CHAPTER 446.

AN ACT TO REPEAL AND RE-ENACT, WITH AMENDMENTS, SECTIONS 14, 22 AND 24 OF ARTICLE 47 OF THE CODE OF PUBLIC GENERAL LAWS, TITLE "INSOLVENTS."

Section 1. Be it enacted by the General Assembly of Maryland, That Sections 14, 22 and 24 of Article 47 of the Code of Public General Laws, title "Insolvents," be and the same are hereby repealed and re-enacted, with amendments, so as to read as follows:

14. No deed or conveyance executed or lien created by any person being insolvent or in contemplation of insolvency, save as hereinafter provided, shall be lawful or valid, if the same shall contain any preferences, save such as result from operation of law, and save those for the wages or salaries to clerks, servants, salesmen and employes contracted not more than three months anterior to the execution thereof; and all preferences, with the exceptions aforesaid, shall be void, however the same may be made; provided, the grantor or party creating said lien or preference shall be proceeded against under Section 23 of this article, or shall apply for the benefit of this article, under Section 1, within four months after the recording of the deed or conveyance, or the creation of said lien or preference, and shall be declared or shall become, under the provisions of this article, an insolvent; provided that nothing in this section shall apply so as to set aside or render invalid the lien of any such judgments, mortgages or other conveyance executed by the debtor for money bona fide loaned or paid at the time of the creation of such judgments, mortgage or conveyance, but such shall remain a valid and subsisting lien, although the debtor may be proceeded against or may apply for the benefit of this act.

22. Any person who shall depart from or remain absent from the state, with intent to hinder, delay or defraud his creditors, or conceal himself to avoid service upon him in any action for the recovery of a debt, and any person who conceals or removes any of his property, to prevent the same from being taken under legal process, or makes an assignment, gift, sale, conveyance or transfer of all or part of his estate or property, with the intent to delay, hinder or defraud his creditors, or who, when insolvent or in contemplation of insolvency, executes a deed or conveyance giving preferences, creates a lien making any unlawful preferences as therein stated, or otherwise gives such preferences, or when insolvent or in contemplation of insolvency, confesses a judgment, "Puis" or allows any judgment to be entered against him by any connivance, or being a banker, broker, merchant, trader, builder or manufacturer, stops payment of his negotiable paper fraudulently, or suspends payment thereof, and fails to resume the same within twenty days, or, being a banker or broker, shall fail for twenty days to pay any depositor on demand lawfully made, shall be deemed to have committed an act or acts of insolvency, as the case may be; provided, the petition mentioned in the next section, and a petition filed within four months after the act of insolvency is committed.

24. If any deed, conveyance, assignment, gift, transfer or delivery be made of any goods, chattels, money, choses in action, lands, tenements or other property, or lien created thereon when the grantor or person creating the same is insolvent or in contemplation of insolvency, the same shall be prima facie intended to hinder, delay and defraud the creditors of the person by whom the same is made, and the burthen of proof shall rest upon him and the grantee to explain the same and show the bona fide thereof; provided, the creditors of the grantor in such deeds, conveyances or assignments shall avail themselves of the provisions of this article.

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

Approved April 4th, 1896.
LLOYD LOWNDES, Governor.
WILLIAM CABELL BRUCE,
President of the Senate.
SYDNEY E. MUDD,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1896.
J. ROGER McSHERRY,
Secretary of the Senate.
M. M. HIGGINS,
Chief Clerk of the House of Delegates.

CHAPTER 441.

AN ACT TO ADD NEW SECTIONS TO ARTICLE 39 OF THE CODE OF PUBLIC GENERAL LAWS, TITLE "FISH AND FISHERIES," TO BE KNOWN AS SUB-TITLE "CHESAPEAKE BAY," TO FOLLOW SECTION 89 OF SAID ARTICLE 39, AND TO BE DESIGNATED AS SECTIONS 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 AND 101.

