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(Continued from page 3.)

filed against any person whatsoever or which may be pending in any Court of criminal jurisdiction in this State against any person whatsover under and by virtue of said sections 162, 165, 166, 167, 168 and 173, or any of the same, as the said sections were enacted and existed prior to the passage of this act, or by reason of any violation upon the part of any person of any of the said sections as enacted and existing prior to the passage of this act, and all persons presented or indicted or who, prior to the passage of this act, may or might have been liable to presentment, indictment or prosecution for any violation of any provision of any of said sections as the same were enacted and existed prior to the passage of this act, may be prosecuted upon such presentment or indictment or may be presented, indicted and prosecuted under said sections, or any of the same, as heretofore enacted and existing, as if this act had not been passed. And every offense which has been or shall have been wholly or partly committed against any of said sections or parts thereof at the time of or prior to the passage of this act shall be dealt with, inquired into, tried, prosecuted, determined and punished, and any penalty in respect to any such offense shall be imposed or inflicted and any fine shall be imposed, enforced or recovered in the same manner as if said sections or parts thereof had not been repealed and re-enacted. And no case pending shall abate by reason of such repeal and re-enactment and every act duly done and every warrant or other instrument duly issued, made or granted at the time of or prior the passage of this Act shall continue and be of the same force and effect as if said sections, or parts thereof, had not been repealed and re-enacted. And every action, prosecution or other proceeding which shall have commenced before the passage of this Act or shall thereafter be commenced in respect to or under or by virtue of any of said sections, or parts thereof, with respect to any matter or thing committed or done prior to the passage of this Act, may be prosecuted, continued and punished in the same manner as if said sections, or parts thereof, had not been repealed and re-enacted.

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

Approved April 11, 1912.

## PRIMARY ELECTIONS—REGISTRY.

### CHAPTER 347.

AN ACT to repeal and re-enact with amendments Section 160E of Article 33 of the Code of Public General Laws of Maryland, title "Elections," sub-title "Primary Elections," as said section was enacted by Chapter 2 of the Acts of the General Assembly of 1912, relating to the subject "Primary Elections," including the provision for furnishing new registry books and transcribing the names of qualified voters residing in the several counties of the State from the registry books in use to the new registry books, and providing for the payment of the cost thereof by the County Commissioners of the several counties of the State.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 160E of Article 33 of the Code of Public General Laws of Maryland, title "Elections," sub-title "Primary Elections," as said section was enacted by Chapter 2 of the Acts of the General Assembly of 1912, be and the same is hereby repealed and re-enacted, with amendments, so as to read as follows:

