AMERICAN UNION.

SUPPLEMENT. DENTON, MD., THURSDAY, 1898.

[CHAPTER 302.]

AN ACT TO ADD CERTAIN NEW SECTIONS TO ARTICLE 23 OF THE CODE OF PUBLIC GENERAL LAWS, TITLE "CORPORATIONS," UNDER THE NEW SUB-TITLE, "SURETY AND FIDELITY COMPANIES," TO FOLLOW SECTION 244, TO BE DESIGNATED AS SECTIONS 244A, 244B AND 244C.

Section 1. Be it enacted by the General Assembly of Maryland, That three new sections be, and the same are, hereby added to article 23 of the Code of Public General Laws, title, "Corporations," under the new sub-title, "Surety and Fidelity Companies," to follow section 244, to be designated as sections 244A, 244B and 244C, and to read as follows:

244A.—Whenever any bond, undertaking, recognizance or other obligation is by law or the charter, ordinances, rules or regulations of any municipality, board, body, organization, court, judge or other public officer, required or permitted to be made, given, tendered or filed, with the surety or sureties, and whenever the performance of any act, duty or obligation, or the refraining from any act, is required or permitted to be guaranteed, such bond, undertaking, obligation, recognizance or guaranty may be executed by a surety company qualified as hereinafter provided; and such execution by said company of such bond, undertaking, obligation, recognizance or guaranty shall be in all respects a full and complete compliance with every requirement of every law, charter, ordinance, rule or regulation that such bond, undertaking, obligation, recognizance or guaranty shall be executed by one surety or by one or more sureties, or that such sureties shall be residents or householders or freeholders, or either or both, or possess any other qualification; and all courts, judges, heads of departments, boards, bodies, municipalities and public officers of every character shall accept and treat such bond, undertaking, obligation, recognizance or guaranty, when so executed by such company, as conforming to and fully and completely complying with every such requirement of every such law, charter, ordinance, rule or regulation.

244B.—Such company or companies to be so qualified as to act as such surety or guarantor, must comply with the requirements of every law of this State applicable to such company or companies doing business therein, must be authorized under the laws of the State where incorporated and under its charter, to become surety upon such bonds, undertakings, obligation, recognizance or guaranty; must have a fully paid-up and safely invested and unimpaired capital of at least $250,000; must have good available assets exceeding liabilities, which liabilities, for the purpose of this act, shall be taken to be its outstanding debts, and a premium reserve at the rate of fifty per centum of the current annual premiums on each outstanding bond, undertaking, recognizance and obligation of like character in force; must file with the State Tax Commissioner a certified copy of its certificate of incorporation, a written application to be authorized to do business under this act, and with such application, and in each year thereafter, a statement, verified under oath, made up to December 31st preceding, stating the amount of its paid-up cash capital, particularizing each item of investment, the amount of premiums upon existing bonds, undertakings, recognizances and obligations of like character in force upon which it is surety, the amount of liability for unearned portion thereof, estimated at the rate of fifty per centum of the current annual premium on each such bond, undertaking, recognizances and obligations in force, stating also the amount of its outstanding obligations of all kinds, and such further facts as may be by the laws of this State required of such company in transacting business therein, and if such company be organized under the laws of any other State than this State, it must have on deposit with a State officer of one of the States of the United States not less than $100,000 in good securities, deposited with and held by such officer for the benefit of the holders of its obligations; must also appoint an attorney in this State, upon whom process of law can be served, which appointment shall continue until revoked or another attorney substituted, and must file with the State Tax Commissioner evidence of such appointment, which shall state the residence and office of such attorney.

244C.—The State Tax Commissioner, upon due proof by any such company of its possessing the qualifications of this act specified, shall issue to such company a certificate setting forth that such company has qualified and is authorized for the ensuing year to do business under this act, which said certificate shall be evidence of such qualification of such company and of its authorization to become and be accepted as sole surety on all bonds, undertakings, recognizances, obligations required or permitted by law, or in the charter, ordinances, rules or regulations of any municipality, board, body, organization or public officer, and the solvency and credit of such company for all purposes, and its sufficiency as such surety.

Section 2. And be it further enacted, That all acts or parts of acts inconsistent with the provisions of this act be, and the same are, hereby repealed so far as thus inconsistent.

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

Approved April 9, 1898.

LLOYD LOWNDES, Governor.
JOHN WIRT RANDALL, President of the Senate.
LOUIS SCHAEFER, Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an act of the General Assembly of Maryland, passed at the January session, 1898.

MARTIN M. HIGGINS, Secretary of the Senate.
Z. HOUSEHOLDER, Chief Clerk of the House of Delegates.

[CHAPTER 277.]

AN ACT TO REPEAL SECTION 10 OF ARTICLE 11 OF THE CODE OF PUBLIC GENERAL LAWS OF MARYLAND, TITLE "BANKS," AND TO RE-ENACT THE SAME, WITH AMENDMENTS, AND TO ADD ADDITIONAL SECTIONS TO SAID ARTICLE 11, TO BE DESIGNATED AS SECTION 31, 32, 33, 34 AND 35, AND TO REPEAL ALL ACTS AND PARTS OF ACTS INCONSISTENT THEREWITH.

Section 1. Be it enacted by the General Assembly of Maryland, That section 10 of Article 11 of the Code of Public General Laws, title "Banks," be, and the same is hereby, repealed and re-enacted with amendments, and that new sections be added to said article 11, to be designated as sections 31, 32, 33, 34 and 35, so that said section 10 and sections 31, 32, 33, 34 and 35 shall read as follows:

10. Every banking association authorized by its charter to do a banking business in this State shall make to the Treasurer of the State of Maryland not less than five reports during each year, according to the form which may be prescribed by him, which reports shall be verified by the oath or affirmation of the president, cashier or treasurer of such association, and attested by the signatures of at least three of the directors thereof, such oath or affirmation to be made before any officer of this State authorized to take acknowledgment of deeds, and every report so made shall exhibit in detail and under appropriate heads, the resources and liabilities of such associations, at the close of business on any past day by him, the treasurer, specified, and which said reports respectively shall be transmitted to the treasurer of this State within five days after the receipt of his request or requisition therefor, and a summary of such report shall be published in some newspaper published in the city or county where such association in this State may be located, and if there be no newspaper published in such city or county, then such summary shall be published in a newspaper published in a county adjacent thereto, the publication of which said reports shall be at the expense of the respective associations in this State thus making the same; and such proof of publication shall be furnished as may be required by the treasurer. The treasurer shall also have power to call for special reports from any such association in this State whenever, in his judgment, the same are necessary in order to invest him with a full and complete knowledge of its condition.

31. It shall be the duty of the treasurer of this State, with the approval of the Governor of this State, (except State banks which may be members of the Baltimore Clearing Association, and as such required regularly to submit to examination by a national bank examiner,) at least once in each year, or oftener, if in his judgment it may be necessary, for the purpose of making a full and careful investigation of and inquiry into the condition and affairs of such banks, and for that purpose the treasurer of this State, or his duly appointed examiner, is hereby authorized and empowered to administer oaths or affirmations, and examine under oath or affirmation the owners and directors, and all officers and employes and agents of such bank, and the examiner making such examination shall reduce the result thereof to writing, giving a full, true and careful statement of the condition of said bank; but no person shall be so appointed an examiner for the purpose of investigating the condition of the affairs of any bank in this State who shall be an officer, agent or employe thereof.