Section 1. Be it enacted by the General Assembly of Maryland, That the following new sections be and the same are hereby added to Article 39 of the Code of Public General Laws, title "Fish and Fisheries," sub-title "Chesapeake Bay," and said new sections to be designated as Sections 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 and 101, and to read as follows:

90. Any resident of this state desiring to engage in the business of taking or catching of fish for sale by the use of pound nets, fykes, haul seines or other contrivances, except hook and line, within the waters of the Chesapeake Bay, below Poods Island and within the jurisdictional limits of the state of Maryland, shall first obtain by application to the clerk of the circuit court for the county wherein he may reside or the clerk of the Court of Common Pleas of Baltimore City, a license therefor, and such license shall have effect from the first day of February in the year in which it may have been obtained to the first day of February, inclusive, next succeeding; and provided, further, that such license shall not authorize the taking or catching of fish, except with hook and line, within the jurisdictional limits of any county or counties in this state.

91. Each and every license to take or catch fish for sale under the provision of Section 90 of this article shall state the name, age and residence of the person to whom same is to be granted, and every applicant for such license shall pay to the clerk of the circuit court or the clerk of the Court of Common Pleas of Baltimore City such license fee as may be granted and before the delivery of the same the sum of five dollars, the clerk to receive the sum of twenty-five cents for each and every license so issued, as a fee for issuing the same, including the administering of the oath, when required; and the said amount of license received for issuing same shall be paid over by the clerk into the treasury of the state of Maryland, to be credited to the "Oyster Fund."

92. Every applicant for license to take or catch fish for sale under the provisions of this act shall be required to make an oath or affirmation before the clerk authorized to issue the same, or before some justice of the peace, on whose certificate of the taking of such oath or affirmation the clerk shall issue said license; that "the facts set forth in said license are strictly true; that he has been a bona fide resident of the state of Maryland for the twelve months next preceding his application for said license, and that no non-resident of the state of Maryland is either directly or indirectly interested in use of said pound net, fyke net, haul seine or other contrivance used in taking fish for sale or any boat or vessel used in the prosecution of said fishing of pound nets, fykes, haul seines or other contrivances in the taking or catching of fish for sale."

93. The Comptroller of the Treasury shall cause to be printed and delivered to the clerk of the circuit courts for the several counties the requisite number of such blank licenses, and take receipt for the same, as for other licenses furnished; and said clerks shall, on the first Monday in July and October of each year, return to the Comptroller a list and account of such licenses issued by them, and at the end of each year shall return all unused blank licenses to him, and shall pay over to the Comptroller all the moneys received by them for such license, which amount the said Comptroller shall place to the credit of the Oyster Fund.

94. It shall not be lawful for any person in taking fish for sale by the use of pound nets, fykes or other contrivances, now known, or hereafter invented, to set such pound nets, fyke nets or other contrivances, now known or hereafter invented, in waters of the Chesapeake Bay, within the jurisdictional limits of the state of Maryland, and below Poools Island, in the Chesapeake Bay, at a greater length than 800 yards from low water-mark; and any person violating this section shall, upon conviction thereof, before some justice of the peace of any county of this state most accessible, shall be fined the sum of not less than twenty or more than one hundred dollars, or shall forfeit said net or nets, together with the boats and tackles used in the violation of Sections 90, 91, 92, 93, 94, 95, 96, 97, 98 of this article, or both fine and forfeiture, at the discretion of the justice of the peace trying the same; provided, that the party feeling aggrieved shall have the right of appeal as in other cases tried before justices of the peace; and provided, further, that, in case of appeal, the person appealing shall give to the State of Maryland a good and sufficient bond, covering double the amount of the fine, or forfeiture, in case of forfeit, so as to secure to the state the amount of fine and forfeiture, in case he does not prosecute his appeal with effect.

