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whichever is lower, of the article, product or commodity to the distributor and vendor plus the cost of doing business by said distributor and vendor.

(b) For the purpose of this section, the phrase "cost of doing business" or "overhead expense" is defined as (1) 6% of the cost of production or the invoice or replacement cost, whichever is lower, as the case may be, or (2) all costs of doing business incurred in the conduct of such business and must include without limitation the following items of expense: labor (including salaries of executives and officers), rent, interest on borrowed capital, depreciation, selling cost, maintenance of equipment, delivery costs, credit losses, all types of licenses, taxes, insurance and advertising.

116. In establishing the cost of a given article, product or commodity to the distributor and vendor, the invoice cost of said article, product or commodity purchased at a forced, bankrupt, close out sale, or other sale outside of the ordinary channels of trade may not be used as a basis for justifying a price lower than one based upon the replacement cost as of date of such sale of said article, product or commodity replaced through the ordinary channels of trade, unless said article, product or commodity is kept separate from goods purchased in the ordinary channels of trade and unless said article, product or commodity is advertised and sold as merchandise purchased at a forced, bankrupt, close-out sale, or by means other than through the ordinary channels of trade, and said advertising shall state the conditions under which said goods were so purchased, and the quantity of such merchandise to be sold or offered for sale.

117. The provisions of Sections 115 and 116 shall not apply to any sale made:

(a) In closing out in good faith the owner's stock or any part thereof for the purpose of discontinuing his trade in any such stock or commodity, and in case of the sale of seasonal goods or to the bona fide sale of perishable goods to prevent loss to the vendor by spoilage or depreciation, provided prior notice is given to the public thereof;

(b) When the goods are damaged or deteriorated in quality, and prior notice is given to the public thereof;

(c) By an officer acting under the orders of any court;

(d) In an endeavor made in good faith to meet the legal prices of a competitor selling the same article or product in the same locality or trade area.

118. Any person, firm or corporation, either as principal, agent, officer or director, for himself, or itself, or for another person, or for any firm or corporation, who or which shall violate any of the provisions of this Act, is guilty of a misdemeanor for each single violation, and upon conviction thereof shall be punished by a fine of not more than One Thousand dollars ($1,000.00) or by imprisonment not exceeding six months, or by both fine and imprisonment in the discretion of the Court.

119. Any person injured by any violation of Sections 115 and 116, may maintain an action, in any Court of general equitable jurisdiction of this State, to prevent, restrain or enjoin such violation. If in such action a violation of said Sections 115 and 116, shall be established, the Court shall enjoin and restrain, or otherwise prohibit such violation.

120. In addition to the remedies provided for in Sections 118 and 119, actions for injuries may be instituted by the Attorney General of the State of Maryland, after a conviction in the Criminal Court of Baltimore City or in any of the Circuit Courts of the Counties against any person or persons so convicted of a violation of the terms of Sections 115 and 116, and to prevent a recurrence of such violation; the said action to be commenced by the Attorney General whenever, in his judgment, the interests of the general public require the intervention by the State of Maryland in a situation so grave that if continued, would be detrimental and prejudicial to the general welfare of the people of the State.

121. If any provision of Sections 115 to 120, or the application thereof to any person or circumstance, is held invalid, the remainder of said sections, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Sec. 2. And be it further enacted, That all Acts or parts of Acts inconsistent herewith are hereby repealed to the extent of such inconsistency.

Sec. 3. And be it further enacted, That this Act shall take effect June 1, 1937.

Approved: April 15, 1937.

CHAPTER 234

AN ACT to add a new section to Article 25 of the Annotated Code of Maryland (1924 Edition), title "County Commissioners", sub-title "General Provisions", said new section to be known as Section 14A, and to follow immediately after Section 14 of said Article, authorizing the County Commissioners of certain counties to make regulations for the establishment, maintenance and operation of public dance halls, boxing or wrestling arenas, amusement parks, or tourist camps with cabins for hire outside the limits of incorporated towns or cities, and requiring permits for the establishment, maintenance or operation of same, and providing penalties for the violation thereof.

Section 1. Be it enacted by the General Assembly of Maryland, That a new section be and it is hereby added to Article 25 of the Annotated Code of Maryland (1924 Edition), title "County Commissioners", sub-title "General Provisions", said new section to be known as Section 14A, to follow immediately after Section 14 of said Article, and to read as follows:

14A. On and after June 1st, 1937, it shall be unlawful for any person, firm or corporation to establish, maintain or operate any public dance hall, boxing or wrestling arena, amusement park, or tourist camp with cabins for hire outside the limits of any incorporated town or city of any County in this State without first obtaining a permit from the County Commissioners of said County. The County Commissioners of the several Counties shall have authority to grant or refuse such permission or to grant the same for such time and under such rules and regulations as they may deem proper for the public welfare, and shall also have the right to revoke any such permit for cause after notice and a hearing.

Any person, firm or corporation establishing, maintaining or operating any establishment or place as herein described without first securing said permission, or operating or maintaining same in violation of the regulations set forth in said permit, shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than One Hundred Dollars ($100), or more than Five Hundred Dollars ($500.) for each such offense, and such place or establishment shall also be subject to be abated as a nuisance. Provided, however, that this section shall only apply to Caroline, Carroll, Howard, Frederick, Cecil, Somerset, Talbot, Wicomico and Worcester Counties.

Sec. 2. And be it further enacted, That all laws or parts of laws inconsistent with this Act, be and the same are hereby repealed to the extent of such inconsistency.

