RELATING TO POPULAR VOTE OF ANTI-SALOON TERRITORY WITHIN CARROLL COUNTY.

CHAPTER NO. 492.

AN ACT to provide for the creation, by popular vote, of anti-saloon territory within Carroll County, within which, except as herein provided, the sale of intoxicating liquor and the licensing of such sale shall be prohibited; for the enforcement of such prohibition in such territory; and for the abolition by like means of the territory so created.

Section 1. Be it enacted by the General Assembly of Maryland, That the words and phrases mentioned in this Section as used in this Act and in proceedings pursuant hereto shall, unless the same be inconsistent with the context, be construed as follows: "Anti-Saloon Territory" shall mean all territory within the limits of Carroll County, in which, through the action of the legal voters therein, as provided by this Act, the sale of intoxicating liquor, except as herein provided, is prohibited. "Law" shall include Public General Laws, Public Local Laws and all municipal ordinances. "Said proposition" shall mean the proposition: "Shall this County become Anti-Saloon Territory?"

"Supervisors of Election" shall mean the Board of Supervisors of Elections for Carroll County. "Legal voter" or "voter" shall mean a duly registered legal voter. "Election" shall mean an election held on the Tuesday next after the first Monday in November in any year. "Court" shall mean the Circuit Court for Carroll County and "Judge" shall mean a judge of said court. "Intoxicating liquor" shall include whiskey, brandy, rum, gin, wine, ale, beer, and all other fermented, distilled, spirituous, vinous or malt liquors and every mixture of liquors which shall contain more than two per cent. by weight of alcohol, and every mixture of liquors which shall contain less than two per cent. of alcohol if the same shall be intoxicating.

Sec. 2. And be it further enacted, That upon the filing in the office of the Supervisors of Elections at least sixty days before an election of a petition as in this Act provided, directed to such Supervisors of Elections, containing the signatures of legal voters of Carroll County in number not less than one-fourth of the total vote cast in said County at the last election therein, to submit to the voters of said County the proposition "Shall this County become Anti-Saloon Territory?" said proposition shall be submitted at such election, as in this Act provided, to the legal voters of said County, and if a majority of the legal voters, voting upon said proposition, shall vote "For the Proposition," said County shall become Anti-Saloon Territory. Such petition shall be a public document and shall be subject to the inspection of the public.

Sec. 3. And be it further enacted, That a vote, under the provisions of this Act, shall become operative on the first day of May, next, after the day of the election at which such vote is cast.

Sec. 4. And be it further enacted, That a petition for submission of said proposition shall be in substantially the following form: "To the Board of Supervisors of Elections of Carroll County: the undersigned, legal voters of Carroll County, respectfully petition that you cause to be submitted, in the manner provided by law, to the voters thereof, at the next election, the proposition 'Shall this County become Anti-Saloon Territory?"

Name of Signer	City, town, village or election district	Date of Signing

Such petition shall consist of sheets having such form printed or written at thetop thereof and shall be signed by the legal voters in their own proper persons only, and opposite the signature of each legal voter shall be written the town, village or election district, as the case may be, in which he resides, and the date of signing the same.

No signature shall be valid or counted in considering such petition, unless these requirements are complied with and unless the date of signing is less than six months preceding the date of filing the same.

At the bottom of each sheet of such petition shall be added a statement, signed by a resident of Carroll County, with his residence address as aforesaid, stating that the signatures on that sheet of the said petition are genuine, and that to the best of his knowledge and belief the persons so signing were, at the time of signing said petition, legal voters of Carroll County; that their respective residences are correctly stated therein and that each signer signed the same on the date opposite his name. Such statement shall be sworn to before some officer residing in said County where such legal voters reside, authorized to administer oaths therein. Such sheets shall be fastened together in one document, filed as a whole, and when filed shall not be withdrawn or added to. No signature shall be withdrawn after the filing of such petition.

Such petition, so verified, or a copy thereof, duly certified as hereinafter provided shall be prima facie evidence that the signatures, statement of residence, and dates upon such petition are genuine and true and that the persons signing the same are legal voters of Carroll County.

Upon request of any one filing such a petition and verified statement and paying or tendering to the Supervisors of Elections one dollar for each one hundred names or fraction thereof, signed thereto, together with a copy thereof, the Supervisors of Elections shall immediately compare the original copy and attach to such copy and deliver to such person a like official certificate that such copy is a true copy of the original, stating the day when such original was filed in their office.

Whoever, in making the sworn statement above prescribed, shall knowingly, wilfully and corruptly swear falsely shall be deemed guilty of perjury, and, on conviction thereof, shall be punished accordingly. Whoever forges the signature of any person, upon any petition or statement provided for in this Act, shall be deemed guilty of forgery, and on conviction thereof, shall be punished accordingly.