95. Any non-resident of this state violating either Section 90, 91, 92, 93, 94, 95, 96, 97 or 98 of this article, by the use of any pound net, fyke net, haul seine or other contrivances, now known or hereafter invented, in the taking or catching of fish, shall, on conviction thereof before some justice of the peace of any county of this state, or in any court with any competent jurisdiction, be punished by imprisonment in the penitentiary for not less than two nor more than ten years.



shall be absolutely prohibited in the Chesapeake Bay north of a line one mile south of Pools Island, except the Bay shore of Kent county, up to Howells Point, at the mouth of Sassafras River, and also in the Susquehanna River, and any person who shall engage in fishing for sale with the use of said pound nets, stake nets or similar contrivance, now used or hereafter invented, shall be subject to the same fines and penalties as are prescribed in Section 94 of this article; and provided, further, that all persons using haul seines and similar contrivances, except pound nets and stake nets, which are hereby prohibited, shall pay the same license and be subject to the provisions of all the sections under the sub-title "Chesapeake Bay," of this article, except gill nets, which are exempted.

99. The sheriff or any of the constables of any of the counties of this state, where any violations of any of the sections of the 39th Article of the Code of Public General Laws, title "Fish and Fisheries," sub-title "Chesapeake Bay," from Sections 90 to 98, inclusive, shall come to his knowledge, or upon the warrant of some justice of the peace of any of the counties of this state, it shall be the duty of the said constable to apprehend the said person or persons charged in the information of either of the Sections of 90 to 98, inclusive, of the said article, and to take the said person or persons to the nearest or most accessible justice of the peace, to be dealt with according to the provisions of Sections 90 to 98, inclusive, of this article, and it shall be the further duty of the sheriff or any one of the constables of the county, in case of the forfeiture of any net or nets, boat or boats or tackle, by any justice of the peace of any of the counties of this state under any of the provisions of Sections 90 to 98, inclusive, of this article, to hold and take possession of said nets, boats or tackle thus forfeited as aforesaid, and to offer the said net, nets, boat, boats or tackle for sale for cash to the highest bidder, after having advertised the same for sale in one or more conspicuous places in the neighborhood of said sale, setting forth the time, place and terms of said sale, and from the proceeds of which shall apply in the first place, from the proceeds of same, to the costs and charges incident to judgment, costs and forfeitures and costs of seizure, sale and other cost incident to said sale, and the balance to pay over to the clerk of the circuit court of the county in which the sale is made, and by the said clerk to be paid over to the Comptroller of the state, to be credited to the Oyster Fund.

100. The provisions of Sections 90 to 99, inclusive, of this Article 39, of the Code of Public General Laws, title "Fish and Fisheries," sub-title "Chesapeake Bay," shall not apply in any way to the use of the rod, hook and line in the taking or catching of fish at any time during the year, or affect the fishing with hook and line.

101. That the lines defining the head waters of the Chesapeake Bay at or near the mouth of the Susquehanna River shall be defined as follows:

All waters west and south of the following lines shall be considered as belonging to the Chesapeake Bay, to wit: A line drawn from Carpenters Point to Grove Point, and a line drawn from Grove Point to Howels Point, but not to include any tributary of said bay.

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

Approved April 7th, 1896.
LLOYD LOWNDES, Governor.
WILLIAM CABELL BRUCE,
President of the Senate.
SYDNEY E. MUDD,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1896.
J. ROGER McSHERRY,
Secretary of the Senate.
M. M. HIGGINS,
Chief Clerk of the House of Delegates.

CHAPTER 51.

AN ACT TO ESTABLISH A STATE GEOLOGICAL AND ECONOMIC SURVEY, AND TO MAKE PROVISION FOR THE PREPARATION AND PUBLICATION OF REPORTS AND MAPS TO ILLUSTRATE THE NATURAL RESOURCES OF THE STATE, TOGETHER WITH THE NECESSARY INVESTIGATIONS PREPARATORY THERETO.

Section 1. Be it enacted by the General Assembly of Maryland, That there is hereby established a State Geological and Economic Survey, which shall be under the direction of a commission composed of the Governor, the Comptroller, the president of the Johns Hopkins University and the president of the Maryland Agricultural College, who shall serve without compensation, but shall be reimbursed for actual expenses incurred in the performance of their official duties; and the said commissioners shall have general charge of the survey and shall appoint as superintendent of the same a geologist of ability and experience, to be upon his nomination such assistants and employes as they may deem necessary; and they shall also determine the compensation of all persons employed by the survey and may remove them at pleasure.