160E. As many different sets of official ballots shall be printed and supplied by the Board of Supervisors of Elections at each polling place, and as many ballots boxes shall be used at each polling place, as there are separate party nominations, delegates, executives or managing or executive bodies to be voted for; and to prevent voters belonging to or acting with one political party from inadvertently or intentionally casting their ballots for the candidate for nomination for office, or election as delegate to any convention or as executive or member of an executive or managing committee of any other party, and to facilitate its being promptly detected if so cast, the ballots of the several parties shall be printed upon opaque paper of different colors, to be determined by the several Boards of Supervisors of Elections; and until after the next general registration in the counties every person offering to vote at a primary election shall be required to state to which party he belongs and which party's candidate he intends to vote for at the State, city or county election, and every qualified person offering to vote in the several counties in the State at a primary election shall be permitted to vote in the primary election of that party to which he belongs and which party candidates he intends to vote for at the State or county election and in Baltimore City and in the counties. After the next general registration in the counties, every qualified person offering to vote at a primary election shall be permitted to vote in the primary election of that party only with which he shall appear upon the books of registration to be affiliated. The respective Boards of Supervisors of Elections in the several counties are hereby authorized and required, immediately upon the passage of this Act, to have prepared new books of registry for use in all of the districts or precincts of the said several counties for the transcribing of the names of the qualified voters residing therein from the registration books in use. The said transcribing shall be done in the offices of the Boards of Supervisors of Elections by four (4) clerks to be selected, two by the Supervisors representing the majority party and two by the Supervisors representing the minority party as the said parties are now constituted in this State, except Baltimore county, where said transcribing shall be done in the office of the Board of Supervisors of Elections by twelve (12) clerks, to be selected, six by the Supervisors representing the majority party and six by the Supervisor representing the minority party, as the said parties are now constituted in this State. The transcribing shall be done by the said clerks and the new books, after being transcribed, shall correspond in all respects, and if they do not correspond at the conclusion of the work, or if any error in transcribing be alleged to exist, either or any one of said clerks or any citizen or voter in any one of said counties may file a petition in the Circuit Court within ten days after said work is finished, naming said clerks and the Board of Supervisors of Elections as defendants, and the said Court shall have the power to make such order for the correction of said books as may be proper. The cost of such preparation of proper registry books shall be paid by the County Commissioners of the county in which such subdivision shall be made, upon proper requisitions and vouchers presented by the Boards of Supervisors of Elections. Any political party that polled more than one per cent of the votes cast at the last election may, through its political committee, if it has one, or by citizens representing said party, if there be no political committee, name a watcher and substitute watcher who shall be permitted to attend at the transcribing of said names and have power to examine the said books during the sittings of said clerks for the said work and for a period of five days thereafter in the presence of said Board of Supervisors. In the books of registry so provided for to be used in transcribing said registered voters in each and every county of the State subsequent to the passage of this Act, there shall be provided a distinct column headed "Party Affiliations," and the Board of Registers shall enter in this column the name of the political party, if any, to which the voter is inclined and with which the voter desires to have himself recorded as affiliated. It shall be the duty of the Board of Registry to explain to each voter that the statement of such party affiliation does not bind him to vote for the candidate of such party at any given election; also that he has the right to decline to state any party affiliations; but that no one who is not recorded upon the registry as affiliated with a particular political party will be qualified to vote at subsequent primary elections of said political party. Whenever a voter declines to state his party affiliations, the word "Declined" shall be written opposite his name in such column so that there shall be written in such column opposite the name of every registered voter, either his party affiliation or the word "Declined." Each and every voter as he appears at the first primary election at which he votes subsequent to the passage of this Act shall, before he is permitted to vote at said primary, state to which party he is inclined and to which party he desires to have himself recorded as affiliated, and the Board of Registers, then sitting as judges of election, shall thereupon and at once enter in the column provided for party affiliations the name of the political party to which the voter is inclined and with which he desires to affiliate, and in said primary and all primary elections thereafter held, any person so registered as affiliated with a given political party shall have the right to vote the official ballot of that party, and of no other.

There shall be annually a sitting of the registration officers in and throughout Baltimore City, and all the several counties of the State on the day which shall be the fifth day before the day of the primary election (excluding the day of the primary election in the computation of said fifth day prior thereto) on which day all of said registration officers shall sit from eight o'clock a. m. until eight o'clock p. m. in the counties, and from 12 o'clock noon until ten o'clock p. m., in Baltimore City, for the purpose of revising the registration lists by adding new voters, making transfers, etc., so that fair and full opportunity may be afforded to all voters, duly qualified, to take part in the primary elections

No person or voter after having had his affiliation registered shall be permitted to make any change in his party affiliation unless the same shall be made at least six months prior to the day of the primary election.

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

Approved April 15, 1912.

## LICENSE—BILLIARDS.

### CHAPTER 67.

AN ACT to repeal and re-enact with amendments Section 8 of Article 56 of the Code of Public General Laws of the State of Maryland, title, "License," sub-title "Billiards."