Sec. 5. And be it further enacted, That the Supervisors of Elections, with whom any petition shall be filed, as provided in this Act, shall cause notice to be given in the manner provided by law for giving notice of an election, of the submission of said proposition at the next election to the voters of Carroll county. Publication of the submission of said proposition to the voters of said county shall likewise be made in the manner provided by law for the publication of the list of nominations to be voted for at an election: Provided, That the failure of the Supervisors of Elections to cause such notice to be given, or the failure to make publication of the submission of said proposition as above provided, shall not affect the validity or binding force of the vote upon said proposition.

Sec. 6. And be it further enacted, That the Supervisors of Elections with whom any petition shall be filed as provided by this Act, shall cause the proposition "Shall this County become Anti-Saloon Territory," to be placed on the official ballots to be submitted to the vote of the people in the manner prescribed by Section 56, of Article 33 of the Code of Public General Laws of 1904.

At any election where said proposition is submitted, the persons managing the interests of those in favor of, and the persons managing the interests of those opposed to said proposition shall have respectively the right to designate and keep a challenger and watcher at each election place. A certificate signed by the presiding officer of the committee managing the interests of those in favor of or of those opposed to said proposition shall be sufficient evidence of the right of such challenger and watcher to be present in the polling room. Such challengers and watchers shall have the powers which are conferred upon challenger and watchers by Sections 62 and 69 of Article 33 of the Code of Public General Laws of 1904.

Sec. 7. And be it further enacted, That the Supervisors of Elections, shall, as soon as conveniently may be after receiving and canvassing the result of any election at which the proposition as to whether Carroll County shall become or continue to be Anti-Saloon Territory is submitted to the voters thereof, proclaim the result of said election and publish such proclamation in some newspaper published in the County, if the owners of such newspapers will publish the same at the current rates of advertisement, and shall record in a well bound book, to be kept in their office by them and their successors, the result of the vote upon said proposition and such result may be proved in all courts and in all proceedings by such record or by the official certificate of the Supervisors of Elections, and in cases where such a record or certificate shows that a majority of the legal voters voting upon said proposition voted "For the Proposition" the same shall be, conclusive evidence that Carroll County has become Anti-Saloon Territory, unless the proclamation of the Supervisors of Elections shall be reversed after a contest of the election in accordance with the provisions of Section 24 of this Act.

Sec. 8. And be it further enacted, That all the territory within Carroll County which has become Anti-Saloon Territory shall continue to be Anti-Saloon Territory throughout its entire extent, notwithstanding any change that may be made in the limits of any political subdivision, until the legal voters thereof shall have voted, according to the provisions of this Act, to discontinue such Anti-Saloon Territory and the following Section shall be construed in harmony herewith. In all Anti-Saloon Territory, during the time that it continues to be Anti-Saloon Territory, the operation of all laws providing for the restriction, regulation or prohibition of the sale of intoxicating liquor or for the issuing of licenses for the sale of intoxicating liquor within any portion or the whole of such territory, so far as inconsistent with its status as Anti-Saloon Territory, shall be suspended.

Sec. 9. And be it further enacted, That upon the filing in the office of the Supervisors of Elections, at least sixty days before an election in Carroll County, of a petition directed to such Supervisors of Elections containing the signatures of legal voters of Anti-Saloon Territory, in number not less than one-fourth of the total vote cast therein at the last election, to submit to the voters thereof the proposition "Shall this County continue to be Anti-Saloon Territory?" (provided such petition corresponds in all other respects with the petition in this Act before described) such proposition shall be submitted at such election to the voters of Carroll County, and the provisions of Section one (1), four (4), five (5), six (6) and seven (7) of this Act shall apply, in all respects, so far as applicable, to the proposition "Shall this County continue to be Anti-Saloon Territory?" to the submission of such proposition to such voters, to the petition thereof, to the recording of the vote thereon and to the proof and evidence of the petition and vote. If a majority of the legal voters voting upon such last mentioned proposition vote "Against the proposition" such County shall cease to be Anti-Saloon Territory, and all laws providing for the restriction, regulation or prohibition of the sale of intoxicating liquor, or for the issuing of licenses for the sale of intoxicating liquor, the operation of which was in any wise suspended within such County by virtue of the vote therein to become Anti-Saloon Territory with all additions and amendments which, in the meantime, may have been made thereto shall, if not in the meantime repealed, become and be in force within said County, to the same extent, however, as the same would then be in force had such County never become Anti-Saloon Territory. The publication mentioned in this Section shall be a public document and shall be subject to the inspection of the public.

Sec. 10. And be it further enacted, That a vote under the provisions of this Act in and for Carroll County, to submit the proposition "Shall this County become Anti-Saloon Territory?" or in and for Carroll County upon the proposition "Shall this County continue to be Anti-Saloon Territory?" shall be a bar to the submission to the voters thereof of either of such propositions as applied to that County until after the lapse of twenty-three (23) months.

Sec. 11. And be it further enacted, That it shall not be lawful to sell intoxicating liquor in any quantity whatever, nor to grant or issue, or cause to be granted or issued, any license to sell intoxicating liquor in any quantity whatever within the limits of Carroll County while the same is Anti-Saloon Territory, and no such license shall be granted or issued in violation hereof, the same shall be void. Provided, that this shall not apply to sales made by a person under a provision of law requiring him to sell personal property.