32. That whenever the treasurer of this State shall become satisfied that any of the associations mentioned in this article shall have failed to comply with the provisions thereof, he, the treasurer, shall have the right by his certificate, with the approval of the Governor of this State, to declare the charter of such association forfeited, and said certificate shall be conclusive evidence of such forfeiture, and thereafter shall appoint, with the assent of the Governor of this State a receiver of all the assets of such association, and the receiver so appointed shall thereupon, by his petition, submit himself and his administration of said assets to the jurisdiction of any court of the county or city where such association may have its principal office, having chancery jurisdiction, with the view of converting said assets into cash for distribution, under the orders of such court, to the persons entitled thereto, or he may be brought into such court in due course. The receiver so appointed, before further proceeding upon the discharge of his duties, shall give bond in such penalty as may be prescribed by said court, and the proceedings thereafter had in said court shall conform to the practice of courts of this State having general chancery jurisdiction, where a receiver may be appointed by a decree thereof. If any receiver so appointed by the treasurer, with the assent of the Governor of this State, shall from any cause fail to file said petition, or to give the required bond within five days after the date of his appointment, the treasurer shall thereupon, with the approval of the Governor of this State, appoint some other person receiver in the place and stead of the person first appointed, and such person shall proceed to take charge of and administer the the assets of such association in the same manner as if he had been the receiver first appointed; and if, from any cause, any vacancy in the receivership shall occur after the filing of said petition and the giving of said bond, such vacancy shall be filled by the decree of the court wherein such petition shall have been filed.

33. That no association affected by the provisions of this article shall be subject to any visitorial powers other than such as are authorized by this article and its charter.

34. The persons appointed to be the examiners of the associations affected by this article shall receive as compensation for such examination the following sums of moneys, that is to say: 1. For examining any of the associations affected by this article having a capital stock of fifty thousand dollars or less, the sum of fifteen dollars.

2. For examining any of the associations affected by this article having a capital stock of over fifty thousand dollars and not more than one hundred thousand dollars, the sum of twenty-five dollars.

3. For examining any of the associations affected by this article having a capital stock of over one hundred thousand dollars and not more than two hundred thousand dollars, the sum of thirty dollars.

4. For examining any of the associations affected by this article having a capital stock of over two hundred thousand dollars and not more than three hundred thousand dollars, the sum of fifty dollars.

5. For examining any of the associations affected by this article, having a capital stock of over three hundred thousand dollars, and not more than four hundred thousand dollars, the sum of sixty dollars.

6. For examining any of the associations affected by this article, having a capital stock of over four hundred thousand dollars, and not more than six hundred thousand dollars, and the sum of seventy-five dollars.

7. For examining any of the associations affected by this article, having a capital stock of over six hundred thousand dollars, and less than one million dollars, the sum of one hundred dollars.

8. For examining any of the associations affected by this article, having a capital stock of one million dollars or over, the sum of one hundred and twenty-five dollars.

35. And be it further enacted, That the provisions of this act shall not apply to savings banks having no capital stock, building or homestead associations or national banks; or to corporations authorized by their charter to transact a trust, fidelity, surety or deposit business in this State for which provision is made by the act of 1892, chapter 109, as amended by the act of 1896, chapter 160, of the Acts of the General Assembly of Maryland.

Section 2. And be it further enacted, That all acts and parts of acts inconsistent with this act be, and the same are hereby, repealed.

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

Approved, April 9, 1898.

LLOYD LOWNDES, Governor.
JOHN WIRT RANDALL, President of the Senate.
LOUIS SCHAEFER, Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed at the January Session, 1898.

MARTIN M. HIGGINS, Secretary of the Senate.
Z. HOUSEHOLDER, Chief Clerk of the House of Delegates.

[CHAPTER 407.]

AN ACT TO ADD AN ADDITIONAL SECTION TO ARTICLE XXXVIII OF THE CODE OF PUBLIC GENERAL LAWS, ENTITLED "FINES AND FORFEITURES," TO FOLLOW SECTION 3 AND TO BE KNOWN AS SECTION 4.

Section 1. Be it enacted by the General Assembly of Maryland, That an additional section be added to Article XXXVIII of the Code of Public General Laws, to read as follows:

4. One-half of the fines imposed and recognizances forfeited to the circuit court for the several counties of the State shall be paid to the clerks of the respective courts to be expended under the direction of the judge or judges of said courts for the augmentation of the libraries of said courts.

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

Approved April 9, 1898.

LLOYD LOWNDES, Governor.
LOUIS SCHAEFER, Speaker of the House of Delegates.
JOHN WIRT RANDALL, President of the Senate.

We hereby certify that the aforegoing is a correct copy of an act of the General Assembly of Maryland, passed at the January session, 1898.

Z. HOUSEHOLDER, Chief Clerk of the House of Delegates.
MARTIN M. HIGGINS, Secretary of the Senate.

[CHAPTER 285.]

AN ACT TO AMEND ARTICLE XXVII OF THE CODE OF PUBLIC GENERAL LAWS, TITLE "CRIMES AND PUNISHMENTS," SUB-TITLE "GAMING," BY REPEALING SECTION 124A THEREOF, AS ENACTED BY THE ACT OF 1894, CHAPTER 237, AND RE-ENACTING THE SAME, WITH AMENDMENTS AND BY ADDING FOUR NEW SECTIONS TO SAID ARTICLE, TO FOLLOW IMMEDIATELY AFTER SECTION 124A, TO BE DESIGNATED SECTIONS 124B, 124C, 124D, 124E.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 124A of Article XXVII of the Code of Public General Laws, title "Crimes and Punishments," sub-title "Gaming," as said section was enacted by Chapter 232 of the Acts of 1894, be, and the same is hereby, repealed and re-enacted with amendments, and that four new sections, to follow immediately after Section 124A, to be designated Sections 124B, 124C, 124D and 124E, be, and the same are hereby, added to said article, and to read as to said sections, respectively, as follows:

124A. It shall not be lawful for any person or persons, or association of persons, or for any corporation, within the State of Maryland, to bet, wage or gamble in any manner, or by any means, or to make or sell a book or pool on the result of any trotting, pacing or running race of horses or other beasts, or race, contest or contingency of any kind, or to establish, keep, rent, use or occupy, or knowingly suffer to be used, kept or rented or occupied, any house, building, vessel, grounds or place, or portion of any house, building, vessel, grounds or place, on land or water, within the State of Maryland, for the purpose of betting, wagering or gambling in any manner or by any means, or making, selling or buying books or pools therein or thereon upon the result of any race or contest or contingency, or by any means or devices whatsoever to receive, become the depository of, record or register, or forward or purpose or agree or pretend to forward, any money, bet, wager, thing or consideration of value, to be bet, gambled or wagered in any manner, or by any means or device whatsoever, upon the result of any race, contest or contingency, and any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not less than two hundred dollars nor more than one thousand dollars, one-half of said fine to go to the informer, and shall be subject to imprisonment in jail for not less than six months nor more than one year, or both fined and imprisoned, in the discretion of the court.

124B. Nothing in the next preceding section shall render it unlawful in any county of this State, other than Baltimore city, for any person or persons to make a pool or a book, or to bet within the ground of any agricultural association, race course or driving park, upon the result of any trotting, pacing or running race of horses which shall be held within the same grounds, race course or driving park upon which said person shall so make a pool or book, or shall so bet upon the same day on which said race shall be held; provided, the grounds of such agricultural association race course or driving park be licensed in the manner set forth in the next succeeding section by the Circuit Court of the county within which such grounds or track may be located.

124C. Every person applying for a license as required by the next preceding section shall file with the Circuit Court of the county within which the grounds of such agricultural association, race course or driving park may be located, his, her or their petition for such a license, and before granting the said license the said court shall cause notification of said petition to be published, at the cost of the applicant, at least once a week for three successive weeks in a newspaper published in the county in which the grounds aforesaid may be located.

124D. The said petition shall contain the name or names of the applicant or applicants; second, the name of the grounds upon which the license is desired; third, a definite description of the place where such grounds are located; fourth, a day or days for which such license is desired, and there shall be annexed to this petition a certificate signed by at least twenty-five respectable qualified voters of the election district of the county in which such grounds may be located, praying the court to grant the said license.