Section 1. Be it enacted by the General Assembly of Maryland, That Section 8 of Article 56 of the Code of Public General Laws, of the State of Maryland, title "License," sub-title, "Billiards," be and the same is hereby repealed and re-enacted with amendments, so as to read as follows:

Section 8. A license may be granted to any person who may apply for permission to keep a billiard table, for which license there shall be paid the sum of ten dollars, and for every additional billiard table kept by the same person he shall pay a license of five dollars; provided, that all said additional tables shall be kept in the same premises; and the word billiard table shall be construed to include pool tables; and provided further, that any person who shall keep a pool or billiard table where a charge is made for playing on the same, but the said charge is returned or is to be returned to the players to be exchanged with the owner of said table or his agent for money, drinks, cigars or any other articles of merchandise, shall be considered as gambling, and such tables shall be deemed gaming tables for the purposes of this article; and the person so keeping such table shall be liable to the penalty or penalties prescribed by the Public General Laws for keeping a gaming table or other place of gaming, or permitting gambling on his or her premises.

Sec. 2. And be it further enacted, That no pending prosecution for a violation of the section hereby repealed and re-enacted shall be in any way affected by the passage of this Act, but for the purposes of said prosecution the said section shall be construed to be in full force and effect as if this Act had not been passed.

Sec. 3. And be it enacted, That this Act shall take effect from May 1, 1912.

Approved March 28, 1912.

## COUNT OF THE BALLOTS.

### CHAPTER 492.

AN ACT to repeal and re-enact with amendments Section 71 of Article 33 of the Code of Public General Laws of Maryland of 1904, title "Elections," sub-title "Count of the Ballots," as amended by Chapter 576 of the Acts of the General Assembly of 1908, and to add a new Section to said to Article 33 of the Code of Public General Laws of 1904 to be known as Section 71A.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 71 of Article 33 of the Code of Public General Laws of Maryland of 1904, title "Elections," sub-title "Count of the Ballots," as amended by Chapter 576 of the Acts of the General Assembly of 1908, be and the same is hereby repealed and re-enacted with amendments so as to read as follows, and that an additional section be added to Article 33 of the Code of Public General Laws of 1904, title "Elections," sub-title, "Count of the Ballots," as amended by Chapter 576 of the Acts of the General Assembly of 1908, said new section to be known and designated as Section 71A.

71. The judges shall open the ballot box and count and announce the whole number of ballots in the box. They shall reject any ballots which are deceitfully folded together, and any ballots which do not have indorsed thereon the name or initial of the judge who held the ballots, or if there shall be any mark on the ballot other than the cross-mark in a square opposite the name of a candidate or other than the name or names of any candidates written by the voter on the ballot as provided in Section 53, such ballot shall not be counted. Ballots not counted for such defects shall be marked "Defective" on the back thereof and shall be wrapped in a separate package and returned to the ballot box as hereinafter directed. No vote shall be counted for any candidate opposite whose name no cross-mark shall be placed, and no ballot shall be rejected solely because any part or portion of the cross-mark extends beyond the square, if the point of intersection of the cross-mark is within the square, or because the voter has marked more names than there are persons to be elected to an office, but such ballots shall not be counted for any candidate in the group of names so marked. They shall open the ballots, and all of them shall be canvassed separately by one of the judges sitting between two other judges, which judge shall call out each name and the office for which it is designated and the other judges looking at the ballot at the same time, and the clerks making tally of the same. When all the ballots have been canvassed in this manner, the election clerks shall compare their tallies together and ascertain the total number of votes received by each candidate, and when they agree upon the numbers, one of them shall announce in a loud voice to the judges the aggregate number of votes received by each candidate. If requested by any watcher or challenger present at any canvass, it shall be the duty of the judges and each of them to exhibit to such watcher or challenger any ballot cast, fully opened or in such condition and manner that he may fully read and examine the same, but the judges shall not allow any ballot to be taken from their hands. As the ballots are counted they shall be strung upon a strong twine.