Sec. 3. And be it further enacted, That this Act shall take effect June 1, 1937.

Approved: May 18, 1937.

CHAPTER 238

AN ACT to add a new Section to Article 5 of the Annotated Code of Maryland (1924 Edition), title "Appeals and Errors", sub-title "Appeals from Justices of the Peace", said new Section to be known as Section 102-A, and to follow immediately after Section 102 of said Article, providing for review by certiorari or otherwise, by the Court of Appeals, of final judgments rendered by the Courts upon appeal from Justices of the Peace in cases where it is made to appear to the Court of Appeals, upon petition of any party thereto, that review is necessary to secure uniformity of decision, or that there are other special reasons why the case should be reviewed.

Section 1. Be it enacted by the General Assembly of Maryland, That a new Section be, and the same is hereby added to Article 5 of the Annotated Code of Maryland (1924 Edition), title "Appeals and Errors", sub-title "Appeals from Justices of the Peace", said new Section to be known as Section 102-A, to follow immediately after Section 102 of said Article, and to read as follows:

102-A. In any case, civil or criminal, in which a final judgment has been rendered by the Circuit Court of any County, or by one of the Courts of Baltimore City, upon appeal from a Justice of the Peace, if it shall be made to appear to the Court of Appeals, upon petition of any party thereto, that a review is necessary to secure uniformity of decision, as where the same statute has been construed differently by the Courts of two or more Circuits, or that there are other special circumstances rendering it desirable and in the public interest that the case should be reviewed, the Court of Appeals shall require, by certiorari or otherwise, any such case to be certified to the Court of Appeals for its review and determination.

Sec. 2. And be it further enacted, That this Act shall take effect on June 1st, 1937.

Approved: May 18, 1937.

CHAPTER 239

AN ACT to repeal Chapter 212 of the Acts of 1935, codified as Sections 105, 106, 107, 108, 109 and 110, respectively, of Article 83 of Flack's 1935 Supplement to the Annotated Code of Public General Laws of Maryland, title "Sales and Notices", sub-title "Fair Trade Act", and to substitute therefor, for the purpose of correcting, clarifying and amplifying the Act so repealed, ten (10) sections, to be added to said Article and bear the same sub-title, to follow immediately after Section 104, and to be known as Sections 105, 106, 107, 108, 109, 110, 111, 112, 113 and 114, respectively, to protect trade-mark owners, producers, distributors and the general public against injurious and uneconomic practices in the distribution of competitive commodities bearing a distinguishing trade-mark, brand or name, through the use of voluntary contracts establishing minimum resale prices and providing for refusal to sell unless such minimum resale prices are observed.

Section 1. Be it enacted by the General Assembly of Maryland, That Chapter 212 of the Acts of 1935, codified as Sections 105, 106, 107, 108, 109 and 110, respectively, of Article 83 of Flack's 1935 Supplement to the Annotated Code of Public General Laws of Maryland, title "Sales and Notices", sub-title "Fair Trade Act", be, and the same is hereby, repealed.

Sec. 2. And be it further enacted, That ten (10) new sections be, and the same are hereby, added to Article 83 of Flack's 1935 Supplement to the Annotated Code of Public General Laws of Maryland, title "Sales and Notices", sub-title "Fair Trade Act", to follow immediately after Section 104, and to be known as Sections 105, 106, 107, 108, 109, 110, 111, 112, 113 and 114, respectively, said new sections to read as follows:

105. The following terms, as used in this Act, are hereby defined as follows:

(A) "Commodity" means any subject of commerce.

(B) "Producer" means any grower, baker, maker, manufacturer, bottler, packer, converter, processor or publisher.

(C) "Wholesaler" means any person selling a commodity other than a producer or retailer.

(D) "Retailer" means any person selling a commodity to consumers for use.

(E) "Person" means an individual, a corporation, a partnership, an association, a joint-stock company, a business trust or any unincorporated organization.

106. No contract relating to the sale or resale of a commodity which bears, or the label or container of which bears, the trade-mark, brand, or name of the producer or distributor of such commodity and which commodity is in free and open competition with commodities of the same general class produced or distributed by others shall be deemed in violation of any law of the State of Maryland by reason of any of the following provisions which may be contained in such contract:

(A) That the buyer will not resell such commodity at less than the minimum price stipulated by the seller.

(B) That the buyer will require of any dealer to whom he may resell such commodity an agreement that he will not, in turn, resell at less than the minimum price stipulated by the seller.

(C) That the seller will not sell such commodity:

(1) to any wholesaler, unless such wholesaler will agree not to resell the same to any retailer unless the retailer will in turn agree not to resell the same except to consumers for use and at not less than the stipulated minimum price, and such wholesaler will likewise agree not to resell the same to any other wholesaler unless such other wholesaler will make the same agreement with any wholesaler or retailer to whom he may resell; or

(2) to any retailer, unless the retailer will agree not to resell the same except to consumers for use and at not less than the stipulated minimum price.

107. For the purpose of preventing evasion of the resale price restrictions imposed in respect of any commodity by any contract entered into pursuant to the provisions of this Act (except to the extent authorized by the said contract):

(a) The offering or giving of any article of value in connection with the sale of such commodity;

(b) The offering or the making of any concession of any kind whatsoever (whether by the giving of coupons or otherwise) in connection with any such sale; or

(c) The sale or offering for sale of such commodity in combination with any other commodity, shall be deemed a violation of such resale price restriction, for which the remedies prescribed by Section 110 of this Act shall be available.