Section 2. And be it enacted, That the survey shall have for its objects:

(1.) An examination of the geological formations of the state, with especial reference to their economic products, viz.: building stones, clays, ores and other mineral substances.

(2.) An examination and classification of the soils and a study of their adaptability to particular crops.

(3.) An examination of the physical features of the state with reference to their practical bearing upon the occupations of the people.

(4.) The preparation of special geological and economic maps to illustrate the resources of the state.

(5.) The preparation of special reports, with necessary illustrations and maps, which shall embrace both a general and detailed description of the geology and natural resources of the state.

(6.) The consideration of such other scientific and economic questions as, in the judgment of the commissioners, shall be deemed of value to the people of the state.

Section 3. And be it enacted, That the commissioners shall cause to be prepared a report to the legislature, before each meeting of the same, showing the progress and condition of the survey, together with such other information as they may deem necessary and useful, or as the legislature may require.

Section 4. And be it enacted, That the regular and special reports of the survey, with proper illustrations and maps, shall be printed as the commissioners may direct, and that the reports shall be distributed or sold by the said commissioners, as the interest of the state and of science demands, and all moneys obtained by the sale of the reports shall be paid into the state treasury.

Section 5. And be it enacted, That all material collected, after having served the purposes of the survey, shall be distributed by the commissioners to the educational institutions in such manner as to be of the greatest advantage to the educational interests of the state, or, if deemed advisable, the whole or a part of such material shall be put on permanent exhibition.

Section 6. And be it enacted, That the sum of ten thousand dollars annually, or so much thereof as may be necessary, is hereby appropriated out of any money in the treasury not otherwise appropriated for the purpose of carrying out the provisions of this Act.

Section 7. And be it further enacted, That this Act shall take effect from the date of its passage.

Approved March 19th, 1896.
LLOYD LOWNDES, Governor.
WILLIAM CABELL BRUCE,
President of the Senate.
SYDNEY E. MUDD,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1896.
J. ROGER McSHERRY,
Secretary of the Senate.
M. M. HIGGINS,
Chief Clerk of the House of Delegates.

CHAPTER 396.

AN ACT TO ADD ADDITIONAL SECTIONS TO ARTICLE TWENTY-SEVEN OF THE CODE OF PUBLIC GENERAL LAWS, ENTITLED "CRIMES AND PUNISHMENTS," TO BE INSERTED UNDER THE SUB-TITLE "THREATS AND THREATENING LETTERS," AFTER SECTION TWO HUNDRED AND FIFTY-SEVEN OF SAID ARTICLE, AND TO BE DESIGNATED SECTIONS TWO HUNDRED AND FIFTY-SEVEN A AND TWO HUNDRED AND FIFTY-SEVEN B.

Section 1. Be it enacted by the General Assembly of Maryland, That the following sections be added to Article 27 of the Code of Public General Laws, entitled "Crimes and Punishments," to be inserted after section 257 of the said Article, and to be designated sections 257A and 257B, under the sub-title "Threats and Threatening Letters."

257A. Every person who shall knowingly send or deliver, or shall make and for the purpose of being delivered or sent, shall part with the possession of any letter or writing, with or without a name subscribed thereto, or signed with a fictitious name, or with any letter, mark or other designation, threatening therein to accuse any person of any crime of an indictable nature under the laws of this state, or of anything which, if true, would bring such person into contempt or disrepute, or to do any injury to the person or property of any one, with a view or intent to extort or gain any money, goods or chattels or other valuable thing, shall be guilty of felony, and, being convicted thereof, shall be punished by imprisonment in the penitentiary for not less than two nor more than ten years.

257B. Every person who shall verbally threaten to accuse any person of any crime of an indictable nature under the laws of this state, or of anything which, if true, would bring such person into contempt or disrepute, or to do any injury to the person or property of any one with a view to extort or gain any money, goods or chattels or any other valuable thing, shall be guilty of felony, and, being convicted thereof, shall be punished by imprisonment in the penitentiary for not less than two nor more than ten years.