Sec. 12. And be it further enacted, That every retail liquor dealer except druggists, trafficking, pedlers and agent, in intoxicating liquor in Carroll County, after it becomes Anti-Saloon Territory by vote of the people thereof as herein provided, shall remove or cause to be removed all intoxicating liquor from such place, its appurtenances or dependencies within ten days from the first of May next following such vote. Failure to comply with the provisions of this Section shall be prima facie evidence that such liquor is kept for the purpose of being sold in violation of the provisions of this Act.

Sec. 13. And be it further enacted, That whoever shall, by himself or another, either as agent, principal, clerk, or servant, directly or indirectly, sell, barter or exchange any intoxicating liquor in any quantity whatever within the limits of Carroll County, while the same is Anti-Saloon Territory, or have in his possession any intoxicating liquor with intent to sell, or otherwise dispose of same in violation of the provisions of this Act, shall upon conviction thereof be fined not less than Twenty Dollars ($20), nor more than Two Hundred Dollars ($200), or imprisoned in the County Jail for not less than ten (10) days, nor more than thirty (30) days, or be both so fined and imprisoned, in the discretion of the court.

If any person shall be convicted of violating any provision of this Section and shall subsequently violate any provision of this Section he shall be fined not less than One Hundred Dollars ($100), nor more than Five Hundred Dollars ($500), and be imprisoned in the County jail for not less than ten (10) days nor more than ninety (90) days, and in like manner he shall subsequently violate any provision of this Section, for such third and each subsequent violation he shall upon conviction thereof be fined not less than Two Hundred Dollars ($200) nor more than One Thousand Dollars ($1,000) and confined in the Maryland House of Correction for not less than three (3) months nor more than one (1) year.

State's Attorneys and Justices of the Peace having knowledge of any previous conviction of any person accused of violating the provisions of this Section, in preparing warrants, presentments and indictments, shall allege such previous conviction therein; and it shall be the duty of the Clerk of the Circuit Court of Carroll County to furnish information concerning such prior conviction to the State's Attorney and grand jury, a certified transcript from the docket of any Justice of the Peace, or a certified copy of the record under the seal of the Clerk of any court shall be sufficient evidence of a previous conviction or convictions under any Section of this Act. It shall be sufficient, in such presentment or indictment to allege briefly that such person has been convicted of a violation or violations of the provisions of this Section.

Sec. 14. And be it further enacted, That the giving away, delivery or handling of any intoxicating liquor by any storekeeper or at any place of business, or the taking or soliciting of orders or the making of agreements within the limits of Carroll County while the same is Anti-Saloon Territory, for the sale or delivery or future giving away of any intoxicating liquor, or any other shift or device to evade any provision of this Act, shall be held to be unlawful selling.

Sec. 15. And be it further enacted, That all places where intoxicating liquor is sold in violation of any provision of this Act, shall be taken and held and are declared to be common nuisances and may be abated as such, and it shall be part of the judgment, upon the conviction of the keeper, that the place where liquor is found to have been sold contrary to this Act be shut up and abated until the keeper shall give bond, with sufficient security to be approved by the court, in the penal sum of One Thousand Dollars ($1,000), payable to the State of Maryland, conditioned that he will not sell intoxicating liquor contrary to law, and will pay all fines, costs and damages assessed against him for any violation thereof; and in the case of a violation of the condition of such bond suit may be brought and recovery had thereon for the use of said County for any fine or fines that may be assessed against him under this Act.

Sec. 16. And be it further enacted, That the County Commissioners of Carroll County are hereby authorized to use any part of the fines collected for the violation of this Act for hiring detectives or secret service officers to secure the enforcement of the same. And when there are no funds available from fines collected for the violation of this Act such County Commissioners are hereby authorized to appropriate not more than Two Hundred Dollars ($200) annually from the general revenue fund for the purpose of enforcing the provisions of this Act.

Sec. 17. And be it further enacted, That any Supervisor of Elections, Judge of Election, Police Officer or other officer of this law, who shall wilfully refuse or neglect or fail to discharge any duty imposed by this Act, and any one who signs a petition provided for in this Act, knowing that he is not qualified to do so, or who files with the Supervisors of Elections any such petition or any sheet or part thereof knowing that it contains the signature of a person not qualified to sign the same, or who receives, requests or demands or gives, offers or promises any reward for the signing or the procuring the signing of any such petition, or who by treating or giving intoxicating liquor or anything else, of the same or a different kind, or by threats to injure another in person or property, or by betting or other device, either directly or indirectly influences or attempts to influence any one, to sign or refrain from signing any such petition, shall upon conviction thereof be guilty of a misdemeanor and shall be fined not less than Twenty Dollars ($20) nor more than Two Hundred ($200) or imprisoned in the County Jail not less than ten (10) days nor more than ninety (90) days, or be both so fined and imprisoned, in the discretion of the court. If any person shall be convicted of violating any provision of this Section and shall subsequently violate any provision of this Section, he shall upon conviction be fined not less than Twenty Dollars ($20) nor more than Two Hundred Dollars ($200) and imprisoned in the County jail for not less than ten (10) days nor more than ninety (90) days.