108. No minimum resale price shall be established for any commodity, under any contract entered into pursuant to the provisions of this Act, by any person other than the owner of the trade-mark, brand or name used in connection with such commodity or a distributor specifically authorized to establish said price by the owner of such trade-mark, brand or name.

109. No contract containing any of the provisions enumerated in Section 106 of this Act shall be deemed to preclude the resale of any commodity covered thereby without reference to such contract in the following cases:

(A) In closing out the owner's stock for the bona fide purpose of discontinuing dealing in any such commodity and plain notice of the fact is given to the public; provided the owner of such stock shall give to the producer or distributor of such commodity prompt and reasonable notice in writing of his intention to close out said stock, and an opportunity to purchase such stock at the original invoice price;

(B) When the goods are altered, second-hand, damaged, defaced or deteriorated and plain notice of the fact is given to the public in the advertisement and sale thereof, such notice to be conspicuously displayed in all advertisements and to be affixed to the commodity;

(C) By any officer acting under an order of court.

110. Wilfully and knowingly advertising, offering for sale or selling any commodity at less than the price stipulated in any contract entered into pursuant to the provisions of this Act, whether the person so advertising, offering for sale or selling is or is not a party to such contract, is unfair competition and is actionable at the suit of any person damaged thereby.

111. This Act shall not apply to any contract or agreement between or among producers or distributors or, except as provided in subdivision (C) of Section 106 of this Act between or among wholesalers, or between or among retailers, as to sale or resale prices.

112. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

113. All Acts or parts of Acts inconsistent herewith are hereby repealed to the extent of such inconsistency.

114. This Act may be known and cited as the "Fair Trade Act".

Sec. 3. And be it further enacted, That this Act is hereby declared to be an emergency law and necessary for the immediate preservation of the public health and safety, and having been passed upon a yea and nay vote, supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved: April 15, 1937.

CHAPTER 241

AN ACT to add a new section to Article 23 of the Code of Public General Laws of Maryland (1924 Edition), title "Corporations", sub-title "Building or Homestead Associations", said new section to be known as Section 164A and to follow immediately after Section 164, providing for the repurchase of shares by Building or Homestead Associations or withdrawal of funds by the members thereof.

Section 1. Be it enacted by the General Assembly of Maryland, That a new section be and it is hereby added to Article 23 of the Code of Public General Laws of Maryland (1924 Edition), title "Corporations", sub-title "Building or Homestead Associations", said new section to be known as Section 164A and to follow immediately after Section 164 of said Article and to read as follows:

164A. Every Homestead or Building Association incorporated under the laws of this State, shall have the right at any time, in the discretion of its Board of Directors, to apply any of its unexpended funds, after all applications for withdrawals as hereinafter provided for shall have been paid, to the repurchase of its outstanding shares, provided that the repurchase of such shares shall be apportioned among all of its shareholders pro rata. The shareholders of any Building or Homestead Association incorporated under the laws of this State desiring to withdraw from said Association, in full or in part, shall make application to said Association, in writing, requesting that said Association repurchase the share or shares of said shareholder in full or in part to the extent and in the amount set out in said application, and the said Association upon receiving said application to repurchase said share or shares, may in its discretion repurchase the same in full to the extent of the amount applied for, but shall only be required to repurchase said share or shares as hereinafter provided, and that no shareholder shall have any right to withdraw from said Association except according to the following provisions. Upon receiving written application from a shareholder to repurchase a share or shares in full or in part, the Association shall number and file the same in the order received and said Association shall pay to the first applicant in numerical order 10% of the amount of shares offered for repurchase within thirty days of the date of the application, provided, that if, such share or shares are pledged as security for an obligation to the Association the full amount of such application to repurchase shall be first applied in satisfaction of such obligation; applicant shall retain his numerical order until sufficient funds have been received by said Association to make payment of said amount of 10%, and upon such payment being made, the said share or shares offered for repurchase shall be charged with the amount of said payment and said application shall then be renumbered and placed at the end of the list of applications to repurchase and thereafter upon again being reached shall be paid a like amount, but not exceeding the value of the shares offered for repurchase and until paid in full shall continue to be so paid, renumered and replaced at the end of the list; it being expressly provided, however, that the Board of Directors pay to any shareholder, in any order regardless of whether such shareholder has filed a written application for repurchase or not, having to his credit a sum of less than $500.00, such sum as they shall determine, provided that said payment shall not be less than $75.00 monthly until paid, and when such payment is made the same shall be considered to have been made on account of the repurchase of shares. The Association shall at no time apply in payment of applications for repurchase less than one-half of its receipts from all sources other than receipts from interest and expense funds of borrowers. Shareholders filing written application for the repurchase of their shares shall remain upon the list of applications to repurchase as above set forth until such time as their applications have been paid or satisfied. Shareholders filing written application for the repurchase of their shares shall remain shareholders until paid and shall not become creditors. Provided, however, that no new deposits or free share accounts of any Building or Homestead Association received by said Association after June 1, 1937, shall be subject to the provisions of this Section.

Sec. 2. And be it further enacted, That should any section, clause, sentence or part of a section of this Act be held to be unconstitutional or invalid for any reason, such holding shall not be construed as effecting the validity of any remaining section or part of a section of this Act, it being the legislative intent that the remainder of this Act shall stand, notwithstanding the unconstitutionality or invalidity of such section, clause, sentence or part of a section.

Sec. 3. And be it further enacted, That this Act shall not remain in force after the first day of June, 1939.

Sec. 4. And be is further enacted, That this Act shall take effect June 1st, 1937.