The aforegoing provisions to apply to Baltimore City, Baltimore County, Garrett County, Allegany County, Washington County, Frederick County, Carroll County, Harford County, Montgomery County, Howard County, Prince George's County, Calvert County, Charles County, St. Mary's county Cecil County, Kent County, Queen Anne's county, Talbot County, Caroline, Dorchester County, Wicmico County and Somerset County.

71A. This Section shall apply only to Anne Arundel County and Worcester County, in which counties the judges shall open the ballot box and count and announce the whole number of ballots in the box, they shall reject any ballots which are deceitfully folded together, and any ballots which do not have endorsed thereon the name or initial of the judge who held the ballots; if the voter has marked more names than there are persons to be elected to any office, or if there shall be any mark on the ballot other than the cross-mark in a square opposite the name of a candidate, or other than the name or names of any candidates written by the voter on the ballot as provided in Section 53, his ballot shall not be counted. Ballots not counted for such defects shall be marked "defective" on the back thereof and shall be wrapped in a separate package and returned to the ballot box as hereinafter directed. No vote shall be counted for any candidate opposite whose name no cross-mark shall be placed, and no ballot shall be rejected solely because any part or portion of the cross-mark extends beyond the square, if the point of intersection of the cross-mark is within the square. They shall open the ballots and all of them shall be canvassed separately by one of the judges sitting between two other judges, which judge shall call out each name and the office for which it is designated and the other judges looking at the ballot at the same time, and the clerks making tally of the same. When all the ballots have been canvassed in this manner, the election clerks shall compare their tallies together and ascertain the total number of votes received by each candidate, and when they agree upon the numbers, one of them shall announce in a loud voice to the judges the aggregate number of votes received by each candidate. If requested by any watcher or challenger present at any canvass, it shall be the duty of the judges and each of them to exhibit to such watcher or challenger any ballot cast, fully opened or in such condition and manner that he may fully read and examine the same, but the judges shall not allow any ballot to be taken from their hands. As the ballots are counted they shall be strung upon a strong twine.

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

Approved April 11, 1912.

## ELECTIONS PROCEEDINGS.

### CHAPTER 511.

AN ACT to repeal and re-enact, with amendments, section 125 of Article 33 of the Code of Public General Laws of 1904, title "Elections," sub-title "Miscellaneous Provisions," so as to provide for authorizing any two or more precincts to be subdivided in any district where any one of said precincts contains more than six hundred voters, and whenever such subdivision is in the judgment and discretion of the Board of Supervisors of Elections for the convenience of the voters; and to ratify and confirm all such subdivisions as have been heretofore made by any Supervisors of Elections of the several counties of the State of Maryland.

Section 1. Be it enacted by the General Assembly of Maryland, That section 125 of Article 33 of the Code of Public General Laws of Maryland of 1904, be and the same is hereby repealed and re-enacted with amendments so as to read as follows:

125. It shall be the duty of the Boards of Supervisors of Elections of the several counties, to examine the boundaries of the several election districts and election precincts in their respective counties, from time to time, and whenever in their judgment and discretion it shall be expedient for the convenience of the voters, to subdivide any of said election districts or election precincts, or to subdivide and change the boundaries of any two or more precincts in any election district into three or more precincts), they are hereby empowered and authorized to make such subdivisions and to establish the boundaries of such subdivisions in such way as to facilitate and expedite the casting of their ballots by the voters thereof, either by the designation of an entirely new and different polling place or places, or by providing for two or more separate polling places at or near the former polling place or places; (provided, however, that no election district shall be subdivided into two or more precincts that has not an excess of six hundred voters; and no precinct or group of precincts in any district shall be subdivided unless one or more of said precincts so intended to be divided, shall contain an excess of six hundred voters; and) whenever, in the exercise of the discretion conferred upon the several Boards of Supervisors of Elections of this section, they shall subdivide any election district or election precinct or precincts they shall appoint officers of registration and judges and clerks of election therefor, as in this article provided, who shall have all the powers, perform all the duties, be subject to all the responsibilities and be liable to all the penalties prescribed in this article for officers of registration, judges and clerks of election. All the members of the Boards of Supervisors for the several counties whenever any such district, precinct or precincts is or are divided as herein provided, shall sign their names to the books which contain the names copied from the original books for such new district, or precinct in the hands of such supervisors, and shall duly certify that said new books contain all the names of the persons entitled to vote in such newly established district or precinct, such said certificate shall appear on the blank line next following the last name in each letter of the alphabetical list of names in the new book so transcribed, and such said certificates shall be attested by the clerk to the respective Boards of Supervisors; and said Boards of Supervisors shall furnish to the officers of registration and judges of election appointed by them for such new additional voting precincts full and complete sets of registry books, containing the names of all voters already registered, duly and properly arranged for such additional voting precincts, and for the entering upon such registry books persons entitled to be newly registered thereon, and the cost of such subdivision and preparation of proper registry books shall be paid by the County Commissioners of the counties in which such subdivisions shall be made upon proper requisitions and vouchers presented by the Boards of Supervisors of Elections. The boundaries of said additional precincts established under this section shall be made known by advertisement in two newspapers in said counties, once a week for three successive weeks, before the first day of September in each year, in which such subdivision is made, said newspapers to be designed as provided in other cases under this article where advertisements are required to be made in at least two newspapers; (provided, however, that nothing in this act shall be construed to alter or change the boundaries or location of any precinct as now established by the several Boards of Supervisors of Elections, and all precincts as now located and laid out or subdivided by the Supervisors of Elections be and the same are hereby sanctioned, ratified and confirmed, provided, however, that nothing in this act shall be construed to prevent the several Boards of Supervisors of Elections in the counties of this State, with the exception of Wicomico county, from sub-dividing any district, precinct or precincts in conformity with the provsions of this act; and provided further, that in Wicomico county, the several districts and precincts as now laid out and located, and the polling places therein as now located in the said several districts and precincts are sanctioned, ratified and confirmed and the Board of Supervisors of Elections shall have no power in said Wicomico county to subdivide or re-locate any district or precinct, and shall have no power to change the location of any polling place in said county.

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

Approved April 8, 1911.

## CONDEMNATION OF PROPERTY.

### CHAPTER 117.

AN ACT to add a new article to the Code of Public General Laws of 1904 of the State of Maryland, to be known as Article 33A, "Eminent Domain—Regulating the Procedure for the Use by Condemnation, and providing that the proceedings therefor shall be before a jury in Court instead of before a Sheriff's jury.

Section 1. Be it enacted by the General Assembly of Maryland, That there is hereby added a new article to the Code of Public General Laws of 1904 of the State of Maryland, to be known as Article 33A, "Eminent Domain—Regulating the Procedure for the Acquisition of Property for Public Use by Condemnation," and providing that the proceedings therefor shall be before a Jury in Court, instead of before a Sheriff's Jury, and to read as follows:

### Article XXXIIIA.

Eminent Domain—Regulating the Procedure for the Acquisition of Property for Public Use by Condemnation.

1. The proceedings for the acquisition of private property for public use shall be as follows:

2. The proceedings shall be begun by the filing of a pettition in the Circuit Court for the county in which the property sought to be condemned is situated, on the lawside thereof, or one of the law courts of Baltimore City, if such property is situated in Baltimore City, by the State, municipal or other corporation, commission, board, body or person seeking to have the property condemned, and against the owner of owners thereof, and the husbands and wives of married owners.

In case any owner of owners is or are not known, he or they may be described in such petition as the unknown owner or owners or the unknown heir or heirs of a deceased owner. The petition shall set forth a description of the property sought to be acquired, sufficient for identification; a statement of the purpose for which the same is sought to be condemned, and that the petitioner is unable to agree with the owner or owners thereof; or that one or more of said owners is or are under some legal disability to contract, unknown or non-resident, whichever may be the fact or facts; and the said petition shall contain a prayer that the said property be condemned.

