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[CHAPTER 19.]

AN ACT to add a new Section to Article 14 of the Public General Laws, 1904, title, "Bills of Lading, Storage and Elevator Receipts," relating to warehouse receipts, to come in after Section 11 of said Article, and be called Section 12.

Section 1. Be it enacted by the General Assembly of Maryland that a new Section be and the same is hereby added to Article 14 of the Code of Public General Laws, 1904, title, "Bills of Lading, Storage and Elevator Receipts," to come in after Section 11 of said Article, and to be called Section 12, and to read as follows:

12. Bonded warehouses of the United States known as distillery warehouses as defined by and existing under the laws of the United States of America and situated in this State, shall be deemed to be warehouses within the contemplation and meaning of this Act and such distillery warehouses shall be subject to all the provisions of this Article not inconsistent with the laws of the United States regulating the conduct and operation of such distillery warehouses, and all warehouse receipts hereafter issued by such a distillery warehouse shall be governed by and subject to all the provisions of this Article as fully to all intents and purposes as the warehouse receipts of any other warehouseman, corporation or person conducting a general warehousing business in this State.

Approved February 27, 1906.
EDWIN WARFIELD,
Governor.
JOSEPH B. SETH,
President of Senate.
CARVILLE D. BENSON,
Speaker of House of Delegates.

[CHAPTER 31.]

AN ACT to repeal Sections 4, 9, 13 and 14 of the Acts of the General Assembly of Maryland, Chapter 118, passed by the General Assembly of Maryland, at the December Session, 1845, as amended by the Act of the said Assembly, passed at the January Session, 1888, Chapter 61, and to re-enact the same with amendments, to be known as 4, 9 and 13, relating to the obtaining and filing of judgments on premium notes and to methods of assessments.

WHEREAS, It is represented to the General Assembly that the members of the Mutual Fire Insurance Company of Kent County, at a meeting called in accordance with the eighth section of this charter, determined that it is desirable for the company and for the community to have its charter amended; therefore be it enacted by the General Assembly of Maryland, that Sections 4, 9, 13 and 14 of the Act to incorporate the Mutual Fire Insurance Company of Kent County, Chapter 118, passed by the General Assembly of Maryland, at the December Session, A. D. 1854, and amended by the Act of said General Assembly, Chapter 61, January Session, 1888, be and the same are hereby repealed, amended and re-enacted, so as to read as follows:

Section 4. And be it enacted, That all promissory notes, notes of hand or other evidence of debt held by the said company, which have been given and may hereafter be given thereto for premiums of insurance, shall be liable for all losses and expenses of the company, and upon the failure of the makers of the same to pay such notes, either in whole or in part, as may be demanded by the president and directors of the company, the president and directors of the company may proceed to collect the same by due process of law.

Section 9. At the end of each calendar year, or earlier, at the option of the board of directors, it shall be the duty of the said board of directors to ascertain whether or not the income of the company has been sufficient to pay the losses and expenses of the company, and in the event that the losses and expenses of the company have exceeded the income and surplus fund of said company, one per cent. of the premium notes held by the company, then the directors shall assess upon all property holders whose policies are more than one year old, not having sufficient of the credit of their policies to meet their proportionate part of such deficiency, their proportionate part of such losses and expenses, and shall give notice of the same to such policy holders, and upon their failure to pay the same sixty days from the time of such notice being issued, said directors shall proceed to collect the same by due process of law. But the directors shall not allow at any time the losses and expenses of the company to exceed its income and surplus fund to an amount exceeding one per cent. of its premium notes without making an assessment upon its premium notes as heretofore provided for.

Sections 13 and 14. And be it enacted, That in all cases where property may be insured under this Act, where an assessment upon any policy of the company has been made, after due notice has been given, the party insured shall have sixty days to pay such assessment, and after the expiration of the said sixty days, in case the said assessment has not been paid, the said policy holder or policy holders shall forfeit all benefit under his or her policy, and the company shall not be liable for any loss that may occur under any of his or her policies, until such assessment or assessments have been fully paid, but such payment after default shall reinstate the policy or policies only from the time of such payment, and the company shall not be liable for any losses that may occur during the time of such default under any of the policies of the said policy holder or holders.

Approved February 27, 1906.
EDWIN WARFIELD,
Governor.
JOSEPH B. SETH,
President of Senate.
CARVILLE D. BENSON,
Speaker of House of Delegates.

[CHAPTER 33.]

AN ACT to repeal and re-enact with amendments, Section 277 of Article 93 of the Code of 1904 of Public General Laws, title, "Testamentary Laws," sub-title, "Register of Wills."