Approved: May 28, 1937.

CHAPTER 348

AN ACT to add three new sections to Article 32A of the Annotated Code of Maryland (1935 Supplement), title, "Department of Law", sub-title "Blue Sky Law", to be known as Sections 10A, 10B and 10C, to follow immediately after Section 10 of said Article, and to repeal and re-enact with amendments Sections 12 and 14 of said Article and sub-title, to provide further for preventing fraud in connection with securities offered for sale within the State of Maryland.

Section 1. Be it enacted by the General Assembly of Maryland, That three new sections be and they are hereby added to Article 32A of the Annotated Code of Maryland (1935 Supplement), title, "Department of Law", sub-title "Blue Sky Law", to be known as Sections 10A, 10B and 10C, to follow immediately after Section 10 of said Article, and that Sections 12 and 14 of said Article be and they are hereby repealed and re-enacted, with amendments and all to read as follows:

10A. No person, firm or corporation, whether resident or non-resident of this State, except banks and trust companies, whether incorporated under a general or special Act of the General Assembly, and subject to regulation by any State or Federal Law, or any member of a National Securities Exchange registered with the Securities and Exchange Commission under the Securities and Exchange Act of 1934, and the firm of such member, shall engage in the business of selling, or offering for sale or exchange, stocks, bonds, notes, shares, profit sharing agreements, service agreements, membership certificates and trustee certificates, or other securities, in Maryland after October 1, 1937, without having first filed with the Attorney General a registration statement as hereinafter provided. Such registration statement shall be made under oath and shall contain the same information as now required by the Securities and Exchange Commission for registration of brokers and dealers transacting business on the Over-the-Counter Markets, or shall be a certified copy of such statement actually filed with the Securities and Exchange Commission. Such applicant shall also furnish the Attorney General letters of recommendation from at least two persons, residents of this State and engaged in the business aforementioned, satisfactory to him.

10B. No form of receipt or certificate shall be issued by the Attorney General and no person, firm or corporation engaged in the business referred to in the last preceding section of this article shall in any manner advertise or publish or represent, for the purpose of selling stocks, bonds, notes, shares, profit sharing agreements, service agreements, membership certificates and trustee certificates, or other securities, that he, they, or it have filed with the Attorney General the registration statement referred to in Section 10A, and thereby has or have qualified to sell stocks, bonds, or other securities.

10C. The provisions of Section 10A of this Article shall not apply to any person, firm or corporation selling or offering for sale stocks, bonds, notes, shares, profit sharing agreements, service agreements, membership certificates and trustee certificates, or other securities:

(a) As trustee, executor, administrator, or receiver; or

(b) Under the orders of any Court; or

(c) Under the power given in any instrument whereby such stocks, bonds, notes, shares, profit sharing agreements, service agreements, membership certificates and trustee certificates, or other securities have been pledged as security for a debt.

12. The Attorney General may, upon evidence satisfactory to him, that in the issue, sale, promotion, negotiation, advertisement of, or distribution of any stock, bonds, notes, shares, profit sharing agreements, service agreements, membership certificates and trustee certificates, or other securities within the State of Maryland, any person, partnership or corporation is employing or is about to employ any device, scheme or artifice to defraud, or for obtaining money or property by means of any false or fraudulent pretense, representation, or promise, issue and cause to be served upon such person, partnership or corporation an order requiring the party guilty thereof to cease and desist therefrom, and from the further sale or offering for sale of such securities within this State. If it shall appear to the Attorney General that an irreparable public injury is imminent, unless such order is issued before a full investigation can be made pending such investigation, he may issue such order, but the same shall be accompanied with a request for information as to the facts relied on in issuing the order, and such temporary order shall only remain in force until such information is furnished and two days thereafter. Orders of the Attorney General under this section may be served by any one duly authorized by the Attorney General, either (a) by delivering a copy thereof to the person to be served; or to a member of the partnership to be served, or to the president, vice-president, secretary or other executive officer or director of the corporation to be served; or (b) by leaving a copy thereof at the principal office or place of business of such person, partnership or corporation; or (c) by registering and mailing a copy thereof, addressed to such person, partnership or corporation at his or its principal office or place of business. A verified return by the person so serving said order, setting forth the manner of said service, shall be prima facie proof of the same, and the return post office receipt for said order registered and mailed as aforesaid shall be prima facie proof of the service of the same, as aforesaid.

14. Any person, partnership or corporation violating the provisions of Sections 10A or 10B hereof, or any person, partnership or corporation having been served with any order of the Attorney General under Section 12 of this Article, or having knowledge of the issuance of said order and while said order remains in effect, either as originally issued or as modified, who or which shall execute or carry on in any manner any scheme or device against which said order has been issued, or wilfully attempts so to do, or shall sell or deliver or receive payment in money or property for any paper, certificate or instrument purporting to be or represent any interest in or order for stocks, bonds, notes, shares, profit sharing agreements, service agreements, membership certificates and trustee certificates, or other securities mentioned in said order of the Attorney General, or shall publish or cause to be published any advertisement of any such stocks, bonds, notes, shares, profit sharing agreements, service agreements, membership certificates and trustee certificates, or other securities pursuant to said scheme or device against which said order has been issued, shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than ten thousand dollars ($10,000) or imprisoned not more than two years, or be subject to both fine and imprisonment, in the discretion of the Court. Wilful misrepresentation or concealment by any person, firm or corporation, engaged in the business referred to in Section 10A, of any material fact in his or its registration statement or in any application, report or document submitted in connection with his or its registration, shall subject such person, firm or corporation to the penalty provided by this section.

