rico fair to good grocery	11.50	@12.25
" " prime to choice gro'y	12.50	@13.00

WHISKY.—Small sales of Western reported at $2.26.

LAWS OF MARYLAND.

PUBLIC GENERAL.

OFFICIAL.

C. HARWOOD, Secretary Senate.
W. R. COLE,
Chief Clerk House of Delegates.

CHAPTER 31.

AN ACT to add an article to the Code of Public General Laws, in relation to the Publication of Laws.

Section 1. *Be it enacted by the General Assembly of Maryland*, That the following Article be added to the Code of Public General Laws, under the title of "Publication of Laws:"

1. Every Public General Law, which is made to take effect before the first day of June next, after the session at which it may be passed, shall immediately after its passage be published at the expense of the State, daily for one week, in two daily newspapers of the city of Baltimore, and one newspaper in each county, having the largest circulation, if there be a paper published in said county.

2. Every Public Local Law made to take effect before the first day of June next, after the session at which it may be passed, shall immediately after its passage be published once in each of three successive weeks in all the newspapers of the respective counties in which it may operate; and in case there is no newspaper published in any county, then in such manner as the County Commissioners of said county may direct; and in case any such law is to operate in the city of Baltimore, then once in each week for three successive weeks in such daily newspapers published in said city as the Mayor thereof may direct; and the Mayor and City Council of Baltimore, and the County Commissioners of the several counties, shall provide for payment of the expenses of such publication.

3. A certified copy of every Public Local Law made to take effect as aforesaid, shall immediately after its passage be transmitted by mail, by the Secretary of the Senate, (if the same originated in the Senate,) and by the Chief Clerk of the House of Delegates, (if the same originated in the House of Delegates,) to the County Commissioners of the county or counties in which the same may operate, or to the Mayor of the city of Baltimore, if the same is to operate in that city; and it shall be the duty of the said County Commissioners and Mayor, upon receipt of such certified copy, to have the same published as provided in the preceding section.

4. A certified copy of every Public General Law made to take effect as aforesaid, shall be transmitted by mail, by the Secretary of the Senate, (if the same originated in the Senate,) and by the Chief Clerk of the House of Delegates, (if the same originated in the House of Delegates,) to such two daily newspapers of the city of Baltimore, and one newspaper in each county, having the largest circulation, (if there be a newspaper published in said county,) as the President of the Senate and the Speaker of the House of Delegates may respectively designate for publication, as provided in the first section of this Article.

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

CHAPTER 40.

AN ACT to make valid the official acts of Justices of the Peace and Constables who failed to qualify under the New Constitution within the required time, and who have been re-appointed and since qualified according to law.

Section 1. *Be it enacted by the General Assembly of Maryland*, That all the official acts of Justices of the Peace and Constables of this State who failed to qualify within the time required by the new Constitution of this State, and who have been re-appointed to said offices respectively and since qualified as required by said Constitution and laws, be and the same are hereby made legal and valid in all respects, as if the said Justices of the Peace and Constables had been legally qualified and authorized to perform such official acts at the times said acts and each of them were performed.

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

CHAPTER 47.

AN ACT to add a new section to Article twenty-four of the Code of Public General Laws entitled "Conveyancing," to provide for the execution, acknowledgement and recording of bonds of conveyance and other writings to convey real estate and to make valid such instruments as may have been heretofore executed, acknowledged and recorded.

Section 1. *Be it enacted by the General Assembly of Maryland*, That the following section be inserted in Article twenty-four of the Code of Public General Laws entitled, "Conveyancing," and that after section twenty-seven be inserted:

Every bond, writing, obligatory, or contract for the conveyance of real estate, or any interest or estate of, in, or relating to real estate, and every bond, writing, obligatory, or contract for leasing and demising for any term of years of real estate, may be executed, acknowledged and recorded in the same manner as deeds of real estate are required by this Article to be executed, acknowledged and recorded, and as if such bonds, writings, obligatory and contracts, were deeds as aforesaid; and a certified copy of the record of any such bond, writing, obligatory or contract, shall be received as evidence of such bond, writing, obligatory or contract, as fully as a like copy of the record of any such deed duly executed, acknowledged and recorded in the manner aforesaid, would be evidence of such deed.