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

Approved March 27th, 1896.
LLOYD LOWNDES, Governor.
WILLIAM CABELL BRUCE,
President of the Senate.
SYDNEY E. MUDD,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1896.
J. ROGER McSHERRY,
Secretary of the Senate.
M. M. HIGGINS,
Chief Clerk of the House of Delegates.

CHAPTER 475.

AN ACT TO REPEAL SECTION 18 OF ARTICLE 97 OF THE CODE OF PUBLIC GENERAL LAWS OF MARYLAND, ENTITLED "WEIGHTS AND MEASURES," SUB-TITLE "POTATOES," AND TO RE-ENACT THE SAME, WITH AMENDMENTS.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 18 of Article 97 of the Public General Laws of Maryland, entitled "Weights and Measures," sub-title "Potatoes," be and the same are hereby repealed and re-enacted so as to read as follows:

18. Potatoes in this state shall be sold by weight, at the rate of fifty-six pounds to the bushel, and any person offending against the provisions of this section shall be subject to a fine of ten dollars, to be recovered before any justice of the peace of the city or county where said offense may be committed.

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

Approved April 4th, 1896.
LLOYD LOWNDES, Governor.
WILLIAM CABELL BRUCE,
President of the Senate.
SYDNEY E. MUDD,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1896.
J. ROGER McSHERRY,
Secretary of the Senate.
M. M. HIGGINS,
Chief Clerk of the House of Delegates.



CHAPTER 151.

AN ACT TO REPEAL AND RE-ENACT, WITH AMENDMENT, SECTION 167 OF ARTICLE 23 OF THE CODE OF PUBLIC GENERAL LAWS, TITLE "CORPORATIONS," SUB-TITLE "RAILROAD COMPANIES," AND TO ADD A NEW SECTION TO SAID ARTICLE, TO BE KNOWN AS SECTION 169A.

Section 1. Be it enacted by the General Assembly of Maryland, That section 167 of Article 23 of the Code of Public General Laws, title "Corporations," sub-title "Railroad Companies," be, and the same is, hereby repealed and re-enacted, with an amendment, so as to read as follows:

167. The said president and directors, or their agent or agents, authorized by them, may agree with the owner or owners of any land, earth, gravel, stone, timber, streams or materials, or any improvements which may be wanted for the proper construction or repair of any of said roads, or any of their works, for the purchase and use and occupation or diversion of the same; and if they cannot agree, or if the owner or owners for any of them be an infant, feme covert, lunatic, or be possessed of the property to her sole and separate use, or authorized to contract in reference to the same, non compos mentis, or out of the United States to whom property wanted may lie, when such property may be wanted, or for any other cause be legally incapable of contracting, application may be made by said company, to any judge of the peace of such county, who shall thereupon issue his warrant, under his hand and seal, to the sheriff of the county, requiring him to summon five good and lawful inhabitants of said county above the age of twenty-one years, and qualified to act as jurors under the laws of this state, not related to the parties nor in any wise interested, to meet on the lands or near the materials or other property wanted on a day named in said warrant not less than ten nor more than twenty days after the issuing of the same, and if at said time and place any of the said jurors summoned do not attend, the sheriff shall immediately summon as many persons similarly qualified as be necessary to fill those in attendance, shall make up twenty, and from the panel each party, his, her, its or their agent or attorney, or if either party be not present in person or by agent, being present in person or agent, refuse to strike, the sheriff for him, her, it or them may strike off four persons, and the remaining twelve shall be a lawful jury of the inquest of damages; and to each, before he acts as such juror, the sheriff shall administer an oath or affirmation that he will justly and impartially value the damages which the owner or owners will sustain by the use and occupation of the property required by the said company; and the said jury shall reduce their inquisition to writing and sign and seal the same; and it shall then be returned by the sheriff to the clerk of the circuit court for his county, and be filed by said clerk in his office, and be there confirmed by said court any time after the expiration of thirty days from the date of such filing, if no sufficient cause to the contrary be shown; and if so confirmed shall be recorded by said clerk at the expense of the company; but if the same be set aside, the said court shall direct another inquisition to be filed on the manner above described; and in case the second or any other inquisition which is confirmed by the court shall not award to the land owner a larger amount of damages than was awarded by the first inquisition, the court may, in its discretion, order the costs of said second or other inquisition to be paid by the owner or owners, and judgment therefor shall be demed; and the inquisition shall in all cases describe the property taken or the bounds of the land condemned, and the quantity of land, and the location of the same valued for the company, and such valuation, when paid or tendered to the owner or owners of the property, his, her or their legal representatives shall entitle the said company to the estate and interest in the same thus valued as if it had been legally conveyed by the owner or owners of the same; and the valuation, if not received when tendered, may at any time thereafter be received without costs from said company by the owner or owners, his, her or their legal representatives; and the sheriff shall keep the said jury together for a reasonable time until they shall agree upon and sign and seal the said inquisition; and in case it shall so happen that the jury cannot agree after being kept together as aforesaid, the sheriff may, in his discretion, discharge the said jury, and, without any further warrant from a justice of the peace, shall, within five days thereafter, summon another jury of twenty persons, qualified as aforesaid, not upon the former jury, and the same proceedings shall be had in all respects as is herein before provided; and in case a second or other inquisition discharge of the jury, the same proceedings shall be had until a verdict or inquisition shall be made and returned as aforesaid.