Section 1. Be it enacted by the General Assembly of Maryland, That Section 277 of Article 93 of the Code of 1904, Public General Laws, title, "Testamentary Law," sub-title, "Register of Wills," be and the same is hereby repealed and re-enacted with amendments so as to read as follows:

Section 2. Be it enacted, That the Comptroller shall, from time to time, limit and fix the number and compensation of assistant clerks or deputies to be employed by any such Register, and no account for compensation for services of any assistant clerk, deputy or other person employed in performing any of the duties pertaining to the office of any such register shall be allowed until such assistant, deputy or other person employed shall have certified under oath that the said services have been performed; that he has received the full sum therein charged to his own use and benefit, and that he has not paid, deposited or assigned, nor contracted to pay, deposit or assign, any part of such compensation to the use of any person, nor in any way, directly or indirectly, paid or given, nor contracted to pay or give, any reward or compensation for his office or employment, or the emoluments thereof, and such Registers of Wills are hereby authorized to appoint such assistant clerks and deputies, and when duly qualified as such said assistant clerks and deputies shall have the power and authority to act in the place and stead of the Register of Wills, and all such acts heretofore performed by any such assistant clerk or deputy are hereby expressly ratified and confirmed as if they had been performed by the Register of Wills in person.

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

Approved February 27, 1906.
EDWIN WARFIELD,
Governor.
JOSEPH B. SETH,
President of Senate.
CARVILLE D. BENSON,
Speaker of House of Delegates.

[CHAPTER 47.]

AN ACT to repeal and re-enact with amendments, Sections 306, 308 and 314 of Article 27, of the Code of Public General Laws of 1904, title, "Crimes and Punishment," sub-title, "Mineral Waters, Porter and other Beverages," so as to make the provisions of Sections 306 to 315 both inclusive, apply to dealers in milk and cream and their by-products.

Section 1. Be it enacted by the General Assembly of Maryland, That Sections 306, 308 and 314 of Article 27 of the Code of Public General Laws, title, "Crimes and Punishment," sub-title, "Mineral Waters, Porter and other Beverages," be and the same are hereby repealed and re-enacted with amendments, so as to read as follows:

306. Any and all persons, partnerships, or bodies corporate engage in manufacturing, bottling, selling or dealing in mineral, soda or aerated waters, wines, beer, lager beer, weiss beer, white beer or other beverages or milk, cream or their by-products including ice-cream in kegs, boxes, trays carriers, crates founts, bottles syphons, jugs, tins, barrels, casks or any other vessels, with his, her, its or their name or names or other marks or devices printed, branded, stamped, stenciled, engraved, etched, blown, impressed or otherwise produced upon such kegs, boxes, trays, carriers, crates, founts, bottles, syphons, jugs, tins, barrels, casks or any other vessel, may file with the Clerk of the Circuit Court of the County in which his, her, its or their principal office or place of business (or in the case of a foreign corporation, its principal office or place of business or agency) is located, or with the Clerk of the Superior Court of Baltimore City, should such principal office or place of business (or agency as the case may be) be located in the City of Baltimore, a description of the name or names, marks or devices so used by him, her, its or them respectively, and cause such description to be printed twice a week, for two successive weeks, in some daily newspaper published in Baltimore City, if the said principal office or place of business (or agency as the case may be) is located in said City or if the said principal office or place of business (or agency as the case may be) is located in any of the counties of this State, then in some newspaper published in said County once a week for two successive weeks. The description of the name or names, marks or devices, before being filed as aforesaid, shall be signed by the person or persons filing the same, or in case of a partnership, by one or more of the partners, or in case of a corporation, by one of its officers or one of its managers, and shall be acknowledged by the person or persons signing the same as the act of said person or persons, or if said person or persons sign the same for a partnership or corporation, as the act of said partnership or corporation before any person or persons competent to take acknowledgment of deeds. The publication hereby required need only be a brief description sufficient for the identification of such name, names, marks or devices, and need not contain a certified copy of the acknowledgment. The provisions of Sections 306 to 314 shall apply to all bottles, kegs, boxes, trays, carriers, crates, founts, syphons, jugs, tins, barrels, casks or any other vessels upon which said name or names, marks or devices, shall appear as aforesaid, whether or not any of the same shall be in existence at the time of said filing and publications.