124E. In such license the name of the grounds, track or park shall be stated, and the number of days in which, and the month thereof, during which betting, pool selling or bookmaking shall be permitted, shall be specified, and the said court shall not grant, in the aggregate, licenses for more than thirty days in any year, nor more than fifteen days in any one month in any county of this State, nor for any days whatsoever during the months of December, January, February and March; provided, that the Circuit Court for Baltimore County may grant licenses for not exceeding forty days in any one year. For every license so granted there shall be paid the clerk of the court granting such license the sum of five dollars for every day for which such license shall be granted. The said sum to go to the board of county school commissioners, in which such court may be located, for the use of the public schools thereof; provided, however, that the provisions of this act shall not apply to Cecil county; provided, that this act shall not apply to Washington county, nor shall the provisions of this act apply to Anne Arundel county.

Sec. 2. And be it enacted, That this act shall take effect from the date of its passage, but nothing herein contained shall apply to or affect any civil or criminal proceedings at the date aforesaid.

Approved, April 7, 1898.

LLOYD LOWNDES, Governor.
JOHN WIRT RANDALL, President of the Senate.
LOUIS SHAEFER, Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed at the January Session, 1898.

MARTIN M. HIGGINS, Secretary of the Senate.
Z. HOUSEHOLDER, Chief Clerk of the House of Delegates.

[CHAPTER 270.]

AN ACT TO AMEND ARTICLE 23 OF THE CODE OF PUBLIC GENERAL LAWS, TITLE, "CORPORATIONS," BY ADDING THERETO ADDITIONAL SECTIONS TO BE DESIGNATED AS SECTIONS 109A, 109B, 109C, 109D AND 109E, UNDER A NEW SUB-TITLE, "FOREIGN CORPORATIONS," AND PROVIDING FOR THE RECORD OF THE CHARTERS OF SUCH CORPORATIONS THE CHARTERS OF SUCH CORPORATIONS AND THE APPOINTMENT OF AGENTS TO RESIDE IN THIS STATE.

Section 1. Be it enacted by the General Assembly of Maryland, That article 23 of the Code of Public General Laws of Maryland, title, "Corporations," be, and the same is hereby, amended by adding thereto additional sections, to be designated as sections 109A, 109B, 109C, 109D and 109E, under the new sub-title, "Foreign Corporations."

FOREIGN CORPORATIONS.

Section 109A. Every corporation incorporated by or under the laws of the United States, or of any State or Territory of the United States, other than the State of Maryland, or of any foreign country, except telephone, banking, insurance and railroad companies, electric light or construction companies and oil or pipe line companies now doing business in the State of Maryland, or which shall desire to commence business in this State, shall, before transacting business in this State, either through an individual, agent or agents, or through the agency of any corporation organized under the laws of this State, or before opening or continuing any office for the transaction of any business in this State, first file in the office of the Secretary of State of Maryland, accompanied by a deposit fee of twenty-five dollars, a duly certified copy of the charter, certificate or act of incorporation under which it claims the power to transact business as a corporation, together with a sworn statement from the president or other chief executive officer of such corporation, under its official seal, setting forth the amount of its capital stock authorized by law and the amount actually issued, the amount of its assets and liabilities, the character of the business to be transacted in this State, designating the place or places of its principal office or offices and the name or names of the agent or agents to reside in this State, with the place or places of their residence, upon whom legal process issued out of any court of this State may at any time be served in any action, at the suit of this State of Maryland or of any county or incorporated city or town of this State, or of any citizen or citizens of this State, or of any corporation organized under the laws of this State, which said charter, certificate or act of incorporation and sworn statement, as aforesaid, when received by the Secretary of State, shall be recorded at length by him in a well-bound book to be kept for that purpose, and a copy or copies thereof, under the hand and seal of the Secretary of State, shall be received in evidence in any suit at law or in equity in any of the courts of this State by or against such foreign corporations, for the purpose of proving the existence or acts of incorporation of such foreign corporation as fully as its charter only certified would do and also all other facts set forth therein.

Section 109B. At the time of receiving said certified copy of said charter, certificate or act of incorporation, together with the sworn statement, duly executed as required herein, together with the deposit fee of twenty-five dollars, the Secretary of State shall issue to such corporation his certificate, under his hand and the seal of his office, setting forth that said corporation has complied with the requirements of this act, that its business is such as may be lawfully carried on by a corporation incorporated under the general laws of this State, and that it is entitled to continue or commence business in this State, as the case may be.

Section 109C. Any person or any officer of such corporation, who shall presume to act as agent or employe of any such foreign corporation, or to open or to continue an office for the transaction of the business of any such foreign corporation before the provisions of this act have been fully complied with, and before said corporation shall have procured the aforesaid certificate from the Secretary of State, shall forfeit and pay to the State of Maryland the sum of one hundred dollars for each and every day he may act as such agent or employe, or may occupy such office for the transaction of such business, and it shall be the duty of the State's attorney for the city or county in which such business is transacted, or is proposed to be transacted, to prosecute for and recover such penalty; provided that agents or officers of foreign corporations doing business in this State at the date of the passage of this act shall not be held liable to the penalties herein prescribed until on and after the first day of July, 1898.

Section 109D. No such foreign corporation shall be permitted to maintain any action, either at law, or in equity in any of the courts of this State until the provisions of this act shall have been complied with, provided that in the case of such corporations doing business in this State at the date of the passage of this act, this section shall not apply until on and after the first day of July, 1898.

Section 109E. Upon the application of any person interested it shall be the duty of the Secretary of State to furnish copies of such charters, certificates or acts of incorporation and sworn statements for which he shall be entitled to demand and receive from the person so applying the usual fees for transcribing the same, and he shall account quarterly to the Comptroller for the deposit fees received by him under the provisions of this act, less the cost and expenses of recording the same.

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

Approved April 9, 1898.

LLOYD LOWNDES, Governor.
JOHN WIRT RANDALL, President of the Senate.
LOUIS SCHAEFER, Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed at the January session, 1898.

MARTIN M. HIGGINS, Secretary of the Senate.
Z. HOUSEHOLDER, Chief Clerk of the House of Delegates.

[CHAPTER 287.]

AN ACT TO REPEAL AND RE-ENACT WITH AMENDMENTS SECTION 84A AND 84B OF ARTICLE 27 OF THE CODE OF PUBLIC GENERAL LAWS OF MARYLAND, TITLE, "CRIME AND PUNISHMENTS," SUB-TITLE, "FALSE PRETENSES," RELATING TO FRAUDS AND FALSE PRETENSES UPON HOTEL AND LIVERY STABLE KEEPERS, AS AMENDED AND RE-ENACTED BY THE ACT OF 1894, CHAPTER 418.

Section 1. Be it enacted by the General Assembly of Maryland, That sections 84A and 84B of article 27 of the Code of Public General Laws of Maryland, title "Crimes and Punishments," sub-title "False Pretenses," relating to frauds and false pretenses upon hotel and livery-stable keepers, as amended and re-enacted by the act of 1894, chapter 418, be, and the same are hereby, repealed and re-enacted with amendments so as to read as follows:

84A. Every person who shall by any false or fraudulent representations or by any false show of baggage, goods or chattels, which are calculated to deceive any hotel proprietor, keeper or manager, obtain lodging or credit or the use of any horse or vehicle or food or stabling for a horse or horses in any hotel in this State or from the keeper of any livery stable, and shall subsequently refuse, decline or fail to pay for his credit, board or lodging or use of horse or food or stabling for horse furnished him, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than one hundred dollars, or imprisonment in jail for a term of not less than one month nor more than six months, or by both, such fine and imprisonment at the discretion of the court.