Section 2. And be it further enacted, That the following section be added to the said article, to be inserted after section 169, and to be known as section 169A.

169A. The three preceding sections shall apply to all corporations using electricity, or other improved motive power, and whether incorporated under the provisions of this article or by a special act, and whether the proceedings proposed to be condemned is situated in one of the counties of this state or in the Belt or annexed portions of Baltimore city where streets and alleys have not been opened and occupied as city streets.

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

Approved April 21, 1896.
LLOYD LOWNDES, Governor.
WILLIAM CABELL BRUCE,
President of the Senate.
SYDNEY E. MUDD,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1896.
J. ROGER McSHERRY,
Secretary of the Senate.
M. M. HIGGINS,
Chief Clerk of the House of Delegates.

CHAPTER 162.

AN ACT TO PROVIDE FOR THE FORMATION OF FARMERS' INSTITUTES IN THE STATE OF MARYLAND AND TO APPROPRIATE A SUM OF MONEY THEREFOR.

Section 1. Be it enacted by the General Assembly of Maryland, That a Department of Farmers' Institutes be and is established for the state of Maryland; that the purpose of these institutes shall be to bring before the farmers of the state such information as will contribute to remedy many of the existing evils now prevalent in every department of agriculture as now pursued in Maryland, and that at such institutes men competent to instruct shall be present, and such topics shall be discussed as pertain to the principal agricultural interests of the several sections.

Section 2. And be it enacted, That one such institute shall be held in each county in each county of the state, and an additional one in each county, if deemed necessary and desirable.

Section 3. And be it enacted, That said institute shall be under the direction of a director, to be appointed by the trustees of the Maryland Agricultural College, who shall be a person well versed in the profession of agriculture and of practical experience, whose title shall be Director of Farmers' Institutes, whose salary shall be fixed by said board of trustees and paid out of the appropriation hereinafter provided, and whose duties shall be defined by said board; said institutes shall be a department of said college, similar to the Experiment Station; that all expenses of said institutes shall be paid out of said appropriation, and that said board of trustees hereby is, is invested with all powers necessary to carry into effect the provisions of this Act, but no expenses shall be incurred beyond the moneys appropriated.

Section 4. And be it enacted, That the sum of three thousand dollars per annum be, and the same hereby is, appropriated for the formation and support of farmers' institutes in this state, and that the Comptroller be, and he is, hereby authorized to issue his warrant annually upon the Treasurer of the state for the said sum of money out of any fund unappropriated not otherwise appropriated; that the said sum of money shall be payable to the order of the Maryland Agricultural College on or after the first of October of each fiscal year, and that the first yearly payment shall be made during the fiscal year ending September thirtieth, eighteen hundred and ninety-six.

Section 5. And be it enacted, That accurate accounts of the expenditures of the money received under this Act be kept by the registrar of the Maryland Agricultural College separate from the general college accounts, and that an itemized and detailed report of such expenditures be made annually and published in such manner as the trustees of the Maryland Agricultural College shall direct.