3. Upon the filing of said petition, the Court, or any judge thereof, shall pass an order directing a summons to issue for the defendants, to be served in the same manner as summons in actions at law, and returned by some day to be named in said order, not less than ten days nor more than twenty days from the day of the filing of said petition. If any defendant be not summoned before the return day of the said summons, the summons may be renewed from time to time, as often as the Court, in its discretion, may think proper; or, if any defendant is non-resident or unknown or returned non est twice successively, the Court shall order the sheriff to set up a copy of the summons for such defendant upon the property and shall order a notice to be published once a week for four successive weeks, in a paper published in the county where such property is situated and also in one daily newspaper published in the City of Baltimore, if the proceedings be in a county; and if the proceedings be in Baltimore City, in two daily newspapers published in said city; requiring such defendant to appear in the said Court on or before a certain day to be named in the order, said day to be not less than thirty days nor more than sixty days from the date of the first publication of said order, and show cause why said property, or such defendants' interest therein, should not be condemned as prayed in the petition.

4. Every defendant summoned shall within fifteen days after the return day to which he is summoned, and every defendant appearing shall within fifteen days after such appearance file an answer showing cause, if any he has, why the property mentioned in the petition or said defendants' interest therein, should not be condemned as prayed. And every defendant against whom publication has been duly made, as hereinabove provided, shall file such an answer within the time limited in such order of publication.

The court shall have power for good cause shown to extend the time for answering. In default of answer within the time hereinabove provided, or any extension thereof which may have been granted by the court, the court shall enter judgment that the said property, or interest therein of the defendant or defendants so in default, be condemned.

The court shall also render the same judgment upon the filing of an answer by any defendant or defendants, if such answer does not deny the right of the petitioner to have the property condemned. In the event of an answer being filed denying the right of the petitioner to have the property condemned, the court shall hear the question thus raised, as to the right of the petitioner to condemn the property, at an early date, to be specially fixed by the court; and in case any question of fact is involved in the determination of that question, either party shall be entitled to a jury trial, upon so electing, and either party may take testimony in open court, at such hearing, in the manner usual in law cases tried before a jury of before the court without a jury; and the same procedure shall govern as to the conduct of such hearing and reserving exceptions as in ordinary law cases.

If any defendant is under legal disability the court shall either authorize his duly constituted guardian or committee to appear and defend for him, or shall appoint some suitable person as guardian ad litem to appear and defend for such defendant. The court shall have the same power to permit amendments as in other actions at law. If the court shall decide at such hearing that the petitioner is entitled to have the said property condemned ,the court shall enter judgment that said property, or the interest of the party so answering therein, be condemned. If the court shall decide at such hearing that the property or the interest of such defendant therein, is not liable to condemnation, the court shall give judgment that the petition be dismissed as a whole, or as to the interest of such defendant, as the case may be.