Sec. 2. *And be it enacted*, That this act shall take effect from the day of its passage.

CHAPTER 66.

AN ACT repealing certain sections of the twenty-ninth Article of the Code of Public General Laws relating to Special Judges, and enacting other sections in lieu thereof.

Section 1. *Be it enacted by the General Assembly of Maryland*, That sections seventy-two, seventy-three, seventy-four, seventy-five, seventy-six, seventy-seven, seventy-eight, seventy-nine, eighty and eighty-one, of Article twenty-nine of the Code of Public General Laws, entitled, "Courts," be and the same are hereby repealed, and that the following sections relating to the appointment of "Special Judges," in the place of the sections so repealed:

72. If the Judge of any Circuit Court or any Court in Baltimore city, is connected with a party in controversy by consanguinity or affinity within the fourth degree, counting down from the common ancestor to the more remote, he shall be disqualified from sitting in such cause, nor shall he in any case be interested in the subject matter in which he shall have been of counsel, nor in any case wherein his opinion it would be improper for him to sit, by reason of his relation to, or connection with any party, or the subject of the cause, and where any Judge is so disqualified, a special Judge shall be appointed in his place, in the manner herein provided.

73. Whenever any Judge of any Circuit Court, or of any court in the city of Baltimore, shall be disqualified by any of the causes aforesaid, from sitting in any cause, civil or criminal, or in any case of proceeding (other than a Bankrupt or equity exception,) the Clerk of the court, unless the parties to such cause or proceeding by consent, shall appoint a person to try the same within one month after the announcement of such disqualification, shall certify such disqualification to the Judge of the Court of Appeals, who shall forthwith appoint a proper person as a Special Judge, to try such cause, and the person so appointed shall proceed to try the same in the same manner as the Judge of the said court could have done if he had not been disqualified, and in case any of the parties to any such cause are infants, or otherwise incompetent to consent to the appointment of a person to try the same, then the certificate and notice of appointment of Special Judge, as before directed, shall be made immediately, and in like manner the notification and appointment of a Special Judge, shall be made immediately, whenever any Judge of any court shall be qualified as aforesaid, to sit or act in any case of an application for an injunction or the appointment of a receiver.

74. If either of the Judges of the Courts of Baltimore city, having equity jurisdiction, shall be disqualified, as aforesaid, to sit in any cause in equity pending in his court, the Clerk of the court wherein the cause is pending, shall notify the parties thereto, by consent, shall appoint a person to try the same within one month after the announcement of such disqualification, shall transmit all the papers in the cause, a copy of the docket entries to the other court, the judge whereof shall try the same, as if it had been initiated in his court; but in cases for an injunction, or the appointment of a receiver, the clerk of the court where the same is pending, immediately upon the announcement of the disqualification of the judge, shall notify the judge of the other court having jurisdiction, who shall try the case and act therein, as if it had been instituted in his court.

76. If any of the defendants in any equity cause whereof the Judge shall be disqualified, as aforesaid, are non residents, and shall not appear in compliance with an order of publication within ten days after the time fixed by said order for the appearance, the Solicitor, shall certify the fact of their not appearing, and the publication of the judge, to any Judge of the Court of Appeals, if the case be pending in any of the Circuit Courts, and the Judge of Appeals a proper person as a special judge, to try the same, and in the preceding sections, and if the case be pending in either of the courts of Baltimore city having equity jurisdiction, the clerk thereof shall certify the fact of such disqualification, and transmit the papers in the case, with a copy of the docket entries, to the other court, the judge whereof shall try the case as if it had been instituted in his court.