Sec. 18. And be it further enacted, That it shall be unlawful for any doctor or physician to issue a prescription for intoxicating liquor, except in writing, or in any case unless the person for whom it is issued is actually sick or such liquor is required as a medicine. Every prescription for intoxicating liquor shall contain the name and quantity of liquor prescribed, the name of the person for whom prescribed, the date on which the prescription is written and direction for the use of the liquor so prescribed.

And it shall be unlawful for any doctor or physician who has been convicted of issuing several prescriptions for intoxicating liquor, or of issuing prescriptions for intoxicating liquor knowing the same to be for use as a beverage, or of issuing prescriptions that do not in form comply with this Act, thereafter to issue any prescription for intoxicating liquor, for the purpose for a period of two years from the date of such conviction. Every prescription issued in violation of the provisions hereof shall be held to be unlawful selling, and on conviction thereof the person issuing same shall be punished accordingly.

Sec. 19. And be it further enacted, That nothing in this Act shall be construed to forbid or prevent the sale within Anti-Saloon Territory by a druggist or pharmacist duly convicted of medical or sacramental purposes only, or if alcohol for medical, chemical or pharmaceutical purposes, or not to be drunk upon the premises under any circumstances. Provided the following requirements are complied with and such druggist or pharmacist in good faith shall keep a true and exact record in a book, which he shall provide for the purpose in which shall be entered at the time of every sale of intoxicating liquor made by him or in his establishment or place of business to all persons whomsoever, the date of such sale, also the name of the purchaser, so kept as shown by his name in said book as a part of said entry, and his residence (stating the street and house number if there be such) the kind, quantity and price of such liquor, the purpose for which it was sold and when the sale if for a medical purposes, the book shall also contain the name of the physician prescribing the prescription therefor. Such prescription shall be cancelled by writing on it the words "cancelled" and the date on which it was presented and filed and kept on file. No prescription shall be filled a second time. Such book shall be in form substantially as follows:

Date	Name of Purchaser	Residence	Kind and Quantity	Purpose of use	Price	Name of Physician	Signature of Purchaser

and the book and all such prescriptions before provided for shall be open to inspection by any State's Attorney, Justice of the Peace having criminal jurisdiction, Judge of any court, or any Sheriff, Constable, Marshal or other Police Officer. Any druggist or pharmacist who shall fail to keep such record or shall refuse to make entry therein required by law, or shall destroy or alter or change in any way such record or any entry therein or any prescription, or shall or procure the same to be destroyed, altered or changed, or shall fail to produce such prescription or shall refill any prescription, or shall sell intoxicating liquors for medicinal purposes except on written prescription, or for sacramental purposes without an order signed by clergymen, shall for each such violation of the provision of this Section be deemed guilty of unlawful selling and on conviction thereof shall be punished accordingly. Nothing in this Section shall be construed to prohibit a sale by such druggist of such liquor as may be needed or for a sick person in case of extreme illness, where delay may be dangerous to the patient.

It shall be unlawful for any druggist or pharmacist who has been convicted of selling intoxicating liquor in violation of this Act thereafter to sell intoxicating liquor for any purpose, personally or by agent, for two (2) years in any Anti-Saloon Territory, or upon a second conviction for violating the provisions of this Act any such druggist or pharmacist shall have his certificate to practice pharmacy revoked, and the Justice of the Peace or Judge before whom such druggist or pharmacist is convicted of a second violation of this Act shall so order and send a copy of such order to the Commissioners of Pharmacy upon receipt of which such certificate shall forthwith be revoked by such Commissioners of Pharmacy and shall not be renewed within one (1) year from the date of such revocation.

Sec. 20. And be it further enacted, That it shall be unlawful for any person or public or private carrier to knowingly accept or receive for shipment, transportation or delivery to any person or place within an Anti-Saloon Territory, or to carry, bring into, transfer to any other person, carrier or agent, handle, deliver or distribute in an Anti-Saloon Territory, any intoxicating liquor regardless of the name by which it may be called, and whoever shall, by himself or another, either as principal, clerk, agent or servant, knowingly violate any of the provisions of this Section shall upon conviction therefor be fined not less than Fifty Dollars ($50) nor more than Five Hundred Dollars ($500) and upon conviction of any subsequent violation of this Section in addition to such fine shall be imprisoned in the County jail for not less than (30) days, nor more than (6) months: Provided, nothing in this section shall be construed to apply to individuals who may bring into any Anti-Saloon Territory, upon their person or as their personal baggage, and for their private use such liquor in quantity not to exceed one gallon; nor to physicians nor druggists to whom any public carrier may deliver such goods in unbroken packages, in quantity not to exceed five gallons at any one time; nor to deliveries to churches or the proper officers thereof of wine in unbroken packages for sacramental purposes; nor to deliveries at residences which are not places of business or public resorts, by manufacturers or wholesalers, by their own conveyances, in unbroken packages of liquor the contract for the sale of which was consummated outside of Anti-Saloon Territory; nor to shipments of liquor in continuous transit to a point outside of such Anti-Saloon Territory.