308. After any person, persons, partnership or body corporate shall have filed and published his, her, its or their description of such name or names, marks or devices in accordance with the provisions of Sections 306 to 314, it is hereby declared to be unlawful for any or all other persons, partnerships and bodies corporate to use, in any way any kegs, boxes, trays, carriers, crates, founts, bottles, syphons, jugs, tins, barrels, casks or any other vessels upon which such name or names or other marks or devices shall be printed, branded, stamped, stenciled, engraved, etched, blown, impressed, or otherwise produced, with mineral, soda or earated waters, wine, beer, porter, ale, cider, ginger ale, small beer, lager beer, weiss beer or other beverages, or with milk, cream or their by-products, including ice-cream or to deface, erace, obliterate, cover up or otherwise remove or cancel any such name or names or other marks or devices thereon, or to have on sale, offer for sale, buy, sell, take, give, receive, handle in the course of business, hire, rent, lend, transport, carry in wagons, carts, push carts or other vehicles, or to take or collect from ash or garbage receptacles, or from public or private dumps, cellars, yards, lots or premises, or to keep in stock or otherwise store or otherwise dispose of or deal or traffick in the same or any part or parts or any parts or pieces of the same or any thereof, without the written consent of the person, persons, partnerships, or body corporate whose name or names or other marks or devices shall appear thereon or on any of the said kegs, boxes, trays, carriers, crates, founts, bottles, syphons, jugs, tins, barrels, casks or any other vessels to destroy, break, destroy or otherwise injure any of the articles mentioned in this section. And any person, persons, partnerships or body corporate, who shall do any of the Acts declared to be unlawful by this section shall be deemed guilty of a misdemeanor, and upon conviction punished, for the first offence, by imprisonment of not less than ten dtys or more than one year, or by a fine of fifty dollars for each of such founts, three dollars for each of such kegs, casks or barrels, and one dollar for each of said boxes, trays, carriers, crates bottles, syphons, jugs, tins or any other vessels so unlawfully used, filled, kept on sale, offered for sale, sold, bought, given, taken, received, handled in the course of business, hired, rented, lent, transported, carried in wagons, carts, push-carts, or vehicles of any kind, or taken or collected from ash or garbage receptacles or from public or private dumps, cellars, yards, lots or premises, or kept in stock, or otherwise stored, or otherwise disposed of, dealt in or trafficked in, and for the second offense and subsequent offenses by imprisonment for not less than twenty days nor more than one year, or by a fine of fifty dollars for each of such founts and not less than two dollars nor more than five dollars for each of said kegs, casks, barrels, boxes, trays, carriers, crates, bottles, syphons, jugs, tins or any other vessel so unlawfully used and filled, kept on sale, offered for sale, bought, given, taken, received, handled in the course of business, hired, rented, lent, transported, carried in wagons, carts, push-carts, or vehicles of any kind, or taken or collected from ash or garbage receptacles or from public or private dumps, cellars, yards, lots or premises or kept in stock or otherwise stored or otherwise disposed of dealt in or trafficked in, or by both such fine and imprisonment, in the discretion of the Court or Justice of the Peace before whom such offense is tried. In the event of a fine or fines being imposed by any Court or Justice of the Peace for any offenses under Sections 306 to 314 one-half thereof shall go to the State and one-half to the informer to be collected as other fines are collected.

314. The provisions of Sections 306 to 314, shall not apply to any person who has taken, given, received, or is using such kegs, boxes, trays, carriers, crates, founts, bottles, syphons, jugs, tins, barrels, casks or any other vessels, for the consumption of the mineral, soda or aerated waters, wine, beer, porter, ale, cider, ginger ale, small beer, lager beer, weiss beer or other beverages, or milk, cream or their products including ice cream, placed therein by the owners, or who after consumption of said contents is in possession of the same while awaiting the return to the owners; nor shall the provisions of Sections 306 to 314 apply to any garbage man collecting the same in the regular course of his business, so far as such provisions relate to having such kegs, boxes, trays, carriers, crates, founts, syphons, jugs, tins, barrels, casks, or any other vessels in his possession; (provided it shall be unlawful for any person or corporation to adopt and register under the provision of this Act, a description mark or device that has been previously or is at the time of the registering used or in use by any other person or corporation in good faith whether under the provisions of this Act or otherwise).

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

Approved March 6, 1906.
EDWIN WARFIELD,
Governor.
JOSEPH B. SETH,
President of Senate.
CARVILLE D. BENSON,
Speaker of House of Delegates.

[CHAPTER 59.]

AN ACT to add two new sections to Article 93 of the Code of Public General Laws, title, "Testamentary Law," sub-title, "Wills," the first section to follow Section 313 and to be designated as Section 313A, the second to follow Section 322, and to be designated as Section 322A.

Section 1. Be it enacted by the General Assembly of Maryland, That two new sections be and the same are hereby added to Article 93 of the Code of Public General Laws, title, "Testamentary Law," sub-title, "Wills," the first of said sections to follow Section 313 and to be designated as Section 313A, and the second of said sections to follow Section 322, to be designated as Section 322A, and to read as to said several sections as follows:

313A. No devise or bequest hereafter made or heretofore made in any will or testament which shall hereafter be probated or any real or personal property of the value of five thousand dollars or less in trust or otherwise for the purpose of providing for the perpetual care or keeping in good order and condition, or making repairs to any lot, vault, mausoleum or other place of sepulture belonging to any individual or several individuals in any cemetery or graveyard intended for the burial of members of the family, family connections, relatives or friends of the owner thereof, or of their successor in ownership, shall be held to be void as offending the rule against perpetuities.