77. Whenever a Judge of any Circuit Court, or of any of the Courts of Baltimore city, shall be unable, by reason of sickness, or any other cause, to hold any regular law or equity term of his court, or to sit in any cause or causes, civil or criminal, pending in his court, it shall be the duty of the Clerk of the court, to certify said inability, and the cause thereof, to any Judge of the Court of Appeals, who, on the receipt of such certificate, shall appoint a proper person as a special judge, to hold such term and try all cases in said court, whether civil or criminal, which, by the rules thereof, are or may be ready for trial at such term, and any special judge so appointed shall have full power to summon grand and petit jurors, and do all things necessary to the holding of such term or the trial of such causes.

78. If any special judge shall die, resign or refuse to sit, another may be appointed in his place, and appointments may be made until a judge shall be procured who will act.

79. In all cases in which the State shall be a party to a cause, the State's Attorney for the county or city, in which the case may be for trial, may consent for and on behalf of the State to the appointment of a person to try the same.

80. Every person who shall be appointed a special judge under any of the aforesaid provisions, before he acts as such shall take an oath before the Clerk of the court that he will try the cause he is appointed to try without partiality or prejudice, to the best of his ability, which oath shall be entered by the clerk on his docket book, signed by the judge taking the same; but if judge appointed to try any equity case does not reside in the county in which the Circuit Court is held, where said case is pending, he may take such oath before the clerk of the county, in the county where such judge resides, which oath shall be signed by him, and filed in the cause, before he proceeds to act in or try the same.

81. Every person appointed a special judge, under any of the aforesaid provisions, shall be allowed ten dollars per day for every day he shall be necessarily engaged in hearing, trying, continuing or deciding the pending of such causes or causes as he may be appointed to try, and ten cents per mile for every mile he shall travel by the usual route in going to and returning from the place where such cause or cause may be for trial, the said per diem and mileage to be paid out of the treasury.

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

CHAPTER 67.

AN ACT to regulate and make uniform the fees of Constables.

Section 1. *Be it enacted by the General Assembly of Maryland*, That all Public Local Laws relating to the fees of Constables be and the same are hereby repealed.

Sec. 2. *And be it further enacted*, That the twelfth and thirteenth sections of Article thirty eight of the Code of the Public General Laws, relating to the fees of Constables be amended and re-enacted, so as to read as follows:

12. The several Constables in this State shall be entitled to demand and receive the following fees, to wit:

For serving State warrant and return, seventy-five cents; for serving search warrant seventy-five cents; for serving summons in civil suit and return, forty-five cents; for serving summons for witness and return, each witness, twenty cents; for serving scierfacias and return, forty cents; for levying fieri facias and return twenty cents; for delivering a person committed over to the Jailor, seventy-five cents and five cents per mile for every mile he may have to travel, and the actual necessary traveling expenses of such prisoner; for summoning jury on inquest, each juror, fifteen cents; for levying attachments for contempt, seventy-five cents; for serving writ of replevin and return, forty-five cents; for serving warrant for distraint, twenty-five cents; for summoning and swearing appraisers on distress for rent, and in levying, each appraiser, twenty-five cents; for serving an attachment in the hands of each garnishee, fifty cents; for killing confound killing sheep, to be paid by the owner of the dog, four dollars; for pound age fees on any distraint replevin, attachment or fieri facias, eight per cent. on the first twenty-five dollars, and three per cent. on the residue; but if the defendant shall supersede the judgment on which the execution or attachment shall have issued, within four days after the same shall have been levied or served, the Constable shall only be entitled to receive one half of said pound age fees; for arresting any person charged with a misdemean or for entering any such, sure and destroying property therein in the limits of the city of Baltimore or within four miles thereof, one dollar.

13. The County Commissioners in the several counties and the Mayor and City Council of Baltimore shall levy on the assessable property of their respective counties or the said city, the aforementioned fees that the Constables of the aforesaid counties or the said city are entitled to receive for executing criminal business; *provided*, that nothing contained in this section shall exempt any criminal from paying the costs of his conviction, or shall be of sufficient ability to do so.

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

CHAPTER 70.