Sec. 2. And be it further enacted, That this Act shall take effect June 1, 1937.

Approved: May 18, 1937.

CHAPTER 463

AN ACT to repeal Section 12 of Article 2A of the Annotated Code of Maryland (1924 Edition), title "Agriculture" sub-title "Agricultural Fair Associations", and to enact in lieu thereof three new sections to be known as Sections 12, 12A and 12B to follow immediately after Section 11C of said Article and to create the Maryland State Fair Board and to provide for its powers and duties.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 12 of Article 2A of the Annotated Code of Maryland (1924 Edition), title "Agriculture", sub-title "Agricultural Fair Associations", be and it is hereby repealed, and that three new sections be and they are hereby enacted in lieu thereof, said new sections to be known as Sections 12, 12A and 12B, to follow immediately after Section 11C of said Article and all to read as follows:

12. The Maryland State Fair Board, to be composed of nine members, is hereby created. Said members shall be representatives of all phases of the agricultural interests of this State, shall serve without compensation and shall be appoined by the Maryland Racing Commission. Upon the appointment of the original members to said Board, the Racing Commission shall designate three of such members to serve for one year, three to serve for two years and three to serve for three years from May 1, 1937. Thereafter the term of office of members shall be three years, but members appointed to fill vacancies in unexpired terms shall serve for the remainder of such terms. Each member shall serve after expiration of his term until his successor qualifies.

12A. The Board shall annually elect a Chairman from among its members. Meetings of the Board shall be held at such times and places as the Chairman may designate by notice to the members. Six members shall constitute a quorum, but action by the Board shall require assent of a majority of all of its members. The Board shall keep a complete record of its proceedings and shall, on or before December first in each year, make an annual report of its activities and expenditures to the Racing Commission, which the Racing Commission shall incorporate in its annual report. The Racing Commission shall provide for the Board such clerical assistance as it may require for its activities and for the keeping of its records.

12B. It shall be the function of the Board to encourage and foster agriculture in this State through promotion and assistance of bona fide agricultural fairs and exhibits. For this purpose said Board shall have sole and complete control of the allocation, distribution of and expenditure of all funds in the special fund created by Section 13 of Article 78B of this Code and of all funds appropriated in the State Budget for Agricultural Fairs. The Board may distribute the whole or any part of such funds among fair associations qualifying therefor under this sub-title, in such amounts and proportions as it shall deem desirable to effectuate the purposes of this sub-title, to be used for agricultural exhibits, provided, however, that the Board shall make no such payments to any fair association

(1) which holds a license under Section 13 of Article 78B of the Code; or

(2) which, during its preceding fiscal year paid any dividends or distributed any profits among its stockholders or members. The Board shall also have the power to inspect and audit the books of Fair Associations receiving funds under this sub-title and to require such reports from said Associations as is deemed necessary by the Board.

The Board may use and expend all or any part of such funds under its control not otherwise distributed, to defray the expenses of conducting a State Agricultural Fair or State-wide Exhibits in any one agricultural fair or exhibit which the Board shall designate for this purpose. The Board shall have the power to accept funds from organizations or individuals and to expend the same in a manner specified by donors, or as other funds under this Act.

Allocations or expenditures made by the Board under authority of this sub-title shall be paid from said special fund or said budget appropriations upon delivery by the Board of written order or requisition therefor to the Comptroller of this State. Any balance of said funds remaining unexpended at the end of the fiscal year following the one in which such funds were collected or for which appropriated, shall be transferred by the Comptroller to the general funds of the State of Maryland.

Sec. 2. And be it further enacted, That this Act is hereby declared to be an emergency law and necessary for the immediate preservation of the public health and safety, and being passed upon a yea and nay vote, supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved: May 18, 1937.

CHAPTER 491

AN ACT to add five new sections to Article 63 of the Annotated Code of Public General Laws of Maryland (1924 Edition), title "Mechanics' Lien", and to be under sub-title "Hospitals", to be known as Sections 59 to 63, both inclusive, and to follow immediately after Section 58 of said Article, creating liens for money due hospitals for services rendered in cases caused by the negligence or fault of other persons, and providing for the recording and enforcing of such liens.

Section 1. Be it enacted by the General Assembly of Maryland, That five new sections be and they are hereby added to Article 63 of the Annotated Code of Maryland (1924 Edition), title "Mechanics' Lien", to be under sub-title "Hospitals", said sections to be known as Sections 59 to 63, both inclusive, to follow immediately after Section 58 of said Article and to read as follows:

59. Every association, corporation or other institution, including a municipal corporation, maintaining a hospital in the State of Maryland, which shall furnish medical or other service to any patient injured by reason of an accident not covered by the Workmen's Compensation Act shall, if such injured party can assert or maintain a claim against another for damages on account of such injuries, have a lien upon fifty per cent. of that part going or belonging to such patient, of any recovery or sum had or collected or to be collected by such patient, or by his heirs or personal representatives in the case of his death, whether by judgment or by settlement or compromise to the amount of the reasonable and necessary charges of such hospital for the treatment, care and maintenance of such patient in such hospital up to the date of payment of such damages; provided, also, that the lien shall not exceed the charges as may now or hereafter be allowed by the State Industrial Accident Commission of Maryland for services rendered in the care and treatment of persons coming under the Workmen's Compensation Act of this State; and, provided, further, that the lien herein set forth shall not be applied or considered valid against any one coming under the Workmen's Compensation Act in this State; and provided further, that said lien shall be subordinate only to the lien of any attorney or attorneys for his, her or their professional services in collecting or obtaining said damages.