322A. No conveyance, assignment, or devise of any burial lot in any cemetery or graveyard, to any trustee in trust to hold the same in trust perpetually, or for any lesser period for the interment therein or any persons named or described, or of any family or descendants, or for the care and protection thereof against desecration or injury, shall be held void as a violation of the rule against perpetuities.

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

Approved March 8, 1906.
EDWIN WARFIELD,
Governor.
JOSEPH B. SETH,
President of Senate.
CARVILLE D. BENSON,
Speaker of House of Delegates.

[CHAPTER 161.]

AN ACT to repeal Sections 78, 79, 80, 81, 82, 83, 84, 85 and 86 of Article 39 of the Code of Public General Laws, entitled "Fish and Fisheries," sub-title, "Trout and other Fish," as the same were amended by Chapter 368 of the Acts of 1902, and to re-enact the same with amendments.

WHEREAS, It is desirable to secure greater uniformity in the laws of this State governing the protection and increase of the food fishes in all the waters of this State above the point where the tide ebbs and flows, in order to more equitable and effectual enforcement thereof;

Section 1. Be it enacted by the General Assembly of Maryland, That Sections 78, 79, 80, 81, 82, 83, 84, 85 and 86 of Article 39 of the Code of Public General Laws of Maryland, entitled, "Fish and Fisheries," sub-title, "Trout and other Fish," as amended by the Acts of 1902, Chapter 358, be and the same are hereby repealed and re-enacted so as to read as follows:

78. No person shall catch or in any manner take or kill in any waters of this State, above a point where the tide ebbs and flows, any black bass, pickerel or pike perch, otherwise known as walleyed pike, or california salmon, between the first day of April and the fifteenth day of June, both inclusive, in each and every year, in any manner whatsoever, nor at any time, save with rod, line and single hook, baited with natural bait, or tied with artificial fly, or with a spoon or spinner, each equipped with a single hook, or of any size less than eight inches, measuring in the case of each fish from the tip of the nose to the end of the caudal fin or tail, under a penalty of five dollars ($5.00) for each fish so unlawfully caught, taken or killed.

79. No person shall catch, or in any manner take or kill, in said waters, at any time, any white perch of any size less than seven inches in length, or any yellow perch of any size less than eight inches in length, or any pike less than fourteen inches in length, or any rock, otherwise known as striped bass, or any taylor of any size less than ten inches in length, measuring, in the case of each fish, from the tip of the nose to the end of the caudal fin or tail.

80. No person shall, in this State, in any manner or at any time, so obstruct any stream above where the tide ebbs and flows, in which trout or other fish have been placed by the State or natural government, so that said fish shall not have free access up and down said stream, under a penalty of not less than ten dollars ($10), nor more than twenty-five dollars ($25), for every such offense.

81. Every owner of a dam or dams upon any of said waters of this State is hereby required to make and keep in repair, or cause to be made and kept in repair, and placed upon said dam or dams at least one fish ladder of such a character as to enable fish to have a free course up and down said waters at all times, under a penalty of not less than twenty-five dollars ($25), nor more than one hundred dollars ($100), for each and every offense.

82. No person shall place, throw or make use of in any said waters, except from bona fide engineering, milling or mining purposes, any dynamite or other explosive substance, or any lime, poison, acid, sawdust, shavings or other substance whatsoever deleterious to or destructive of fish life, under a penalty of not less than one hundred dollars ($100), nor more than three hundred dollars ($300), or imprisonment in the penitentiary for not less than one year nor more than three years, or be both fined and imprisoned in the discretion of the Court; provided, however, that nothing in this section shall apply to sawmills now in operation until October 1, 1903, unless said saw mill or mills shall in the meantime change its or their location; and further provided, that any sawmill or mills moving from its or their present location, shall be considered a new mill or mills, and shall be subject to the provisions of this section.