AN ACT to repeal Article eighty of the Code of Public General Laws and to enact a new Article in lieu thereof, to be called "State Reporter," and relating to the duties of said office, and to fix the salary of said Reporter, and to make an appropriation for the same.

Section 1. *Be it enacted by the General Assembly of Maryland*, That section twenty-one of Article forty-nine Code of Public General Laws relating to "Fish and Fisheries," under the head of "Potomac," be and the same is hereby amended and re-enacted so as to read as follows:

21. It shall not be lawful for any person, other than the owner or by the permission of the owner, to take or carry away from any shore of the Potomac river below Fort Washington which has been or may be used as a fishery, any sand, gravel or other matter that may form part of said shore to the amount of twenty bushels or more, and if any person shall feloniously steal, take and carry away from any shore of the Potomac river below Fort Washington, which has been or may be used as a fishery, any sand, gravel or other matter that may form part of said shore to the amount of twenty bushels or more, such person shall be deemed guilty of larceny, and on conviction thereof in the Circuit Court of the county in which such larceny was committed, shall pay to the owner the full value thereof, and be sentenced to the penitentiary not less than one year nor more than five years.

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

CHAPTER 108.

AN ACT to amend and re-enact section ten of Article forty-four of the Code of Public General Laws relating to the amount of compensation to be paid by the several counties and the city of Baltimore to the President and Visitors of the Maryland Hospital, for the support of pauper lunatics.

Section 1. *Be it enacted by the General Assembly of Maryland*, That section ten of Article forty-four of the Code of Public General Laws relating to the amount of compensation to be paid by the several counties and the city of Baltimore to the President and Visitors of the Maryland Hospital, for the support of pauper lunatics, be and the same is hereby amended and re-enacted so as to read as follows:

10. The President and Visitors of the Maryland Hospital, shall receive from each county and the city of Baltimore, two hundred dollars per annum, for the support of each pauper lunatic sent from said county or city to said Hospital.

Section 2. *And be it enacted*, That this act shall take effect from the day of its passage.

CHAPTER 139.

AN ACT to appropriate a sum of money for the relief of the Maryland Hospital.

Whereas, It is reported to this General Assembly that it has become necessary to introduce a more efficient heating apparatus into the Maryland Hospital, in order to heat the same more effectively, and to guard against the probabilities of fire; *and whereas*, many repairs and improvements are necessary, and also certain improvements of the grounds, and if an extensive portion of the fences have become indispensable; therefore,

Section 1. *Be it enacted by the General Assembly of Maryland*, That the sum of fifteen thousand dollars be and the same is hereby appropriated, to be paid to the President and Visitors of the Maryland Hospital, to introduce an efficient heating apparatus, and to effect proper and necessary repairs of the buildings and improvements of the grounds, and for other purposes.

Sec. 2. *And be it further enacted*, That the Comptroller of the Treasury, be and he is hereby required to draw his warrant upon the Treasurer, in favor of the said the President and Visitors of the Maryland Hospital, for the said sum of fifteen thousand dollars.

Section 3. *And be it enacted*, That this act shall take effect from the date of its passage.

CHAPTER 141.

AN ACT to amend and re-enact section ten of the fifth Article of the Code of Public General Laws, entitled "Appeals."

Section 1. *Be it enacted by the General Assembly of Maryland*, That section ten of Article of the Code of Public Local Laws, be amended and re-enacted, so as to read as follows:

10. All appeals in cases of mandamus, or questions arising under the insolvent laws, or exceptions taken on trials of issues sent from the Orphans' Courts or courts of equity, orders granting or refusing injunctions, or appointing or refusing to appoint a receiver, ratifying or refusing to ratify a trustee sale, and all appeals from decisions of the Orphans' Court, and from final judgments on motion to set aside, or apply money in the hands of the Sheriff, and all appeals from decisions on matters of law, made by the courts of Baltimore city, in relation to the streets in said city, shall be taken within ten days the first term after the transmission of the record.

Section 2. *Be it enacted*, That this act shall take effect from the day of its passage.

CHAPTER 144.