5. Immediately upon the expiration of the time for appeal from any judgment that the property be condemned, or in case of such appeal upon such judgment being affirmed and remanded, the lower court shall appoint as appraisers three inhabitants of the city or county where such property is situated, not in anywise interested in the property to be condemned, nor related to the owner or owners thereof, each of whom shall, before acting, make oath before the clerk of said court, or before any officer duly authorized to take affidavits, that he will justly and impartially value the property described in the aforesaid petition, and the interest of the several owners thereof, and as soon as conveniently may be the said appraisers shall assess the value of the property, or the interest or estate therein sought to be condemned, and apportion the same among the various owners thereof, according to the values of their respective interests, and return to the said court their award of the value of the said property and of the respective interests of the several owners thereof under their hands and seals, and shall give notice by advertisement twice a week for one week in two of the daily papers published in Baltimore City, or, where said property is situated in a county, by advertisement for one week in one paper published in said county, that such award has been returned, and that all persons having an interest therein may show cause, if any they have, why the same should not be confirmed during the ten days succeeding the filing of the said award; and if the appraisers appointed as hereinbefore provided should be unable to agree upon an award, they shall so report to the said court, and new appraisers shall be appointed, who shall proceed as above described; and new appraisers may in like manner be appointed from time to time, until an award shall be agreed upon; the said award shall lie in court ten days subject to exception, and either the petitioner or defendant or any owner or reputed owner of any interest in the property sought to be condemned whether he shall have previously appeared to the said petition, or shall have been made a party thereto or not, shall have the right to file exceptions to said award; upon such exceptions being filed, the court shall, as soon thereafter as conveniently may be, have the same heard, tried and determined in court before a jury, unless a jury trial is waived; or by the court if a jury trial is waived; in the same manner and governed by the same rules of law as to the admission of evidence and instructions to the jury as now apply to the trial of appeals in cases growing out of the opening of highways. Upon the request of any party or any juror the court shall send the jury to view the premises in the same manner as now done in actions at law by consent. The court shall have the same power as in ordinary cases at law, to strike out the verdict of the jury and grant a new trial. If no exception be filed to the award of the appraisers, the same shall stand confirmed at the end of ten days after the filing of the. After the confirmation of all the awards of the appraisers, to which there are no exceptions, after the relition of the judgment of the court upon the verdicts of the jury, if said exceptions are tried before the jury, the petitioner shall pay the owner or owners of the property condemned, the amount so awarded to them respectively; or, in case any owner refuses to receive the amount awarded to him, or is out of the jurisdiction of the court, the petitioner may pay the same into court into the hands of the clerk thereof for the use of such owner, and upon such payment being made, the petitioner shall become vested with the title to the property condemned, or the interest of the fendants therein; subject, however, to the right of appeal from said judgment by any party interested in said property hereinafter provided for. The title acquired in any condemnation proceeding under this act shall be absolute, or fee simple, or all the right, title and interest of all the parties to the proceedings, unless otherwise specified in the judgment condemnation.

6. From any judgment that the property be condemned, or dismissing the petition, appeal may be taken to the Court of Appeals within ten days after the entry of said judgment, but not afterward, and the record shall be sent up to the Court of Appeals within thirty days after the entry of the appeal.

Every appeal from judgment in proceedings under this act shall stand for hearing the next term after the record is received by the clerk of the Court of Appeals, if the court be not sitting, or the pending term if the court be in session, and the Court of Appeals may advance any such appeal as to the court may seem proper. If the final decision be that the petitioner not entitled to condemn the property a reasonable counsel fee, be fixed by the court, shall be awarded to counsel for the defendant and taxed against the petitioner, together with the other costs of the case.

7. The State and any municipal or other corporation, commission, board, body or person, which under the laws of the State, has the right to acquire property by condemnation, shall acquire such property, if condemnation proceedings be resorted to, in pursuance of, and under the provisions of, this article, anything in any other Public General Law or Public Law or private or special statute to the contrary notwithstanding; provided, however, that nothing in this article contained shall apply to or change the present law or procedure for the opening, closing, widening or straightening highways.

8. In any proceedings under this article, the petitioner shall pay all the costs in the lower Court to be taxed as in ordinary actions at law, and also the cost of the compensation to the appraisers to be fixed by the court, and also the usual per diem to the jurors, in case of a jury trial, which shall be taxed among the costs of the case to be paid by the petitioner. The costs in the Court of Appeals, in any appeal from any proceedings under this article, shall be paid as directed by said court, in the same manner as costs in appeals from ordinary actions at law.

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

Approved April 8, 1912.

## PRIMARIES—WASHINGTON CO.

### CHAPTER 554.

AN ACT to add an additional section to Article 33 of Code of Public General Laws of Maryland, title "Elections," sub-title "Primary Elections," to follow section 160G of said article, as amended by Chapter 2 of the Acts of the General Assembly of Maryland at its January Session 1912, and to be known as Section 160G2.