84B. Every person who shall at any hotel, inn, boarding-house or livery stable receive or cause to be furnished any food or accommodation for man or beast, and shall fraudulently fail to pay for the same; and every person who shall obtain credit at any hotel, inn or boarding house by the use of any false pretense or device or by fraudulently depositing at such hotel, inn or boarding house any baggage or property of value less than the amount of such credit or of the bill by such person incurred, and every person who after obtaining credit or accommodation at any hotel, inn or boarding-house shall abscond or fraudulently depart or remove his baggage therefrom without discharging the debt as aforesaid incurred, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than one hundred dollars, or by imprisonment in jail for a term of not less than one month, nor more than six months or by both such fine and imprisonment, at the discretion of the court.

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

Approved, April 7, 1898.

LLOYD LOWNDES, Governor.
JOHN WIRT RANDALL, President of the Senate.
LOUIS SCHAEFER, Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed at the January session, 1898.

MARTIN M. HIGGINS, Secretary of the Senate.
Z. HOUSEHOULDER, Chief Clerk of the House of Delegates.

[CHAPTER 306.]

AN ACT TO ADD CERTAIN NEW SECTIONS TO ARTICLE 58 OF THE CODE OF PUBLIC GENERAL LAWS, TITLE "LIVE STOCK," UNDER THE NEW SUB-TITLE "DAIRIES," TO FOLLOW SECTION 18 IN PROPER NUMERICAL ORDER.

Section 1. Be it enacted by the General Assembly of Maryland, That certain new sections be, and the same are hereby, added to article 58 of the Code of Public General Laws, title "Live Stock," under the new sub-title "Dairies," to follow section 18 of said article in proper numerical order and to read as follows:

19. It shall be the duty of all dairymen or herdsmen or private individuals supplying milk to cities, towns or villages to register their herds or cattle with the Live Stock Sanitary Board, in violation of which the parties offending shall be fined not less than one dollar nor more than twenty for each offense.

20. It shall be the duty of the Live Stock Sanitary Board to have inspected at least annually, without notice to the owner or those in charge of any dairy or the parties supplying milk as named in section 19 of this article, the premises wherein cows are kept, and if such premises are found in an unsanitary condition the said board may prohibit the sale and shipment of milk from such premises until such time as such premises shall conform to the following sanitary rules:

Rule 1. No building or shed shall be used for stabling cows for dairy purposes which is not well lighted and well ventilated, and which is not provided with sufficient feed trough or box, and suitable floor, laid with proper grades and channels to immediately carry off all drainage, and if a public sewer abuts the premises upon which such building is situated they shall be connected therewith whenever the inspector considers such sewer connection necessary.

Rule 2. No water-closet, privy, cesspool, urinal shall be located within any building or shed used for stabling cows for dairy purposes or for the storage of milk or cream; nor shall any fowl, hog, sheep or goat be kept in any room used for such purposes.

Rule 3. It shall be the duty of each person using any premises for keeping cows for dairy purposes to keep such premises thoroughly clean and in good repairs and well painted or whitewashed at all times.

Rule 4. It shall be the duty of each person using any premises for keeping cows for dairy purposes to cause the building in which cows are kept to be thoroughly cleaned and to remove all dung from the premises, so as to prevent its accumulation in great quantities.

Rule 5. Any person using any premises for keeping cows for dairy purposes shall provide and use a sufficient number of receptacles, made of non-absorbent materials, for the reception, storage and delivery of milk, and shall keep them at all times to be cleaned and purified, and shall cause all milk to be removed without delay from the rooms in which cows are kept.

Rule 6. Every person keeping cows for the production of milk for sale shall cause every such cow to be cleaned every day and to be properly fed and watered with abundance of pure, clean water.

Rule 7. Any inclosure in which cows are kept shall be graded and drained, so as to keep the surface reasonably dry; no garbage fecal matter or similar matter shall be placed or allowed to remain in such inclosure unless sufficient straw or similar good absorbent material be used to keep the inclosure clean at all times, and no open drains shall be allowed to run through it. And any person who shall ship or sell milk contrary to the aforesaid order of said board shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than one dollar nor more than twenty dollars for each day during which shipments shall be made after a notice of such order.

21. The Live Stock Sanitary Board shall, at the request of the owner or owners of dairy herds, furnish them with a certificate of health whenever the provisions of this article are complied with and there is no visible sign of disease amongst such herds. Such certificates shall be revocable in the discretion of the board.

22. For the purposes of paying the expenses required in carrying out the provisions of this sub-title the sum of three thousand dollars is hereby appropriated annually, or so much thereof as is necessary, out of the moneys in the treasury not otherwise appropriated, and the comptroller is authorized and directed to draw his warrant on the treasurer for such sums as the said board shall produce vouchers for, not exceeding the amount appropriated, payable monthly.

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

Approved April 9, 1898.

LLOYD LOWNDES, Governor.
JOHN WIRT RANDALL, President of the Senate.
LOUIS SCHAEFER, Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct Copy of an Act of the General Assembly of Maryland, passed at the January session, 1898.

MARTIN M. HIGGINS, Secretary of the Senate.
Z. HOUSEHOLDER, Chief Clerk of the House of Delegates.

[CHAPTER 275.]

AN ACT TO REPEAL SECTION 146C AND 146D OF ARTICLE 81 OF THE CODE OF PUBLIC GENERAL LAWS, TITLE "REVENUE AND TAXES," AND TO RE-ENACT THE SAME WITH AMENDMENTS; AND ALSO TO REPEAL SECTION 192 OF SAID ARTICLE SO FAR AS THE SAME RELATES TO THE SEVERAL COUNTIES IN THE STATE OUTSIDE OF BALTIMORE CITY, AND TO ADD A NEW SECTION TO SAID ARTICLE APPLICABLE TO THE SECTIONS HAVING BEEN ADDED TO SAID ARTICLE BY THE ACT OF 1896, CHAPTER 120, SAID NEW SECTION TO BE KNOWN AS SECTION 192A AND TO FOLLOW SECTION 192.

Section 1. Be it enacted by the General Assembly of Maryland, That section 146C and 146D of article 81 of the Code of Public General Laws, title "Revenue and Taxes," be, and the same are hereby, repealed and re-enacted with amendments, and that section 192 of said article be, and the same is hereby, repealed, so far as it relates to the several counties outside of Baltimore city, and that a new section be added to said article, to be known as section 192A, and to follow section 192, said sections hereby repealed and re-enacted having been added to said article by the Act of 1896, chapter 120.

146C. All covenants contained in any mortgage executed after the 30th day of March, in the year 1896, for the payment by the mortgagor of any or all taxes, assessments, public dues or charges levied or to be levied by law on the mortgage debt created or secured by such mortgage, or on the interest covenanted to be paid, are hereby declared null and void; but where any mortgage executed prior to said date contains any such covenant the said mortgage shall be exempt from the provisions of section 146A of this article.

146D. Any person lending money on mortgage upon property in this State, their agent or attorney, in addition to the usual oath or affirmation as to the bona fides of the consideration, shall take an oath or affirmation, to be indorsed upon the mortgage and to follow immediately after the first-mentioned oath or affirmation, to the effect that he has not required the mortgagor, his agent or attorney, or any person for the said mortgagor, to pay the tax levied upon the interest covenanted to be paid in advance, nor will he require the same to be paid by the mortgagor or any person for him during the existence of said mortgage; and upon the assignment of any mortgage in this State, which mortgage was executed after the 30th day of March, in the year 1896, except for the purpose of foreclosure, the party to whom it is assigned, his agent or attorney, shall take the oath or affirmation in this section prescribed, to be recorded with said assignment, and no such mortgage shall be valid except as between the parties thereto, unless the said oath or affirmation is indorsed thereon; provided, that for the assignment of mortgages executed prior to said last-mentioned date and containing any covenant or covenants of the character prescribed in section 146C of this article no oath or affirmation shall be required.