60. No such lien shall be effective, however, unless a written notice containing the name and address of the injured person, the date of the accident, the name and location of the hospital, the amount claimed, and the name of the person or persons, firm or firms, corporation or corporations alleged to be liable to the injured party for the injuries received, shall be filed in the office of the Clerk of the Circuit Court, if the services were rendered in the counties, or of the Superior Court of Baltimore City, if rendered in Baltimore City, prior to the payment of any moneys to such injured person, his attorneys or legal representatives as compensation for such injuries; nor unless the hospital shall also mail, postage prepaid, by registered mail, a copy of such notice with a statement of the date of filing thereof to the person or persons, firm or firms, corporation or corporations, alleged to be liable to the injured party for the injuries sustained prior to the payment of any moneys to such injured person, his attorneys or legal representatives, as compensation for such injuries. Such hospital shall mail a copy of such notice to any insurance carrier, if known, which has insured such person, firm or corporation against such liability.

61. Any person or persons, firm or firms, corporation or corporations, including an insurance carrier, making any payment to such patient or to his attorneys or heirs or legal representatives as compensation for the injury sustained, after the filing and mailing of such notice without paying to such hospital the amount of its lien as set out in Section 59 of this Article or so much thereof as can be satisfied out of the moneys due under any final judgment or compromise or settlement agreement after paying the amount of any prior liens, shall, for a period of one year from the date of payment to such patient or his heirs, attorneys or legal representatives, as aforesaid, be and remain liable to such hospital for the amount which such hospital was entitled to receive as aforesaid; and any such association, corporation or other institution maintaining such hospital may, within such period, enforce its lien by a suit at law against such person or persons, firm or firms, corporation or corporations making any such payment.

62. Any person or persons, firm or firms, corporation or corporations, legally liable or against whom a claim shall be asserted for compensation for such injuries, shall be permitted to examine the records of any such association, corporation, or other institution or body maintaining such hospital in reference to such treatment, care and maintenance of such injured person.

63. The Clerk of the proper court shall at the expense of the County or City, as the case may be, provide a suitable well-bound book, to be called the Hospital Lien Docket, in which, upon the filing of any lien claim under the provisions of this Act, he shall enter the name of the injured person, the name of the person, firm or corporation alleged to be liable for the injuries, the date of the accident, and the name of the hospital or other institution making the claim. Said Clerk shall make a proper index of the same in the name of the injured person.

On presentation of a release of any lien, the Clerk of the proper Court in which said lien is filed and recorded, shall note in the record the date when such release was filed and he shall note on the release the fact that it has been so recorded. A release so noted, and the record in the Office of the Clerk, shall either of them be prima facie evidence of the release of the lien.

The Clerk of the Court shall be entitled to collect not more than One Dollar for the filing, recording and indexing of each lien, and not more than One Dollar for the filing of the release of any lien and noting on the record and on the release the fact that the release has been so filed.

Sec. 2. And be it further enacted, That this Act shall take effect June 1, 1937.

Approved: May 18, 1937.

The Tailor Bird

One of the most common and noisiest inhabitants of the gardens of India is the well-known tailor bird, so-called because it actually sews its nest together with thread from cobwebs, cocoon silk of caterpillars or any vegetable fibers or bits of string which may be within reach.

Wearing Rings in Roman Empire

Under the Roman empire free citizens could wear rings of gold, freed-men rings of silver and slaves rings of iron.

Use of Rice in China

Most people think rice is the principal food in China, but a large number of Chinese have never eaten or even seen it. In northern China it costs so much only the rich can afford it.

The Whigs and Tories

The names Whigs and Tories came into use in Egland about 1680. In general, the Tories were reactionaries, while the Whigs favored reform in the direction of a more democratic government.

Gypsy Marriage Vow

All gypsy customs reveal their great horror of obligation or establishment of any kind. When gypsies take a marriage vow, they do not promise to love till "death do us part." Shuddering at such a ball and chain idea, the dusky bride and bridegroom promise only "to separate the moment love ceases."

The Bank of Japan

The Bank of Japan, the country's central bank, was established in 1882 as a joint-stock company.

Odd Belief About Blood

The Goajiro Indians of Colombia believe that one's blood is the property of his mother and her relatives. Consequently, says Collier's Weekly, a man has to pay them for the loss of "their" blood when he accidentally cuts or injures himself.

Believed Coral an Insect

Coral, which looks like a plant but which really belongs to the family of animals known as "polyps," was believed for centuries to be an insect.

"Official" Cup of Tea

When two Chinese meet on business an "official" cup of tea is set before them, to be consumed when business is finished. Should the host get impatient with the caller he handles his cup unexpectedly by which sign the visitor knows it is time to finish off and leave.

Safety First in Britain

In 1865, Great Britain passed a law requiring self-propelled vehicles to be preceded by a man carrying a red flag.

IMPROVED UNIFORM INTERNATIONAL SUNDAY SCHOOL Lesson

By REV. HAROLD L. LUNDQUIST.
Dean of the Moody Bible Institute of Chicago.
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Lesson for October 10

THE CHRISTIAN IN GOD'S KEEPING

LESSON TEXT—Jude 1-4, 17-25.

GOLDEN TEXT—Keep yourselves in the love of God, looking for the mercy of our Lord Jesus Christ unto eternal life.—Jude 21.