AN ACT to enable any bank, savings institution or savings bank of this State, to become an association for the purpose of banking under the laws of the United States.

Section 1. *Be it enacted by the General Assembly of Maryland*, That any bank, savings institution or savings bank incorporated under the laws of this State, may become an association for the purpose of banking under the laws of the United States, if it shall first comply with all the requirements of the act of the first session of the Thirty-eighth Congress of the United States, entitled, "An act to provide a national currency, secured by a pledge of the United States bonds, and to provide for the circulation and redemption thereof."

Sec. 2. *And be it further enacted*, That before any bank, savings institution or savings bank of this State shall avail itself of the provisions of said act, a majority of its directors or trustees, or stockholders, by and with the written advice and consent of the owners of three-fourths of the capital stock of said bank, savings institution or savings bank, shall decide whether the said bank, savings institution or savings bank shall or shall not become an association for the purpose of banking under the laws of the United States, and at said meeting every stockholder may cast one vote for each share of stock held by him or her, and every stockholder who shall be absent may vote by proxy, which proxy shall be signed by every executor, administrator, guardian or trustee, holding stock in said bank, savings institution or savings bank, may vote in person or by proxy, which proxy shall be signed by the said vote, and the Treasurer of Maryland is hereby authorized and directed to represent and vote the stock held by the State in any of the banks, savings institutions or savings banks of this State, and if on casting up the vote at the said meeting it shall appear that the owners of two-thirds of the capital stock of said bank, savings institution or savings bank, are in favor of converting the said bank, savings institution or savings bank, into an association for the purpose of banking under the laws of the United States, the President of said bank, savings institution or savings bank, or a majority of the directors, may cause the organization certificate, and such other papers as shall be necessary, and may perform all acts required by law for enabling the said bank, savings institution or savings bank to become such associations.

Sec. 3. *And be it further enacted*, That whenever any bank, savings institution or savings bank shall have complied with the laws of the United States, shall present the organization certificate, for an association to the Comptroller of the Currency, setting forth under his hand and official seal, that the bank, "savings institution or savings bank has become an association" for the purpose of banking under the laws of the United States, the said clerk shall record such certificate, and shall deliver to the duplicated copy thereof to the Governor of the State, who, on receiving the same, shall give notice for at least three weeks in some newspaper published in the Baltimore city, where said bank, savings institution or savings bank is located, in the city, or to the City and County where such institution or savings bank is located, and at least three weeks in the Baltimore Sun, and shall publish in the Annual Report of the Comptroller of the Treasury, the fact of such conversion, and that the several public officers to whom the same or any part thereof may be paid, shall render quarterly accounts of the business transacted of the corporation thereof, with the proper vouchers verified by affidavit, except such parts thereof as may be paid for or on account of salaries fixed by the Constitution and laws of the State.

Sec. 3. *And be it enacted*, That this act shall take effect from the first day of April, eighteen hundred and sixty-five.

CHAPTER 172.

AN ACT appropriating the interest to be received from the sale of the scrip donated by the United States to the State of Maryland for the benefit of Agriculture, by the act of Congress, approved second session, eighteen hundred and sixty-four, and to amend the charter of the Maryland Agricultural College, by adding additional members to the Board of Visitors.

Section 1. *Be it enacted by the General Assembly of Maryland*, That after the Comptroller shall have sold the said scrip and invested the proceeds thereof as provided by the act of the General Assembly, passed at January session, eighteen hundred and sixty-four, chapter seventy, the annual interest or income of said investment shall be regularly paid by him without commission to the Maryland Agricultural College, and the leading object of said college shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, so as to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life, and the money so to be received by the said college shall be applied to the object enumerated in the said act of Congress, and to no other purposes whatsoever, and the said college shall in all respects comply with the general requirements of the said act of Congress, relating to agricultural experiments, and reporting the same as therein prescribed; *provided*, that nothing herein contained shall be construed to prohibit or preclude the General Assembly, at any time hereafter, from making any other disposition of said funds, not inconsistent with the act of Congress,