192A. The several boards of County Commissioners shall, in addition to the powers now vested in them by law, have the power to value and assess all personal property, and to revise all valuations and assessment of real property in their respective counties, and to lower or increase said assessments of real or personal property and take steps for the discovery of all unassessed property of every kind. Whenever they shall purpose to alter or change any assessment or make any new assessment they shall, before said assessment is made, give five days' notice thereof in writing to the owner of the property to be assessed, and if such owner be not found within the limits of their county, then to the person in possession of the property to be assessed or in whose custody the same may be, or if it be land, and no one be in the apparent occupancy thereof, then by a notice posted on said land. Said respective Boards of County Commissioners shall have full power to appoint such agents as may in their discretion be necessary to enable them to carry into effect their powers under this article, but the listing of personal property provided for in sections 173 and 174 of this article, and required by the sections of this article repealed by this act to be made in the year eighteen hundred and ninety-eight, shall not take place until the year nineteen hundred and two, when the same shall be taken and made under the orders and direction of the said respective Boards of County Commissioners, as well as the additional powers conferred by this article, which are hereby intended to be made and are made full and ample for that purpose, and said listing shall also be made every six years thereafter. All the penalties and requirements prescribed in this article, both as to owners of property and assessors or clerks appointed by the respective Boards of County Commissioners, and the said Boards themselves, whether sitting to hear appeals or otherwise, shall be in force and apply to all assessments and valuations made by said assessors or County Commissioners at any time under this article, and particularly to the listing of personal property in the year nineteen hundred and two, and every six years thereafter, so far as the same may be applicable and practicable. There shall always be an appeal to the Board of County Commissioners from the acts of all assessors or agents appointed by them hereunder, or others authorized to act as assessors under the laws of this State.

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

Approved April 9, 1898.

LLOYD LOWNDES, Governor.
JOHN WIRT RANDALL, President of the Senzte.
LOUIS SCHAEFER, Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed at the January session, 1898.

MARTIN M. HIGGINS, Secretary of the Senate.
Z. HOUSEHOLDER, Chief Clerk of the House of Delegates.

[CHAPTER 286.]

AN ACT TO ADD A NEW SECTION TO ARTICLE 81 OF THE CODE OF PUBLIC GENERAL LAWS OF MARYLAND, TITLE, "REVENUE AND TAXES," TO BE DESIGNATED AS SECTION 203, TO FOLLOW SECTION 202 OF SAID ARTICLE AND TO REPEAL ALL ACTS OR PARTS OF ACTS, LAWS OR PARTS OF LAWS, IN CONFLICT WITH THE PROVISIONS OF THIS ACT, SO FAR AS THE SAME MAY BE IN CONFLICT.

WHEREAS, THE STATE BANKS INCORPORATED AND FORMED UNDER THE LAWS OF THIS STATE ARE SO INCORPORATED AND FORMED FOR THE PURPOSE OF ENGAGING IN AND PROSECUTING THE SAME KIND AND MANNER OF BUSINESS AS IS ENGAGED IN AND CONDUCTED BY NATIONAL BANKS FORMED UNDER AND SUBJECT TO THE PROVISIONS OF THE NATIONAL BANK ACT OF THE UNITED STATES; AND, WHEREAS IT IS MANIFESTLY INEQUITABLE THAT ANY OTHER OR GREATER IMPOSITION OF TAXES SHOULD BE BY THE LAWS OF THIS STATE LEVIED OR ASSESSED UPON THE SHARES OF STOCK OF SAID STATE BANKS, OR THE HOLDERS THEREOF, THAN IS SO LEVIED OR ASSESSED UPON THE SHARES OF STOCK OF SAID NATIONAL BANKS, OR THE HOLDERS THEREOF, HAVING DUE REGARD TO THE VALUE OF SAID SHARES OF STOCK, NOW, THEREFORE:

Section 1. Be it enacted by the General Assembly of Maryland, That a new section be, and the same is hereby, added to article 81 of the Code of Public General Laws, title, "Revenue and Taxes," to follow section 202, and to be designated as section 203, and to read as follows:

203. All shares of stock in any bank (other than a national bank) incorporated by or located in or doing business in this State, shall be valued and assessed for the purposes of State, county and municipal taxation to the owners thereof in the county or city in this State in which said owners may, respectively, reside, in the same manner and to all intents and purposes as if the said shares of stock were shares of stock in a national bank located in this State, to the end that no time shall the shares of stock in any bank incorporated by or located in or doing business in this State (other than a national bank) or the owner or owners thereof be liable for or subject to any other or greater taxation than the same or the owner or owners thereof would be if the said shares of stock were shares of stock in a national bank located in this State.

Section 2. And be it further enacted, That all acts or parts of acts, laws or parts of laws, inconsistent herewith, to the extent of such inconsistency, be, and the same are hereby, repealed.

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

Approved April 9, 1898.

LLOYD LOWNDES, Governor.
JOHN WIRT RANDALL, President of the Senate.
LOUIS SCHAEFER, Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an act of the General Assembly of Maryland, passed at the January session, 1898.

MARTIN M. HIGGINS, Secretary of the Senate.
Z. HOUSEHOLDER, Chief Clerk of the House of Delegates.

CHAPTER 207.

AN ACT TO PROHIBIT CERTAIN COMBINATIONS IN TRADE AND THE MEANS USED TO BRING THEM ABOUT, AND FOR THAT PURPOSE TO ADD CERTAIN NEW SECTIONS TO ARTICLE 27 OF THE CODE OF PUBLIC GENERAL LAWS OF THE STATE OF MARYLAND, TITLE "CRIMES AND PUNISHMENT," UNDER THE NEW SUB-TITLE "TRADE," TO FOLLOW SECTION 263, AND TO BE KNOWN AS SECTIONS 263A, 263B AND 263C.

Whereas, By the use of cunning devices, now commonly called "trading stamps," large combinations in trade have been brought about in this State, and many traders have been induced to enter into such combinations by threats and fear of the consequences which might result to their business should they fail to comply with the demands of those managing said combinations, and, whereas, certain exclusive privileges have been offered, held out and agreed to be given to those who entered said combinations as against their rivals in business, to the great disadvantage and damage of those traders who have refused to be coerced by said threats and the granting of the privileges aforesaid, and, whereas, public policy requires the prohibition of all such combinations, howsoever the same may be brought about, and the adoption of such laws as will promote healthy competition in trade, therefore:

Section 1. Be it enacted by the General Assembly of Maryland, That certain new sections be added to article 27 of the Code of Public General Laws of the State of Maryland, title "Crimes and Punishments," under the new sub-title "Trade," to follow section 263, and to be known as sections 263A, 263B and 263C.

263A. No person or association of persons shall, either directly or indirectly, by agent or otherwise, use or hold for use in any way, or sell, any stamps, commonly called a trading stamp, or any ticket or check, or any written or printed promise or assurance, express or implied, or any other scheme or device for the sale, barter or trade of any goods, wares or merchandise, holding out as an inducement for any such sale, barter or trade the giving or issuing of any such stamp, ticket, check, promise, assurance, scheme or device, which stamp, ticket, check, promise, assurance, scheme or device is to be, or may be, presented to or redeemed by some person or association of persons other than those making the sale, barter or trade aforesaid, the holder of said stamp, ticket, check, promise, assurance, scheme or device for presentment or redemption getting or receiving in exchange therefor any gift, prize or gratuity, or any thing uncertain, undetermined or unknown to the purchaser of said goods, wares or merchandise at the time of the purchase thereof.

263B. No person or association of persons shall, either directly or indirectly, by agent or otherwise, use or hold for use, or sell, any stamp, commonly called a trading stamp, or any ticket, check, promise or assurance, express or implied, or any other scheme or device of the kind or character described in the preceding section of this article, and thereby prohibiting to be used or held for use, or to be sold, when the same, instead of or in addition to the manner of redemption therein described, is to be, or may be, presented to or redeemed by the person or association of persons selling, bartering or trading the goods, wares or merchandise, as in said section set forth, at any other place than that where said sale, barter or trade was made, or in any other manner than by something certain and known to the purchaser at the time of said sale, barter or purchase; provided, however, that nothing contained in this or the preceding section is intended to prevent any manufacturer from offering any gift or present to any purchaser of his products.