PRIMARY TOPIC—Why David Sang.
JUNIOR TOPIC—In God's Keeping.
INTERMEDIATE AND SENIOR TOPIC—Keeping Oneself Christian.
YOUNG PEOPLE AND ADULT TOPIC—Safe in God's Keeping.

To be born is only to begin life. The years which stretch out before with their growth, their struggles, their joys, call for courageous living.

So it is with the Christian. He is a "born one," as we saw in our lesson of last Sunday. But when he is born again he is just ready to begin the Christian life.

The Epistle of Jude sheds much light on the dangers which beset the Christian's pathway and exhorts him to holy living and sacrificial service. It opens with a description of the Christian and closes with an ascription of praise to God. It reveals the Christian as one who is

I. Called in Christ (vv. 1, 2).

The entire Trinity is seen to be active in our redemption (See Revised Version). Jude writes "to them that are"

1. "Called"—The Holy Spirit calls men unto salvation.
2. "Beloved in God the Father"—for God is love.
3. "Kept for Jesus Christ"—until he appears.

II. Living for Christ (vv. 3, 4, 17-23).

As Jude began to write of the "salvation" which he had in "common" with his readers, the Holy Spirit moved him to deal with a very urgent and vital problem—the hostility of wicked men toward the gospel of Christ, and their efforts to destroy "the faith." The Christian life includes

1. Contending for the faith (vv. 3, 4). "The Faith" is the body of revealed truth, the gospel, the good news of redemption in Jesus Christ. It is a final revelation "delivered once for all" (R. V.). There is no other gospel, and there never will be another.

The world hates the gospel, and attacks upon it are to be expected, but the most insidious assault is that of those within the church (v. 4) who profess to believe in Christ. Against them and their destructive work Christians must "contend earnestly," at the same time praying that they may be delivered from their sin and its terrible judgment (vv. 15-16).

2. Observing the times in which they live (vv. 17-19). Some folk seem to think that being a Christian means entering into a place of security and rest and promptly going sound asleep. Far from it. The Christian, knowing God's Word, is keenly alert to the dangers of this ungodly world.

3. Keeping their own souls (vv. 20,21). The best defense is a vigorous offense. The way to contend against error is to build up one's own faith by the study of God's Word, by communion with his children, but above all by prayer "in the Holy Ghost." And above all there will be an abiding in the love of God and a looking for the fulfillment of the mercy of Christ at his coming again.

4. Saving the souls of others (vv. 22,23). Soul-winning is (or should be) the normal expression of the Christian's life. It is his crowning joy. It most effectively counteracts error and worldliness. It builds up the church. Why not do it?

Note that there are two types of sinners to be rescued. Some are "in doubt" (R. V.), needing tender and careful instruction. Others are in grave danger, and must be rescued by drastic reproof and decisive action. Soul-winning is urgent business.

III. Kept by Christ (vv. 24, 25).

The doxology at the close of Jude has been a haven of comfort and assurance for God's children throughout the centuries. Hither have come the strong in faith to rejoice and praise God. Here has been found the strengthening of faith by the fearful and trembling soul who had not yet learned that he may fully trust God. These verses present two truths.

1. Assurance. Our Saviour is able to keep us from falling, yes, even from "stumbling" (R. V.), and to present us "faultless" "without blemish" (R. V.), with exceeding joy, before the glorious presence of God.

2. Worship. Such a God and Saviour is indeed worthy of the outgoing of every Christian heart in adoration and worship. To him would we gladly ascribe "glory, majesty, dominion and power" for and "before all time" (R. V.).

The Essence of Culture

The very essence of culture is shaking off the nightmare of self-consciousness and self-absorption and attaining a sort of Christian Nirvana.

Divine Purpose

What is it after all which gives men the energy to do things seemingly impossible? It is, and always has been, the result of the divine purpose.

Greatness of Trifles

"Commit thy trifles unto God, for to Him nothing is trivial; and it is but the littleness of man that seeth no greatness in a trifle."

Work and Wait

Haste is not always speed. We must learn to work and wait. This is like God, who perfects his works through beautiful gradations.

Home Heating Hints

By John Barclay
Heating Expert

Have Your Furnace Cleaned and Inspected Now Before the Cold Weather Comes Along.

HERE'S a straight money-saving tip: Before starting your heating plant this fall, be sure it's thoroughly vacuum cleaned. It is one of the greatest precautions you can take to insure its most economical operation during the winter ahead.

When the heating surfaces are covered with as little as one-sixteenth of an inch of soot (which acts as an insulator against heat, being five times as effective as asbestos) it wastes fully one-quarter of every ton of coal you burn! What's more, a furnace caked with dirt and dust won't deliver nearly as much heat as a clean furnace will.

Call in a competent service man now and arrange for a thorough vacuum cleaning of your furnace. He will do the job without muss or inconvenience.

While he's doing that, have him check up the whole heating system from flue to ashpit—guard against any possible failure of the plant after cold weather sets in. I know you'll find the cost is little compared with the staggering cost of the fuel that a dirty, faulty plant is sure to waste! Every home-owner wants to save and not waste his fuel dollars!

WNU Service.

I LEARNED TO 'BEAT' ACID INDIGESTION

ONCE LIFE WAS MISERABLE, NO APPETITE... LITTLE SLEEP...UNTIL THE DOCTOR SAID 'ALKALIZE'

BUT NOW—AT THE FIRST SIGN OF ACID-INDIGESTION I USE PHILLIPS' AND I FEEL LIKE A NEW PERSON ALMOST IMMEDIATELY!