This Section shall apply to all packages of intoxicating liquor whether broken or unbroken. Each package of intoxicating liquor, regardless of the name by which it may be called, accepted, received, carried, transferred, handled, delivered or distributed in violation of the provisions of this Section shall constitute a separate offense.

The acceptance, receiving, carrying, transferring, handling, delivery or distribution of intoxicating liquor under false or fictitious names in any Anti-Saloon Territory shall work a forfeiture of such liquor.

It is further expressly provided that no provision of this Section is intended or shall be construed to violate or be in conflict with any provision of the Constitution and Laws of the United States relating to interstate commerce, but this Section and all parts of same are intended to prohibit the acceptance, receiving, carrying, transferring, handling, delivery or distribution, as herein provided, of such intoxicating liquor to such territory only as is not expressly permitted under the Constitution and Laws of the United States.

If any provision of this Section shall be held to be void or unconstitutional it is hereby provided that all other portions of the same which are not expressly held to be void or unconstitutional shall continue in full force and effect.

Sec. 21. And be it further enacted, That all prosecutions for violations of this Act, which are hereby declared to be misdemeanors, may be either upon presentment or indictment, or by trial before a justice of the Peace having criminal jurisdiction, who shall have jurisdiction original and concurrent with the Circuit Court of Carroll County; and the said Justice shall have the power to issue all process, and to do all acts which may be necessary to the exercise of his said jurisdiction, and may try and determine all cases thereof he may have jurisdiction, and may pronounce judgment and sentence therein in the same manner and to the same extent as the Circuit Court of Carroll County could do in such cases, if such cases were tried before said court without the intervention of a jury; provided, however, that if any person, when brought before any Justice having jurisdiction of the case, shall, before trial on the part of the offense pray a jury trial, or if the State's Attorney for said County, shall, before trial on the part of the State, it shall be the duty of such Justice to commit such alleged offender for trial or to hold him to bail to appear at the next session of the Court of Carroll County, if it be in session, or at its next session, if it be not in session, and to return such commitment or recognizance with the name and residences of the witnesses for the prosecution endorsed thereon, forthwith to the Clerk of the Circuit Court; and the Justice before whom the case is brought shall, in every such case, inform the person charged of his right to a jury trial.

Sec. 22. And be it further enacted, That in all prosecutions under this Act, by indictment or otherwise, it shall not be necessary to state in the warrant, indictment or information the place where sold; nor to describe the place where sold; nor to show the knowledge of the principal to costs of the acts of an agent or servant; nor to state the name of any person to whom liquor is sold; nor to set forth in the indictment the fact that the required number of legal voters petition for the submission to the voters of said county of this Act shall be the majority of legal voters voting upon said proposition voted "For the proposition," but it shall be sufficient to state in that regard that the act complained of took place in an Anti-Saloon Territory.

The issuance of an internal revenue special tax stamp or receipt by the United States to any person as a wholesale or retail dealer in liquors, or in malt liquors at any place within territory which, at the time of the issuance thereof, is Anti-Saloon Territory, shall be prima facie evidence of the sale of intoxicating liquor by such person at such place, or at any place of business of such person within such territory where such stamp or receipt is posted, and at the time charged in any suit or prosecution under this Act: Provided, that such time is within the life of such stamp or receipt.

Sec. 23. And be it further enacted, That any person making a sworn complaint or affidavit before any Justice of the Peace having criminal jurisdiction or Judges of the Circuit Court of Carroll County (particularly describing the house or place to be searched) that he has reason to believe, and does believe, that intoxicating liquor is sold or kept for the purpose of being sold in violation of the provisions of this Act, such Justice of the Peace or Judge shall issue a warrant, directed to any officer whom the complainant may designate having power to serve criminal process, commanding him to search the premises described and designated in such complaint and warrant, and the appurtenances thereof, and if any such shall there be found, to take into his possession and safely keep all intoxicating liquor and the vessels in which it is contained if the same shall be found in quantities and under such conditions as to suggest that it is kept for sale, and all the means used for the sale of the same, all the paraphernalia or part of the paraphernalia of a bar room or drinking saloon, and any United States internal revenue receipt for the sale of intoxicating liquor effective for the period of time covering the alleged offense, and forthwith report in writing all such facts and make immediate return on said warrant.