263C. Any person or association of persons violating any of the provisions of the two preceding sections of this Article, or aiding, abetting or assisting in said violation, shall be deemed guilty of a misdemeanor, and upon conviction thereof before any Justice of the Peace of this State or court of competent jurisdiction therein shall be fined not less than fifty dollars nor more than one hundred dollars for each offense, and for a second or repeated violation of said sections may, in addition to said fines, be imprisoned in the House of Correction, or in the city or county jail, as the case may be, for not less than one month nor more than six months.

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

Approved April 7, 1898.

LLOYD LOWNDES, Governor.
JOHN WIRT RANDALL, President of the Senate.
LOUIS SCHAEFER, Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed at the January sesston, 1898.

MARTIN M. HIGGINS, Secretary of the Senate.
Z. HOUSEHOLDER, Chief Clerk of the House of Delegates.

[CHAPTER 313.]

AN ACT TO REPEAL AND RE-ENACT, WITH AMENDMENTS, SECTIONS 146A, 146B OF ARTICLE 81 OF THE CODE OF PUBLIC GENERAL LAWS, TITLE "REVENUE AND TAXES," AS PASSED AT THE JANUARY SESSION OF 1896, AND TO ADD A NEW SECTION TO SAID ARTICLE TO FOLLOW SECTION 146E, AND TO BE KNOWN AS SECTION 146E-1.

Section 1. Be it enacted by the General Assembly of Maryland, That sections 146A, 146B of article 81 of the Code of Public General Laws, title "Revenue and Taxes," as passed at the January session of 1896, be, and the same are, hereby repealed and re-enacted, with amendments, and that a new section be, and the same is, hereby added to said article, to follow section 146E, and to be known as section 146E-1, said sections to read as follows:

146A. All mortgagees or assignees holding mortgages of record in this State shall annually pay a tax of eight per centum upon the gross amount of interest covenanted to be paid each year to said mortgagee or his assigns by the mortgagor, to be collected by the proper authorities as other taxes for county purposes in the several counties and as municipal taxes are collected in Baltimore city and for State taxes as hereinafter mentioned, said taxes when so collected shall be applied as follows: One-fourth of the amount so received in each county of the State, and in Baltimore city shall, on or before the thirty-first day of December in each and every year, to be paid to the Comptroller of the State Treasury by the several county collectors or treasurers, and the collector of taxes in Baltimore city, to be covered into the State Treasury, the remaining three-fourths of the amount so received shall, in each county of this State, be by said collectors of taxes paid to the order of the County Commissioners of the several counties, to be by said commissioners applied to county purposes; and in Baltimore city shall be paid to the order of the Mayor and City Council, to be applied as may be deemed proper, and the tax hereby levied, shall, in each year, be due and payable in the county or Baltimore city, where the greater portion of the mortgaged property is located, and when such mortgage is recorded; provided, that if any mortgage is recorded in two or more counties or in Baltimore city and in any county or counties of the State, the tax hereby levied shall each year be paid in the county or Baltimore city where the greater portion of the property covered by the mortgage is located.

146B. For the purpose of collecting said tax the year shall begin on the first day of September, and end on the thirty-first day of August, in each succeeding year; and whenever any mortgage has been recorded only part of a year, the tax shall be paid only for that part of the year for which it has been of record; and all mortgagees or assignees holding mortgages of record in this State that shall pay their State taxes thereon on or before the first day of October of the year in which said taxes were due and demandable, shall be entitled to a deduction of five per centum on the amount of said taxes, all that shall pay the same on or before the first day of November of the said year shall be entitled to a deduction of four per centum, and all that shall pay the same on or before the first day of December of the said year shall be entitled to a deduction of three per centum; and at the time of receiving said taxes, the proper officers shall make the deduction aforesaid and note the same upon the receipts given to the mortgagees or assignees holding mortgages of record so paying, and all taxes remaining unpaid on the first day of January of the year following shall be chargeable with interest thereon from that date until paid; and every collector shall on all sums paid by him to the State Treasurer on or before the fifteenth day of October of the year in which said taxes were due and demandable, be allowed a deduction of five per centum; on all sums paid by him on or before the fifteenth day of November of said year a deduction of four per centum, and on all sums paid by him on or before the fifteenth day of December of the said year a deduction of three per centum, which deduction shall in each case be noted by the Treasurer upon the receipt given to said collector, which deduction shall be made from the gross amount of the State taxes placed for collection in the hands of said collector, and shall not be in addition to those made in favor of the taxpayers.

146E-1.—The Clerk to the Appeal Tax Court of Baltimore City and the Clerk to the County Commissioners of each county in this State shall annually transmit to the Comptroller of the Treasury, within thirty days after the close of each collection year, to wit, on or before the thirtieth day of September of each and every year, a return of the total amount of such tax belonging to the State, viz.: One-fourth of eight per centum upon the gross amount of interest covenanted to be paid upon said mortgages in each county and in the city of Baltimore, showing the amount thereof, and the amount placed in the hands of each collector of such county or city; and for neglecting or refusing to perform this duty, the clerk or clerks so neglecting or refusing shall be liable to prosecution, and on conviction thereof shall be fined five-hundred dollars for each and every offense.

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

Approved April 9, 1898.

LLOYD LOWNDES, Governor.
JOHN WIRT RANDALL, President of the Senate.
LOUIS SCHAEFER, Speaker of the House of Delegates.

We hereby certify that the foregoing is a correct copy of an Act of the General Assembly of Maryland, passed at the January session, 1898.

MARTIN M. HIGGINS, Secretary of the Senate.
Z. HOUSEHOLDER, Chief Clerk of the House of Delegates.

[CHAPTER 199.]

AN ACT TO REPEAL SECTION 246 OF ARTICLE 23 OF THE CODE OF PUBLIC GENERAL LAWS OF MARYLAND, TITLE "CORPORATIONS," SUB-TITLE "WATER COMPANIES," AND TO RE-ENACT THE SAME WITH AMENDMENTS.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 246 of Article 23 of the Code of Public General Laws of Maryland, title "Corporations," sub-title "Water Companies," be, and the same is hereby, repealed and re-enacted so as to read as follows:

246. Any corporation which may be formed under the provisions of this article for the purpose of supplying water, shall have power to acquire, possess and use all such land, water rights and other property, and shall have all such power as may be necessary for the purposes of which said corporation was formed. And shall also have power to lay pipes and construct all such other works as shall be necessary or suitable to carry out the purposes of said corporation; provided the assent of the municipal authorities of any incorporated town or city in which the operations of said corporation may be carried on, shall be first had and obtained, or if the operations of any such company shall be carried on in any county outside of an incorporated town or city. The assent of the county commissioners of said county shall be first had and obtained; and all such works and the exercise of the powers hereby granted shall at all times be subject to such reasonable regulations as said municipal authorities or said county commissioners, as the case may be, may from time to time prescribe, but nothing in this section shall authorize the incorporation of water companies in the city of Baltimore.

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

Approved, April 7, 1898.

LLOYD LOWNDES, Governor.
JOHN WIRT RANDALL, President of the Senate.
LOUIS SCHAEFER, Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed at the January Session, 1898.

MARTIN M. HIGGINS, Secretary of the Senate.
Z. HOUSEHOLDER, Chief Clerk of the House of Delegates.

CHAPTER 520.

AN ACT REQUIRING THE STATE BOARD OF EDUCATION AND THE BOARD OF PUBLIC SCHOOL COMMISSIONERS OF BALTIMORE CITY TO FURNISH THE PUBLIC SCHOOLS OF THIS STATE WITH A TEXT BOOK UPON CIVIL GOVERNMENT, IN ADDITION TO THE TEXT BOOKS NOW FURNISHED, AND TO HAVE THE SAME TAUGHT THEREIN.