83. No person shall at any time empty any seine or net of any description whatsoever upon the beach, shore or land bordering upon any of the waters of this State, above tide, and no person shall at any time so empty any such seine or net as to leave to perish upon the said beach, shore or land, or upon any boat or float any white perch of any size less than seven inches in length, or any yellow perch of any size less than eight inches in length, or any rock fish or striped bass, or any taylor of any size less than ten inches in length, measuring in each case of each one of the said fish from the tip of the nose to the end of the caudal fin or tail; but every person so using any seine or net of any description shall immediately and carefully cull over and return alive, if possible, to water of not less than twelve inches deep, all of the aforesaid fish therein captured of any size less than the aforesaid respective lengths, under a penalty of not less than twenty-five dollars ($25), nor more than one hundred dollars ($100) for each and every offense; provided, however, that nothing in this section contained shall be construed as to prevent any of the Fish Commissioners of this State, in pursuance of their capacity as fish culturists, or any other person or corporation which shall first obtain a certificate in writing from the State Game Warden, to the effect that such persons or corporations are engaged in the scientific culture or propagation of fish from having in his or its possession alive at any time any fish for the purpose of said scientific culture or propagation only, and to obtain said certificate said persons or corporations must file with the State Game Warden an application and affidavit to the truth and bona fides thereof, made by the person or officer of the corporation requesting the same, and taken before any officer competent to administer an oath in this State; and said affidavit and application shall be retained and kept on file by said State Game Warden, but the possession of any of the aforesaid fish during any of the aforesaid closed seasons or dates between which it is hereinafter made unlawful to catch or trap the same, or any size less than lawful size, shall in every instance be prima facie evidence of unlawful purpose or steams in the State of Maryland.

86. That all Acts or parts of Acts, and all sections and parts of sections of the Code, both of General and Local Laws, and all amendments of and additions and supplements thereto, now in force in the State of Maryland, inconsistent with the provisions of this Act, with the exception of Chapter 427 of the Acts of the General Assembly of Maryland, passed at the Session of 1896, be and the same are hereby repealed; provided nothing in this Act shall apply to the City of Frederick, Baltimore, Howard, Cecil, Kent, Queen Anne's, Harford, St. Mary's, Wicomico, Charles, Talbot, Worcester, Calvert, or Somerset Counties, or to Baltimore City.

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

Approved March 27, 1906.
EDWIN WARFIELD,
Governor.
JOSEPH B. SETH,
President of Senate.
CARVILLE D. BENSON,
Speaker of House of Delegates.

[CHAPTER 180.]

AN ACT to provide for the safety of guests and occupants of hotels and apartment houses in the city of Baltimore.

Section 1. Be it enacted by the General Assembly of Maryland, That any building or buildings now used as hotels or apartment houses, or that shall hereafter be used as such, shall have installed in said building or buildings large fire gongs, which shall be rung only in case of fire or danger of fire, so as to notify and warn the occupants thereof.

Section 2. And be it further enacted, That the gongs provided for in the preceding section shall be of such size as shall be designated by the Inspector of Buildings of Baltimore city, and shall be placed one at each stair landing and one at each end of every corridor or hall, and so put up, arranged and connected that each gong can be sounded from the main office.

Sec. 3. And be it further enacted, That any owner, agent, lessee or manager of any building or buildings used or occupied as a hotel or apartment house, that shall neglect or refuse to comply with the provisions of this Act shall be deemed guilty of a misdemeanor, and upon indictment and conviction thereof shall be fined not less than $250 nor more than $1,000, for each offense.

Sec. 4. And be it further enacted, That the provision of this Act shall not apply to buildings of twelve rooms or less.

Sec. 5. And be it further enacted, That this Act shall take effect from the first day of July, in the year nineteen hundred and six.

Approved March 27, 1906.
EDWIN WARFIELD,
Governor.
JOSEPH B. SETH,
President of Senate.
CARVILLE D. BENSON,
Speaker of House of Delegates.

[CHAPTER 182.]

AN ACT to repeal and re-enact with amendments Sections 153 of Article 33 of the Public General Laws, title "Elections," sub-title "Primary Elections," as repealed and re-enacted by Chapter 682 of the Acts of 1904.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 153 of Article 33 of the Public General Laws, title "Elections," sub-title "Primary Elections," as repealed and re-enacted by Chapter 682 of the Acts of 1904, be and the same is hereby repealed and re-enacted so as to read as follows:

153. Primary Elections for Mayor, Comptroller, President of the Second Branch City Council and member of the City Council of Baltimore, shall be held in all respects according to the foregoing provisions, except that the day for holding the same shall be the first Tuesday in April of the year in which the municipal elections in said City of Baltimore are to be held. And at every general registration held in Baltimore City subsequent to the passage of this Act there shall be provided in the registration books an additional column, headed "Party Affiliation," 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 as affiliated. It shall be the duty of the the candidates of such party at any given election; also, that he has the right to decline to state any party affiliation, 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 affiliation, the word "Declined" shall be written opposite his name under 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." And in all primary elections thereafter held, any person so registered as affiliated with a given political party shall have the right to receive and vote the official ballot of that party and of no other. And at any intermediate registration subsequent to the close of the next general registration such voter may appear before the board of registry, and upon his idenity being established to the satisfaction of the majority of the board of registry he shall have the right to require the said board of registry to make, alter or strike out any entry in the column headed "Party Affiliation" opposite his name in the registry. It shall be the duty of the board of registry to enter in the column headed "Remarks" the fact that such entry was made, altered or stricken out, and the date thereof.