(B.) The warrant for search shall be directed to the proper officer and shall show by copy of the affidavit inserted therein or annexed and referred to, or recite all the material facts alleged in the affidavit and particularly described the thing to be searched for and the place to be searched, and a warrant for search substantially in the following form shall be sufficient:

State of Maryland,
Carroll County to wit:
To.....Greeting:

Whereas, There has been filed with the undersigned an affidavit of which the following is a copy:

These are therefore to command you in the name of the State of Maryland together with the necessary and proper assistance to enter into there described house or place described in the affidavit) of the said.....
of.....in the County aforesaid and there diligently search for the said intoxicating liquor and means used for the sale of the same there describe the articles as in the affidavit) and that you bring the same or any part thereof found in such search forthwith before me or to be disposed of and dealt with according to law.

Given under my hand this.....day of.....A. D.....

Such liquor and means used for the sale of the same shall be held subject to the order of the Justice of the Peace or court issuing the warrant to be used as evidence in the prosecution of any case for the violation of this Act.

(C.) If fluids be poured out or otherwise destroyed when the premises are searched or about to be searched, said fluids shall be held prima facie to be intoxicating liquor and intended for sale and violation of this Act.

(D.) If upon the final judgment of the Justice of the Peace or court the accused shall be found guilty, the intoxicating liquor seized from him shall, after the time for appeal has expired, and if no appeal is taken, be ordered to be destroyed, and the other property shall be held as the property of the accused or owner. If the accused shall be found not guilty the whole of the property seized shall be returned to the person from whom it was taken.

(E.) When any liquor shall have been seized by virtue of such warrant, the same shall be discharged or returned to any person claiming the same, by reason of any alleged insufficiency in the description in the complaint or warrant of the liquor or place, but the claimant shall be entitled to a hearing when the case is tried.

(F.) If one is found in possession of the premises where intoxicating liquor may be found, the officer taking the same shall post in a conspicuous place on said premises a copy of his warrant, and take possession of such liquor and means used for the sale of same and hold them subject to the order of the court or Justice of the Peace issuing the warrant and make return of his doings thereon. Whereupon it shall be the duty of the Justice of the Peace or court to fix the time for hearing and determining the purpose for which such liquor is kept and issue a notice thereof to the officer who shall post a copy thereof on the premises where the liquors were found. If no one appears at the time fixed for said hearing, nor within thirty (30) days thereafter to claim such liquor and means used for the sale of the same, the Justice of the Peace or court shall order the same destroyed.

(G.) No warrant shall be issued to search a private residence occupied as such unless it or some part of it is used as a store or shop, hotel or boarding house or unless such residence is a place of public resort.

(H.) The person making affidavit for the warrant to search any place where intoxicating liquor is believed to be disposed of contrary to this Act, may personally or by agent accompany the officer who served the warrant, and enter the place with such officer and give information and assistance to such officer in searching such place for such intoxicating liquor.

(I.) Liquor seized as hereinbefore provided and the means used for the sale of the same, shall not be taken from the custody of the officer by a writ of replevin or other process while the proceedings herein provided are pending; and final judgment of conviction in such proceedings shall be in all cases a bar to all suits for the recovery of any liquor seized or the value of the same, or for damages alleged to arise by reason of the seizing and detention thereof.

(K.) When any prosecution is commenced before any Justice of the Peace or court for a violation of this Act and the liquor seized under this Section is to be used as evidence in such trial the hearing must take place in not more than thirty (30) days after such warrant be issued, and if it be not in session, within thirty days from the date when it is next in session. If at the time appointed for trial the returns have not been properly made, or if for other sufficient cause the trial may be postponed to a further date not more than fifteen (15) days beyond said thirty (30) days.

(L.) The word "liquor" when used in this section, unless the same be inconsistent with the context, shall be construed to include the vessels containing the same. The phrase "means used for the sale of the same" shall include all furniture, implements or paraphernalia of a bar room or drinking saloon or any part of the same, and any United States internal revenue tax receipt effective during the period of time covering the alleged offense.

Sec. 24. And be it further enacted, That any five (5) legal voters of Carroll County in which an election shall have been held as provided in this Act may, within ten (10) days after the canvass of the returns of such election and upon filing a bond for costs in a penalty to be fixed by the presiding Judge, and with a surety or sureties to be approved by him, contest the validity of such election by filing a verified petition in the Circuit Court of Carroll County setting forth the grounds for the contest. Upon the filing of such petition a summons shall forthwith issue from such court, addressed to the Supervisors of Election whom the majority of legal voters voting upon said proposition voted "For the proposition," and the filing of such petition and directing them to appear in such court on behalf of said County at the time therein named in the summons, which time shall be not less than five (5) nor more than fifteen (15) days after the filing of such petition. The procedure in such cases shall be the same as that provided by law for contesting the election of public office, so far as the same is applicable. The said court shall have final jurisdiction to hear and determine the merits of such cases. Any legal voter in Carroll County may be permitted by the court in its discretion to appear in person or by attorney in any such contested election case in defense of the validity of such election.

Approved April 10, 1914.
P. L. GOLDSBOROUGH,
Governor.
JAMES McC. TRIPPE,
Speaker of the House of Delegates.
JESSE D. PRICE,
President of the Senate.