Section 1. Be it enacted by the General Assembly of Maryland, That the following additional section be added to Article 33 of the Code of Public General Laws of Maryland, title "Elections," sub-title "Primary Elections," to follow section 160G of said article as amended by Chapter 2 of the Acts of the General Assembly of Maryland at its January Session 1912, and to be known as section 160G-2, and to read as follows:

Section 160G-2. In the case of candadites for delegates to a county convention in Washington county, Maryland, for the purpose of nominating candidates for county offices, State Senate and members of the House of Delegates, in Said Washington county, it shall not be necessary that a person seeking to be a delegate to such county convention shall acknowledge before an officer duly authorized to take acknowledgements of his certificate of candidacy for delegate to such convention, prescribed by section 160A of this article, but it shall be sufficient if the signature of such candidate be attested by one or more duly registered voters of the election district in which such candidate resides.

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

Approved April 11-1912.

## TESTAMENTARY LAW.

### CHAPTER 91.

AN ACT to repeal and re-enact with amendments Sections 127 and 129 of Article 93 of the Code of Public General Laws of Maryland (1904), title, "Testamentary Law," sub-title "Distribution."

Section 1. Be it enacted by the General Assembly of Maryland, That Sections 127 and 129 of Article 93 of the Code of Public General Laws of Maryland (1904) title, "Testamentary Law," sub-title "Distribution," are hereby repealed and re-enacted with amendments so as to read as follows:

127. Every brother and sister of the intestate shall be entitled to an equal share, and a child or children of a deceased brother or sister of the intestate shall stand in the place of such brother or sister, and a grand child or grandchildren and every other descendant or other descendants of a deceased brother or sister of the intestate in existence at the death of the intestate shall stand in the place of his, her or their deceased ancestor.

129. After children, descendants, father, mother, brothers and sisters of the deceased, the child or children, grandchild or grandchildren of brothers and sisters of the deceased and their descendants, all collateral relations in equal degree shall take, and no representation amongst such collateral shall be allowed, and there shall be no distinction between the whole and half blood.

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

Approved April 4, 1912.

## REMOVAL OF CAUSES—COSTS.

### CHAPTER 510.

AN ACT to add an additional section to Article 75 of the Code of Public General Laws, title "Pleading, Practice and Process at Law," under the sub-title "Removal of Causes," to follow section 107, and to be known as section 107A.

Section 1. Be it enacted by the General Assembly of Maryland, That a new section be and the same is hereby added to Article 75 of the Code of Public General Laws, title "Pleading, Practice and Process at Law," under the sub-title "Removal of Causes," to follow section 107, to be known as section 107A, and to read as follows:

107A. The cost of transcript of record in all suits or actions at law, issues from the Orphans' Court, or from any Court sitting in Equity, shall be paid to the clerk making the same, by the party suggesting such removal before the said record is transmitted.

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

Approved April 8, 1912.

## IMPORTANT LEGISLATION.

The January, 1912, session of the Legislature of Maryland passed some very important legislation.

Much of this appears in these columns. Worthy of special general attention are the following laws, all of which are now in effect:

Landlord and Tenant, Chapter 534, on page one of this supplement; Condemnation of Property, Chapter 117, page four; Insurance of Employes, Chapter 837, page two; Exemption from Jury Duty, Chapter 737, page one; Sales and Notices, Chapter 451, page one; Inheritance, Line of Descent, Chapter 92, page one, and Bastardy, Chapter 163, page two.

Of importance to attorneys, and those charged with elections are Chapters 228, page three; Corrupt Practices, Chapter 134, page two; Primary Elections, Chapter 778, page one; Trustees in Chancery, Chapter 384, page two; Removal of Causes, Chapter 662, page three; Appeals and Errors, Chapter 511, page four; Elections, Chapter 146, page two, and Chapter 448, page three, Testamentary Law.

Twenty-six laws were ordered published in fifty-one papers of the State.