Approved March 27, 1906.
EDWIN WARFIELD,
Governor.
JOSEPH B. SETH,
President of Senate.
CARVILLE D. BENSON,
Speaker of House of Delegates.

[CHAPTER 192.]

AN ACT to repeal and re-enact with amendments, Section 4 of Article 100 of the Code of Public General Laws of Maryland, title "Work Hours of, in factories," as amended by Chapter 566 of the Acts of the Geeral Assembly of Maryland for 1902, and to add certain new sections to said Article to come in after said Section 4, and to be known as Sections 5, 6, 7, 8, 9, 10, 11, 12 and 13.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 4 of Article 100 of the Code of Public General Laws of Maryland, title "Work Hours of, in Factories," as amended by Chapter 566 of the Acts of the General Assembly of Maryland for 1902, be and the same is hereby repealed and re-enacted, with amendments, so as to read as follows:

4. No proprietor, owner, superintendent, manager or foreman, or other subordinate or agent of any mill, factory, workshop, office, restaurant, hotel, apartment house, store, telephone or telegraph office, or other establishment or business shall, after the first day of September, in the year 1906, employ for wages or hire, or retain in employment in any such mill, factory, workshop, office, restaurant, hotel, apartment house, store, telephone or telegraph office, or other establishment or business, any person or persons under twelve years of age, except in the counties from June 1st, to October 15th, in every year.

Section 2. And be it further enacted, That the new sections to come in after said Section 4 and to be known as Sections 5, 6, 7, 8, 9, 10, 11, 12 and 13, be and the same are hereby added to said Article 100 of the said Code of Public General Laws of Maryland, the same to read as follows:

5. That no child between the ages of twelve (12) and sixteen (16) shall be employed, permitted or suffered to work in any offices, establishment or business mentioned in the preceding section, unless the person or corporation employing him or her produces and keeps on file and accessible to the inspectors authorized by this Act and the attendance officer of the public schools, an employment permit, and keep a complete list of all such children employed therein on file, and in the case of children employed in factories, workshops, mills or messenger service, a duplicate list shall be conspicuously posted near the principal entrance of the building in which such children are employed.

6. That the employment permit for all employments in Baltimore City under the provision of this Act shall be issued by the Maryland Bureau of Statistics and Information, and for employment in other cities or in the counties of this State, by any member of the Board of Health or principal health officer of the city or county in which the employment is sought.

7. That the employment permit shall not be issued unless satisfactory evidence is furnished by duly attested transcript of the certificate of birth or baptism of such child, or other religious records, or the register of birth, or the affidavit of the parent or guardian or custodian of the child, which latter affidavit shall be required, however, only in the case it is certified by the proper authorities that the birth certificate showing the place and date of birth of such child is not on record, which affidavit must be taken before the officer issuing the employment permit, who is hereby authorized and required to administer such oath and who shall not demand or receive a fee therefor.

8. That the employment permit shall read as follows:

EMPLOYMENT PERMIT.

The birth certificate giving the name, date and place of birth of.....(name of child) is attached hereto. If there be no birth certificate then a certificate to that effect, i. e. that there is none, from the proper authorities of the city or county where said child was born, shall be attached. This certifies that I am the.....(father, mother, guardian or custodian) of .....(name of child) and that (he or she) was born at ..... (name of town or city) in the county of.....(name of county) and state of..... on the.....day of..... in the year..... and is now.....(number of years or months) old.....Signature of (father, mother, guardian or .....custodian).....Signature of.....Child..... (Date).

Those personally appeared before me the above-named (name of father, mother, guardian or custodian) of and made oath that the aforegoing certificate by (him or her) signed, is true to the best of (his or her) knowledge and belief.

I hereby approve the foregoing certificate of (name of child), height (feet and inches), eyes (color), complexion (fair or dark), hair (color); having no sufficient reason to doubt that (he or she) is of the age therein certified I hereby certify that the or she) can read at sight and write legibly simple sentences in the English language, and that (he or she) has reached the normal development of a child of (his or her) age, that is of sound health and is physically able to perform the work which (he or she) intends to do.

This certificate belongs to (name of child in whose behalf it is drawn) and is to be surrendered to (him or her) whenever (his or she) leaves the service of the corporation or employer holding the same; but if not claimed by said child within thirty days from such time it shall be returned to the Maryland Bureau of Statistics and Information (if the employment be in Baltimore City) or the Board of Health or principal Health Officer of (if the employment be in any of the counties or other cities outside of Baltimore City).

.....Signature of (person authorized to prove and sign with official character or authority.)

Date.....

A duplicate of each employment permit shall be filled out and kept on file by the Maryland Bureau of Statistics and Information, or Board of Health or principal health officer of the county or city outside of Baltimore City, as the case may be.