Office of the Chief Clerk of the House.
I Hereby Certify, That the aforegoing is a true copy of an Act of the General Assembly of Maryland, passed at the January Session, 1914.
ALBERT J. ALMONEY,
Chief Clerk of the House.

RELATING TO THE APPOINTMENT OF A COURT STENOGRAPHER.

CHAPTER NO. 246.

AN ACT to repeal Section 2 of Chapter One hundred and ten of the Acts of One hundred and eighty-three of the General Assembly of Maryland, passed at the January Session, in the year eighteen hundred and eight, entitled "An Act to repeal Chapter one hundred and eighty-three of the Acts of the General Assembly of Maryland, passed at the January Session, in the year eighteen hundred and eighty-six, entitled "An Act to authorize and empower the Judges of the Circuit Court for Carroll County to appoint a Court Stenographer," and to re-enact said Section 2 of Chapter one hundred and ten with amendments.

Sec. 1. Be it enacted by the General Assembly of Maryland, That Section 2 of Chapter one hundred and ten of the Acts of the General Assembly of Maryland, passed at its January Session, in the year nineteen hundred and eight, be and the same is hereby repealed and re-enacted so as to read as follows:

Sec. 2. And be it enacted by the General Assembly of Maryland, That the Judges of the Circuit Court for Carroll County be and they are hereby authorized and directed, to appoint a Court Stenographer, who shall be a sworn officer of said Court, and said stenographer so appointed shall be paid a salary not less than five hundred dollars nor exceeding twelve hundred dollars per annum, the amount to be fixed from time to time by the County Commissioners of Carroll County, who shall pay said Court Stenographer the sum so fixed by them for his services, in monthly installments, immediately upon the presentation of the certificate of the Clerk and of any of said Judges of said Court, showing the attendance and services of said Court Stenographer.

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

Approved April 1, 1914.
P. L. GOLDSBOROUGH,
Governor.
JAMES McC. TRIPPE,
Speaker of the House of Delegates.
JESSE D. PRICE,
President of the Senate.

Office of the Chief Clerk of the House.
I Hereby Certify, That the aforegoing is a true copy of an Act of the General Assembly of Maryland, passed at the January Session, 1914.
ALBERT J. ALMONEY,
Chief Clerk of the House.

RELATING TO RELEASE OF SALEM LODGE, NO. 60, FROM PAYING TAXES ON BONDED INDEBTEDNESS.

CHAPTER NO. 522.

AN ACT to release Salem Lodge No. 60, Independent Order of Odd Fellows, of Westminster, Carroll County, Maryland, from the payment of any taxes on its Bonded Indebtedness of $7,500.00," which bonds are secured by the mortgage on its real estate; which real estate is assessed at its full market value, to wit: $7,820.00, and upon which it pays taxes, State, County and Municipal.

Sec. 1. Be it enacted by the General Assembly of Maryland, That Salem Lodge No. 60, Independent Order of Odd Fellows, of Westminster, Carroll County, Maryland, be released from the payment of any taxes on its bonded Indebtedness of $7,500.00 which bonds are secured by a mortgage on its real estate, upon which said real estate it pays taxes to its full value.

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

Approved April 10, 1914.
P. L. GOLDSBOROUGH,
Governor.
JAMES McC. TRIPPE,
Speaker of the House of Delegates.
JESSE D. PRICE,
President of the Senate.

Office of the Chief Clerk of the House.
I Hereby Certify, That the aforegoing is a true copy of an Act of the General Assembly of Maryland, passed at the January Session, 1914.
ALBERT J. ALMONEY,
Chief Clerk of the House.

RELATING TO THE LICENSING AUCTIONEERS.

CHAPTER NO. 633.

AN ACT to regulate the licensing of auctioneers in Carroll County.

Sec. 1. Be it enacted by the General Assembly of Maryland, That no person not a resident of said county shall be entitled to engage in business as an auctioneer in Carroll County unless he shall have first taken out a license as hereinafter provided.

Sec. 2. And be it further enacted, That it shall be the duty of the Clerk of the Circuit Court of said county to issue auctioneer licenses to such persons as may apply for and be entitled to them under this Act, and according to the conditions and provisions of this Act, the amount so received from said licenses to be paid to the Board of County School Commissioners of Carroll County to be credited by them to the school fund of said county.

Sec. 3. And be it enacted, That such applicant for such license shall pay the yearly sum of twenty-five dollars ($25) if he be a resident of the State of Maryland outside of said county; and the sum of fifty dollars ($50) if he be not a resident of this State; and no license shall be issued by said clerk of said county to any person until the aforesaid license fee shall have been paid and until such person has made oath to his place of residence.

Sec. 4. And be it enacted, That every person conducting a sale as auctioneer in violation of Section 1 of this Act shall be guilty of a misdemeanor and upon conviction thereof before a Justice of the Peace, be fined not less than ten dollars and not more than fifty dollars in the discretion of the Justice of the Peace or Court, the party so convicted shall have the right of appeal to the Circuit Court for Carroll County, and in default of the payment of said fine and cost of prosecution, by the person so convicted, he shall be sentenced to imprisonment in the County Jail for a period of not exceeding thirty days.