Section 1. Be it enacted by the General Assembly of Maryland, That the State Board of Education and the Board of Public School Commissioners of Baltimore City be and they are hereby required to furnish the public schools of this State with a text book upon civil government, in addition to the text books now furnished them, and shall be included in the branches of study now taught in the public schools, and shall be taught to and be studied by all pupils whose capacity will admit of it, in all departments of the public schools of this State, and in all educational institutions supported wholly or in part by money from the State.

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

Approved, April 9, 1898.

LLOYD LOWNDES, Governor.
LOUIS SCHAEFFER, Speaker of the House of Delegates.
JOHN WIRT RANDALL, President of the Senate.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed at the January Session, 1898.

Z. HOUSEHOLDER, Chief Clerk of the House of Delegates.
MARTIN M. HIGGINS, Secretary of the Senate.

[CHAPTER 312.]

AN ACT TO REPEAL SECTIONS 5, 6, 7 AND 8 OF ARTICLE 43, OF THE CODE OF PUBLIC GENERAL LAWS, TITLE "HEALTH," SUB-TITLE "STATE BOARD OF HEALTH," AND TO RE-ENACT THE SAME, WITH AMENDMENTS, AND TO ADD THERETO CERTAIN NEW SECTIONS, TO BE DESIGNATED SECTIONS 6A, 6B, 6C, 6D, 6E, 6F, 6G, 6H, 6J, 6K, 6L, 6M, 6N.

Section 1. Be it enacted by the General Assembly of Maryland, That sections 5, 6, 7 and 8 of Article 43, of the Code of Public General Laws title "Health," sub-title "State Board of Health," be, and the same are hereby, repealed and re-enacted, with amendments, and that new sections to be added to said Article, to follow Section 6, to be designated as sections 6A, 6B, 6C, 6D, 6E, 6F, 6G, 6H, 6J, 6K, 6L, 6M, 6N, and to read as follows:

5. The Secretary shall hold office as long as he shall faithfully discharge the duties thereof, but may be removed for just cause at a regular meeting of the Board, a majority of the members voting therefor; he shall keep a record of the transactions of the Board and an account of all expenditures authorized by them; he shall, whenever necessary or practicable, correspond and consult with boards of health of other States, and with the local boards and health officers in this State, and secure an interchange of all useful sanitary information, especially, respecting the causes, treatment and progress of epidemics; he shall keep on file all reports received from [illegible] boards and all correspondence relating [illegible] of this board; he shall prepare blank forms of returns, and such instructions as may be necessary and forward them to the several local boards of health throughout the State; he shall, when requested by local boards, visit their respective districts, cities or villages to investigate the cause of any existing disease, and shall, from time to time, and whenever directed by the Governor or Legislature, make special inspections of public hospitals, asylums, prisons and other institutions, and shall, at each session of the Legislature, submit through the board, a full report of his investigations, with such suggestions and recommendations as he may deem proper; he shall, when required by the Governor or other proper authorities, advise in regard to the location, drainage, water supply, disposal of excrement, heating and ventilation of any public institution or building belonging to the State; he shall collect information concerning vital statistics, prevailing diseases and the general hygiene of the State, and through an annual report and otherwise, as the Board may direct, shall disseminate such information among the people; he shall receive from the treasury in monthly payments an annual salary of twenty-five hundred dollars, to be paid on the warrant of the Comptroller, out of any money in the treasury not otherwise appropriated.

6. The secretary of the State board of health shall be the State registrar of vital statistics for Maryland. He shall, under the direction of the State board of health, prepare the necessary methods, books and forms for accurate registration of births and deaths, and shall supply the local registrars, health officers, ministers, physicians, undertakers, midwives and other persons charged with any duty under this act, the proper blanks, forms and books of record. The State registrar shall collect, tabulate and preserve the records of the vital statistics of the State. Annually, in the month of January, he shall prepare a general abstract and report of the vital statistics for the preceding year, so tabulated and arranged as to render them of practical utility, and shall have printed not more than one thousand copies, of which he shall forward five copies each to the Governor and the State librarian, one to each member of the General Assembly of Maryland, one to each local registrar of vital statistics, one to the board of health of each State and Territory of the United States, and the remainder to such departments, libraries and persons as may seem to the State registrar entitled to the same.

6A. The health officers of the various counties and the health officers of all towns and cities not already by charter or ordinance provided with a registrar of vital statistics, shall be ex officio local registrar of vital statistics, and shall qualify, by oath, to perform faithfully their duties as such.

6B. All physicians shall be sub-registrars of vital statistics, and shall be authorized and required to make all such records and certificates as are made and issued by the local registrar, and shall in the first five days of each month send to the local registrar all certificates and records made during the month next preceding.

6C. The record of a birth shall state the date and place of its occurrence, name in full, sex and color, and the number of the child, whether living or stillborn, and the names, color, occupation, birthplace and residence of parents, name and address of the physician, midwife or attendants at the birth. The record of a death shall state the date and place of its occurrence, name, age, sex, color, condition, birthplace, cause of death, duration of illness, the names, residence and color of parents, and the names and address of the attending physician.

6D. Every local registrar shall distribute to all sub-registrars and other persons in his district, who, in his judgment, are likely to need them, blank forms of certificates and returns required by law to be made to him; shall execute the provisions of all local ordinances, not contrary to law, that may be enacted to more effectually insure correct registration of births and deaths; shall record in the books furnished by the State Registrar of Vital Statistics, such facts as may be therein required; shall amend his records as he may discover mistakes or omissions; shall, if possible, keep such records in a fireproof safe; shall, on or before the tenth day of each month, transmit to the State Registrar of Vital Statistics, in the envelopes furnished for that purpose, the originals of all certificates, permits and records remaining in his possession on the last day of the month next preceding; provided, that the State Registrar may, in the event of unusual sickness or mortality, or for the purpose of legal or legislative inquiry, require of any local registrar returns at shorter intervals.

6E. In all cases of death where no physician was in attendance, the coroner, undertaker, or other person in charge of the interment of such dead body, shall make record, as far as possible, of the facts required in a certificate of death, and shall forward the same to the nearest registrar or sub-registrar within five days. In all cases of death from smallpox, yellow fever, diphtheria, scarlet fever or other contagious or infectious disease, dangerous to public health, the certificates of death shall be forwarded immediately, and interment shall be conducted in accordance with the rules of the State Board of Health.

6F. Application for a permit to disinter a human body shall be made by the presentation to the local registrar of a certificate of death, properly made, and containing the facts required by law for a record of a death. Upon receipt of such a certificate the registrar shall issue a permit for the disinterment. No disinterment of the body of any deceased person during the months of July and August shall be issued, except when required for the purpose of a legal investigation; nor shall any such permit be issued in cases where death was caused by infectious or contagious disease, except by permission under the direction of the local board of health.

6G. Every midwife who shall have professional charge of the mother at the birth of any child where no physician is in attendance, shall, within the four days next succeeding the birth, furnish the registrar or sub-registrar of the town or district wherein such birth shall have taken place, a certificate stating, from the best information which can be obtained, the name, if such a child have a name; the place and date of birth, its sex, the name of the father and the maiden name of the mother, the age, color, residence and nationality of the parents, the occupation of the father, number of the child, and the name and address of the attendant.

6H. Parents shall give notice to the registrar of their city, town or county of the birth or deaths of their children; every householder shall give notice of every birth or death happening in his house; the eldest person next of kin shall give such notice of the death of his kindred, the keeper of a workhouse, house of correction, prison, hospital, reformatory, almshouse, or other institution, and the master or other commanding officer of a ship or vessel shall give notice of every birth or death happening among the people under his charge.