9. That whoever employes a child in violation of the provisions of this Act, and whoever having under his or her control a child, permits such child to be employed in violation of the provisions of this Act, shall for such offense be fined not less than five (5), nor more than fifty ($50) dollars, and whoever continues to employ any child in violation of the provisions of this Act, after being notified by an inspector authorized by this Act, or an attendance officer of the public schools, shall for every day thereafter that such employment continues be fined not less than five (5), nor more than twenty (20) dollars. A failure to produce to an inspector authorized by this Act, or an attendance officer of the public schools, any employment permit or list required by this Act, shall be prima facie evidence of illegal employment of any person whose employment permit is not produced, or whose name is not so listed.

Every corporation or employer retaining any employment permit in violation of the provisions of this Act, shall be fined ten ($10) dollars. Every person authorized to sign the employment permit prescribed in this Act, who knowingly certifies to any materially false statement therein, shall be fined not more than fifty ($50) dollars. The chief of the Maryland Bureau of Statistics and Information or any member of the Board of Health or principal health officer of any county or city outside of Baltimore City, is hereby authorized to sign the employment permit mentioned herein and to administer the necessary oath without cost to the applicant.

10. That the inspectors authorized by this Act and the attendance officers of the public schools may visit any place, establishment or place of business contemplated by this Act throughout the State of Maryland and city of Baltimore and ascertain whether any minors are employed therein contrary to the provisions of this Act, and they shall report any cases of such illegal employment or other violations of this Act to the justice of the peace having criminal jurisdiction in the locality where such illegal employment or other violations of this Act occur, and which justices of the peace shall have full authority to try and determine all cases arising under this Act. Inspectors authorized by this Act and the attendance officers of the public schools may require that the employment permits and lists provided for in this Act of minors employed in any such office, establishment or business, shall be produced for their inspection. They shall also be authorized to require a birth certificate or other record evidence of the date of birth of any child, which they have reason to believe is being employed contrary to the provisions of this Act, to be produced by either parent, guardian or custodian of said child, and in the absence of such record evidence of the date of birth of such child, they may require an affidavit from either parent, guardian or custodian of such child as to its age, name, place and date of birth.

11. That the chief of the Maryland Bureau of Statistics and Information, be and he is hereby authorized to appoint six inspectors to carry out the provisions of this Act at a compensation not exceeding nine hundred ($900) dollars each per annum; they shall also be allowed their actual expenses when away from the city of Baltimore in the business of their office; they shall be attached to and be part of the Maryland Bureau of Statistics and Information, and be subject to the order of the Chief of said Bureau, whose duty it shall be to see that the provisions of this Act are enforced.

12. That on and after January 1, 1907, no child under the age of thirteen years of age or under, shall be permitted to work for wages or hire in any of the occupations or in any office, establishment or business contemplated by this Act, and on and after January 1, 1908, no child of fourteen years of age or under shall be permitted to work for wages or hire in any of the occupations or in any office, establishment or business contemplated by this Act.

12. That this Act shall not include farm labor.

Section 3. And be it further enacted, That all Acts or parts of Acts inconsistent herewith be and the same are hereby repealed.

Section 4. And be it further enacted, That the sum of eight thousand ($8,000) dollars per annum be and the same is hereby appropriated to carry out the provisions of this Act.

Section 5. And be it further enacted, That this Act shall take effect from September 1st, 1906.

Approved March 30, 1906.
EDWIN WARFIELD,
Governor.
JOSEPH B. SETH,
President of Senate.
CARVILLE D. BENSON,
Speaker of House of Delegates.

[CHAPTER 236.]

AN ACT to amend Article 77, of the Code of Public General Laws, title, "Public Education," by repealing and re-enacting Chapter 299 of the laws of 1904, which added to said Article, sections 139, 140 and 141, under the sub-title, "School Attendance," and by adding a new section to be numbered as section 142.

Section 1. Be it enacted by the General Assembly of Maryland, That the sections 139, 140, 141, of Article 77 of the Code of Public General Laws, title, "Public Education," under the sub-title "School Attendance," are hereby repealed and re-enacted as follows, and that a new section be added to follow Section 141, to be numbered and designated as Section 142.

139. Every deaf or blind child between six and sixteen years of age, shall attend some school for the deaf or blind for eight months or during the scholastic year, unless it can be shown that the child is elsewhere receiving regular thorough instruction during the said period in studies usually taught in the said public schools for children of the same age provided, that the superintendent or principal of such school for the deaf or blind, or person authorized by the superintendent or principal may excuse cases of necessary absence among the enrolled pupils; and provided further, that the provisions of this section shall not apply to a child whose physical condition as such is described, inexpedient or impracticable. Every person having under his or her control, a child between six and sixteen years of age, shall cause such child to attend school or receive instruction as required by this section.