Sec. 5. And be it enacted, That this Act shall take effect from the first day of May, in the year 1914.

Approved April 10, 1914.
P. L. GOLDSBOROUGH,
Governor.
JAMES McC. TRIPPE,
Speaker of the House of Delegates.
JESSE D. PRICE,
President of the Senate.

Office of the Chief Clerk of the House.
I Hereby Certify, That the aforegoing is a true copy of an Act of the General Assembly of Maryland, passed at the January Session, 1914.
ALBERT J. ALMONEY,
Chief Clerk of the House.

RELATING TO REFUNDING UNUSED LIQUOR LICENSE MONEY TO CLARENCE J. COOK.

CHAPTER NO. 208.

AN ACT to authorize the Board of County School Commissioners to refund to Clarence J. Cook, of Carroll County, State of Maryland, administrator of Lemuel A. Cook, of said County and State, deceased, ninety-three dollars and seventy-five cents, less five per centum of money paid by the said Lemuel A. Cook, in his lifetime, for an unused liquor license issued in said Carroll County.

Whereas, Lemuel A. Cook, late of Carroll County, Maryland, paid the sum of three hundred dollars to the Clerk of the Circuit Court for Carroll County for a liquor license for the year 1912, commencing on the first day of May, 1912, and to continue for twelve months thereafter, and said Lemuel A. Cook afterwards, to wit, on the fourteenth day of November, 1912, departed this life, and no use or benefit was had from said license after the ninth of November, 1912, and the sum of two hundred and twenty-five dollars, less five per centum of said license money was by law paid by the said Clerk of the Court to the Board of County School Commissioners of Carroll County therefore,

Sec. 1. Be it enacted by the General Assembly of Maryland, That the Board of School Commissioners of Carroll County be and is hereby authorized to refund and pay to Clarence J. Cook, administrator of Lemuel A. Cook, deceased, the sum of ninety-three dollars and seventy-five cents, less five per centum.

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

Approved April 10, 1914.
P. L. GOLDSBOROUGH,
Governor.
JAMES McC. TRIPPE,
Speaker of the House of Delegates.
JESSE D. PRICE,
President of the Senate.

Office of the Chief Clerk of the House.
I Hereby Certify, That the aforegoing is a true copy of an Act of the General Assembly of Maryland, passed at the January Session, 1914.
ALBERT J. ALMONEY,
Chief Clerk of the House.

RELATING TO REFUNDING MONEY ERRONEOUSLY PAID BY JOSIAH D. CROWL FOR LIQUOR LICENSE.

CHAPTER NO. 509.

AN ACT to refund to Josiah D. Crowl the sum of money erroneously paid by him to the Board of School Commissioners of Carroll County for liquor licenses for the years 1908, 1909, 1910 and 1911.

Sec. 1. Be it enacted by the General Assembly of Maryland, That the Board of School Commissioners of Carroll County or the Treasurer thereof be and it is hereby authorized to pay to Josiah D. Crowl, of Carroll County, Maryland, the sum of one hundred and forty-two dollars and fifty cents out of any funds the said Board of School Commissioners for Carroll County or the Treasurer thereof now in their hands or which may hereafter come into their hands, said sum of one hundred and forty-two dollars and fifty cents having been erroneously paid by the said Crowl for liquor licenses for the years 1908, 1909, 1910 and 1911.

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

Approved April 10, 1914.
P. L. GOLDSBOROUGH,
Governor.
JAMES McC. TRIPPE,
Speaker of the House of Delegates.
JESSE D. PRICE,
President of the Senate.

Office of the Chief Clerk of the House.
I Hereby Certify, That the aforegoing is a true copy of an Act of the General Assembly of Maryland, passed at the January Session, 1914.
ALBERT J. ALMONEY,
Chief Clerk of the House.

RELATING TO THE TOWN OF MANCHESTER.

CHAPTER NO. 628.

AN ACT to repeal and re-enact with amendment Section 73 of Article 7 of the Code of Public Local Laws of Maryland, title "Carroll County," sub-title "Manchester," as amended by Chapter 262 of the Acts of the General Assembly of Maryland, nineteen hundred and eight, authorizing the Mayor and Common Council of the town of Manchester, to levy a tax not to exceed thirty cents on the one hundred dollars of assessed value of property within the corporate limits of said town of Manchester, with certain exceptions, for the improvement and management of said town and other corporate purposes.

Sec. 1. Be it enacted by the General Assembly of Maryland, That Section 73 of Article 7 of the Code of Public Local Laws of Maryland, title "Carroll County," sub-title "Manchester," as amended by Chapter 262 of the Acts of the General Assembly of Maryland, nineteen hundred and eight, be and the same is hereby repealed and re-enacted with amendments so as to read as follows:

Sec. 73. All property, whether real, personal or mixed, within said corporate