6J. The records of births and deaths shall be preserved by the registrar, and shall be open to inspection by all persons for proper purposes, by all city, town or county officials, by the State registrar or his accredited representative; provided, that such examination shall be made in such a way that the contents of the registers shall not be subjected to risk of damage or alteration, and the prompt registry of the births and deaths received by the registrar shall not be interrupted. The registrar shall promptly inquire into the facts, when any omission or discrepancies in the personal or statistical facts are called to his attention; shall truly ascertain such missing facts of record, and make a certified statement thereof to the State registrar, and enter the correction in red ink over his official signature upon his record. The contents of the register or a copy thereof, duly certified by the registrar, shall be prima facie evidence in all courts, and for all purposes, of the facts relative to any birth or death therein recorded, and shall be verified, in case of dispute, by a certified copy of the original certificate of birth or death from the State registrar.

6K. The local registrars shall receive for performing the services required by this act the following fees: For a permit to disinter a human body, except when required for the purposes of legal investigations, twenty-five cents, to be paid by the person to whom such permit is issued; for a copy of the records of a birth or death, twenty-five cents, together with payment for time of search, if over half an hour, at the rate of fifty cents per hour, to be paid by the person to whom such copy is furnished. The State registrar shall certify to each local registrar quarterly, or oftener, if it shall be considered expedient, the number of properly executed certificates of births and deaths received from such local registrar for the year or portion of year included; provided, that cities having a population of ten thousand inhabitants, or over, shall have power to fix the compensation of local registrars for the duties required by this act.

6L. The State registrar shall receive the certificates returned under this act, permanently bind and preserve them, make indexes thereto and issue certified statements of the facts relating to any birth or death. For each such certified statement he shall receive a fee of twenty-five cents, together with payment for the time of search, if over half an hour, at the rate of fifty cents an hour, to be paid by the person asking such certified statement.

6M. Any physician or midwife, coroner or undertaker, whose duty it is, who fails to report a birth, as provided by section 6G of this article, shall be liable to a fine of not less than five nor more than twenty-five dollars, or be imprisoned not less than thirty days, or be both fined and imprisoned, in the discretion of the court. Any undertaker, express agent, railroad official or employe, or other person controlling, directing or in charge of the interment, entombment, removal or other disposition of the body of a deceased person, before the record shall be made, as required by section 6C of this act, shall be liable to a fine of not less than ten or more than five hundred dollars, or to be imprisoned not to exceed thirty days, or to both fine and imprisonment. Any physician who shall refuse or fail to make a proper and correct certificate of the cause of death of any person upon whom he or she was the last medical attendant, to the best of his knowledge or belief shall be liable to a fine of not less than five nor more than fifty dollars, or to be imprisoned not to exceed thirty days, or to both fine and imprisonment. Any registrar who shall, without justifiable cause, neglect or refuse to perform any of the duties enjoined on him by this act, or who shall communicate to any person not authorized to receive the same, any of the personal or statistical facts recorded on his register, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not exceeding three hundred dollars.

6N. To defray the necessary expenses of the office of State registrar of vital statistics, including rent, stationery, books of record, printed forms of certificates and permits, indexes, postage and clerical expenses, the State Board of Health shall receive a sum of eighteen hundred dollars annually, or so much thereof as may be necessary at such times and in such sums as may be directed by the board.

7. Each member of the State Board of Health shall receive the sum of five dollars per day for each day's attendance at the meetings of the board and while employed in the service of the board. Such necessary expenses of the board as the Comptroller of the Treasury shall audit, on presentation of an itemized account, with vouchers, and certificates of the board, shall be paid; provided that such expenses shall not exceed annually the sum of two thousand dollars, which is hereby appropriated from any money in the treasury not otherwise appropriated.

8. Whenever the State Board of Health shall have cause to believe that there is any danger of cholera, smallpox or other contagious or infectious diseases invading this State or county, it shall be the duty of the said board to take such action and adopt and enforce such rules and regulations as may be necessary to prevent the introduction of such infectious or contagious disease within this State; and any person or persons or corporation refusing or neglecting to obey such rules and regulations shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty nor more than five hundred dollars for every such offense. Whenever necessary, the State Board of Health may call public conferences of health officers, or may, by a vote of a majority of its members, send a delegate to any conference of local, State or national health officers.

Section 2. And be it enacted, That all acts or parts of acts inconsistent with this act be, and the same are hereby, repealed, and that this act shall take effect from the date of its passage.

Approved April 9, 1898.

LLOYD LOWNDES, Governor.
JOHN WIRT RANDALL, President of the Senate.
LOUIS SCHAEFER, Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an act of the General Assembly of Maryland, passed at the January session, 1898.

MARTIN M. HIGGINS, Secretary of the Senate.
Z. HOUSEHOLDER, Chief Clerk of the House of Delegates.

[CHAPTER 308.]

AN ACT TO ADD THREE SECTIONS TO ARTICLE 23 OF THE CODE OF PUBLIC GENERAL LAWS, TITLE, "CORPORATIONS," SUB-TITLE, "INSURANCE," TO BE DESIGNATED AS SECTIONS 141A, 141B AND 141C, RESPECTIVELY.

Section 1. Be it enacted by the General Assembly of Maryland, That three additional sections be, and they are hereby, added to article 23 of the Code of Public General Laws, title "Corporations," sub-title "Insurance," to be designated as Section 141A, 141B and 141C, respectively.

141A. Any insurance company, organized and incorporated in the mutual plan under the laws of this State or another State for the purpose of insuring against loss or damage resulting from burglary, or robbery, or attempt thereat, and securing against the loss of money or securities in course of transportation when shipped by registered mail, shall be authorized, admitted and licensed to do business in this State as hereinafter provided.

141B. Before any such company shall be authorized to transact business in this State it shall have in force one thousand or more policies on which the premium shall have been paid in cash, or shall be evidenced by written contracts, on which not less than one-fifth of the amount shall have been paid in cash, and the cash contracts for premiums shall amount in the aggregate to the sum of not less than one hundred thousand dollars; the premium contract shall constitute a part of the assets of the company.

141C. Policy-holders of any company organized and admitted to transact business in this State under this act shall be held liable to pay the membership fee and premium on their insurance as paid or contracted to be paid at the time the policy is taken out and shall not be held liable for any other, or further assessments or claim on the part of the company or its policy-holders. The membership fee and premium agreed upon may be collected in cash at the time the policy is issued, or be evidenced by a written obligation of the policy-holder. Such payment or obligation shall be the limit of the liability of the policy-holder to the company for premium on the insurance.

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

Approved April 9, 1898.

LLOYD LOWNDES, Governor.
JOHN WIRT RANDALL, President of the Senate.
LOUIS SCHAEFER, Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed at the January session, 1898.

MARTIN M. HIGGINS, Secretary of the Senate.
Z. HOUSEHOLDER, Chief Clerk of the House of Delegates.

[CHAPTER 46[illegible].]

AN ACT TO REPEAL SECTION 5 OF ARTICLE 59 OF THE CODE OF PUBLIC GENERAL LAWS, TITLE "LUNATICS AND INSANE," SUB-TITLE "INSANITY AS A DEFENSE IN CRIMINAL CASES," AND TO RE-ENACT THE SAME WITH AMENDMENT.

Section 1. Be it enacted by the General Assembly of Maryland, That section 5 of article 59 of the Code of Public General Laws be repealed and re-enacted so as to read as follows:

5. If the jury find by their verdict that such person was at the time of committing the offense, and then is insane or lunatic, the court before which trial was had shall cause such person to be sent to the almshouse of the county or city in which such person resided at the time of the commission of such act, or to a hospital, or some other place better suited, in the judgment of the court, to the condition of such prisoner, there to be confined until he shall have recovered his reason and be discharged by due course of law, and any judge of the Circuit Court in any county where such person is detained, or of Baltimore city, as the case may be, may, upon habeas corpus proceedings, make any order, absolute or conditional, for the permanent or temporary discharge of the person upon satisfactory proof of permanent or temporary recovery.

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