139A. Provided that where the parent, guardian or any other person having control of a deaf or blind child, is not financially able to pay for the transportation of the child to and from said school, the same shall be paid out of the State appropriation for the school which the child attends, provided, that three reputable male citizens over the age of twenty-one years, residents of the school district in which the said child resides, shall certify under oath that to the best of their knowledge and belief the parent, guardian or other person having control of such child is not financially able to pay the expense of the child to and from school.

140. Any person who has such a child under his or her control, and who fails to comply with any of the provisions of the preceding section, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, before a justice of the peace, be fined a sum not exceeding five dollars for each offence.

141. Any person who induces or attempts to induce any deaf or blind child to absent himself or herself unlawfully from school, or employs or harbors any such child absent unlawfully from school, while said school is in session, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, before a justice of the peace be fined a sum not exceeding fifty dollars for each offence.

142. The principal teacher of every public school in the countries and the Truant Officers of the city of Baltimore, shall within thirty days from the beginning of the school year or succeeding the passage of this Act, furnish the Board of County School Commissioners, or the Board of Education of Baltimore City, as the case may be, with the names of all children who are deaf, blind or feeble minded, between the ages of six and sixteen years inclusive, living within the boundaries of his or her school district who do not attend school. And the Board of County School Commissioners, or Board of Education of Baltimore City, shall certify forthwith the names of all such deaf, blind or feeble minded children to the respective principals of the State Schools for such children.

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

Approved March 31, 1906.
EDWIN WARFIELD,
Governor.
JOSEPH B. SETH,
President of Senate.
CARVILLE D. BENSON,
Speaker of House of Delegates.

[CHAPTER 248.]

AN ACT to amend Article 27 of the Code of Public General Laws title, "Crimes and Punishments," by adding thereto a section to follow immediately after Section 447, and to be known as Section 447A, under the sub-title "Special Amendments Amendments to be known as Section 447A.

Section 1. Be it enacted by the General Assembly of Maryland, That Article 27 of the Code of Public General Laws, title, "Crimes and Punishments," be and the same is hereby amended by adding thereto to follow amendatory after Section 447, the following section, under the sub-title, Procedure, Indictments, Amendments."

447A. In any indictment for murder or manslaughter, or for being an accessory thereto, it shall not be necessary to set forth the manner or means of death. It shall be sufficient to use a formula substantially to the following effect: "That A. B., on the.....day of .....nineteen hundred and....., at the county aforsaid, feloniously (wilfully and of deliberately premeditated malice aforethought) did kill (and murder) C. D.

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

Approved March 31, 1906.
EDWIN WARFIELD,
Governor.
JOSEPH B. SETH,
President of Senate.
CARVILLE D. BENSON,
Speaker of House of Delegates.

[CHAPTER 270.]

AN ACT to add a new section to Article 93 of the Code of Public General Laws, title, "Testamentary Law," sub-title "Administration," to be designated as Section 38B.

Section 1. Be it enacted by the General Assembly of Maryland, That the following additional section be added to the Code of Public General Laws, title, "Testamentary Law," sub-title, "Adminstration," to follow Section 38A, and to be kpown as Section 38B of said Article.

38B. Any administrator, executor guardian, committee, receiver, trustee, assignee or other fiduciary or party of whom a bond, undertaking or other obligation is required, is authorized to agree or arrange with his surety or sureties, either for a general or a special deposit for safekeeping of any and all moneys, assets and other property for which he is or may be responsible with a bank, savings bank, safe deposit or trust company authorized to do business as such, and situate in the city or county in which his said bond may have been filed, and in such manner as to prevent the withdrawal or alienation of such money, assets or other property, or any part thereof, without the written consent of such surety or sureties, or an order of a court or a judge thereof, made on such notice to such surety or sureties as the court or judge may direct.

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

Approved April 2, 1906.
EDWIN WARFIELD,
Governor.
JOSEPH B. SETH,
President of Senate.
CARVILLE D. BENSON,
Speaker of House of Delegates.

[CHAPTER 271.]

AN ACT to add a new section to Article 24 of the Code of Public General Laws of 1904, title, "Costs," to be designated Section 10, for the purpose of providing for the taxing as a part of the costs the premium paid for any surety bond in actions at law or in equity.

Section 1. Be it enacted by the General Assembly of Maryland, That the following additional section be added to the Code of Public General Laws, of 1904, title, "Costs," to be known as Section 10 of said Article.

10. When in any action or proceeding at law or in equity a bond is required to be filed and the surety upon such bond so executed is a surety company authorized by the laws of this State to qualify upon such bonds then the party entitled to recover costs may include therein such reasonable sum as may have been paid by him to such surety for executing such bond.

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

Approved April 2, 1906.
EDWIN WARFIELD,
Governor.
JOSEPH B. SETH,
President of Senate.
CARVILLE D. BENSON,
Speaker of House of Delegates.