The fastest way to "alkalize" is to carry your alkalizer with you. That's what thousands do now that genuine Phillips' comes in tiny, peppermint flavored tablets — in a flat tin for pocket or purse. Then you are always ready.

Use it this way. Take 2 Phillips' tablets — equal in "alkalizing" effect to 2 teaspoonfuls of liquid Phillips' from the bottle. At once you feel "gas," nausea, "overcrowding" from hyper-acidity begin to ease. "Acid headaches," "acid breath," over-acid stomach are corrected at the source. This is the quick way to ease your own distress — avoid offense to others.

Seeking and Blundering

Seeking and blundering are so far good, that it is by seeking and blundering that we learn. —Goethe.

Watch Your Kidneys!

Help Them Cleanse the Blood of Harmful Body Waste

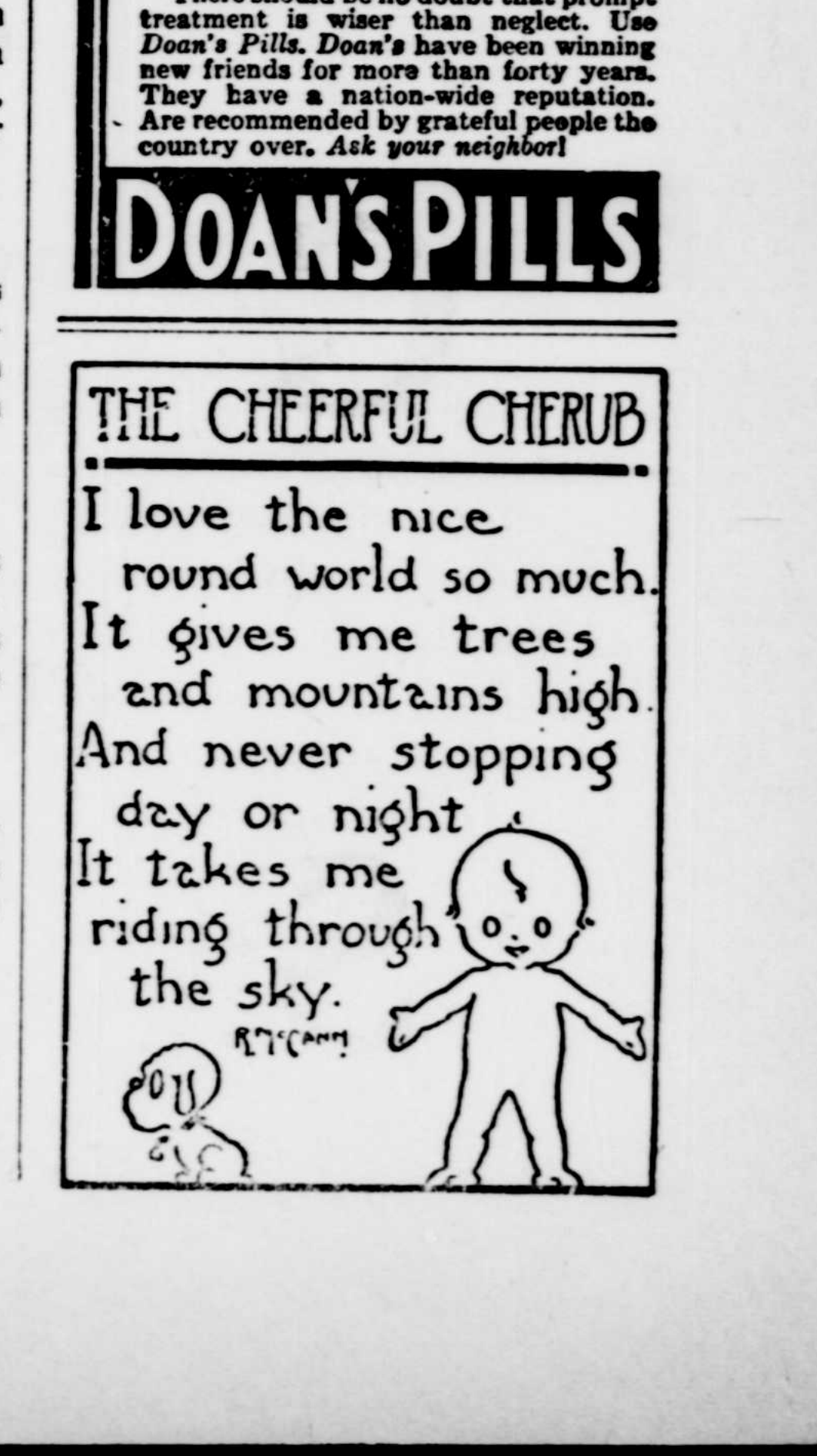
Your kidneys are constantly filtering waste matter from the blood stream. But kidneys sometimes lag in their work—do not act as Nature intended—fail to remove impurities that, if retained, may poison the system and upset the whole body machinery.

Symptoms may be nagging backache, persistent headache, attacks of dizziness, getting up nights, swelling, puffiness under the eyes—a feeling of nervous anxiety and loss of pep and strength.

Other signs of kidney or bladder disorder may be burning, scanty or too frequent urination.

There should be no doubt that prompt treatment is wiser than neglect. Use Doan's Pills. Doan's have been winning new friends for more than forty years. They have a nation-wide reputation. Are recommended by grateful people the country over. Ask your neighbor!

DOAN'S PILLS



THE CHEERFUL CHERUB

I love the nice
round world so much.
It gives me trees
and mountains high.
And never stopping
day or night
It takes me
riding through
the sky.