Section 6. And be it enacted, that this Act shall take effect from the date of its passage.

Approved March 27th, 1896.
LLOYD LOWNDES, Governor.
WILLIAM CABELL BRUCE,
President of the Senate.
SYDNEY E. MUDD,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1896.
J. ROGER McSHERRY,
Secretary of the Senate.
M. M. HIGGINS,
Chief Clerk of the House of Delegates.



CHAPTER 128.

AN ACT TO REPEAL AND RE-ENACT, WITH AMENDMENTS, SECTION 11A OF ARTICLE 52 OF THE CODE OF PUBLIC GENERAL LAWS, TITLE "JUSTICES OF THE PEACE," SUB-TITLE "CRIMINAL JURISDICTION," AS SAID SECTION WAS AMENDED BY CHAPTER 338 OF THE ACTS OF 1894.

Section 1. Be it enacted by the General Assembly of Maryland, That section 11A of Article 52 of the Code of Public General Laws, title "Justices of the Peace," sub-title "Criminal Jurisdiction," as said section was amended by chapter 338 of the Acts of 1894, be, and the same is, hereby repealed and re-enacted, with amendments, so as to read as follows:

11A. The several justices of the peace in the state of Maryland, except the city of Baltimore and in Talbot, Harford, Montgomery and Frederick counties, shall have, in addition to the jurisdiction which they now possess, and which may be conferred on them by or under the laws of this state, jurisdiction concurrent with that exercised by the judges of the several counties of this state in all cases of assault without any felonious intent and in all cases of assault and battery, and in all cases of petty larceny where the property stolen does not exceed the sum of five dollars, and in misdemeanors not punishable by confinement in the penitentiary which may be committed in their respective jurisdiction, and shall have jurisdiction in all prosecutions or proceedings for recovery of any penalty for doing or omitting to do any act or thing, or for any offense or omission to do which is made punishable under the law of this state within their said jurisdiction by any pecuniary fine or penalty or by imprisonment in jail or the Maryland House of Correction, all of which acts or omissions are hereby declared to be criminal offenses; and the said justice shall have power in criminal cases, and in all cases which may be necessary to the exercise of their said jurisdiction; may try and determine all cases whereof they may have jurisdiction, and pronounce judgment and execute sentence therein, in the same manner and to the same extent as the circuit court for said counties could in such cases if said parties had waived a jury trial and gone to court without the investigation of a jury; provided, however, that if any person, when brought before any such justice having jurisdiction of the case, shall be ready and willing to plead to the offense, pray a jury trial, or if the state's attorney for said county shall, before the trial of such alleged offense, pray a jury trial on the part of the state, it shall be the duty of any such justice to commit such alleged offender for trial in the circuit court for the county in which the offense was committed, if it be then in session, if it be then in session, or at the next session, if it be not then in session, and to return said commitment or recognizance, with the name and residence of the witnesses for the state therein, forthwith to the clerk of said court; and the justice before whom the case is tried shall inform the person charged of his right to a jury trial, and shall enter in his docket, to be entered up by the justice, the clerk shall place the same on the appeal docket and issue subpoena for the witnesses named by the justice, and shall proceed in the same manner as in an information or the warrant as if an appeal, and if on waiver of jury trial before the justice, and trial before him, either party shall feel aggrieved, there shall be a right of appeal to the circuit court for the county in which the alleged offense is charged to have been committed. In case the judgment of the justice of the peace against the accused, he shall appeal, enter into recognizance with security to be approved by the justice of the peace, in every such case the appeal shall be taken, prayed and entered within ten days after judgment entered.

Section 2. And be it enacted, That this Act shall take effect from and immediately after its passage.

Approved March 27th, 1896.
LLOYD LOWNDES, Governor.
WILLIAM CABELL BRUCE,
President of the Senate.
SYDNEY E. MUDD,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1896.
J. ROGER McSHERRY,
Secretary of the Senate.
M. M. HIGGINS,
Chief Clerk of the House of Delegates.

CHAPTER 427.

AN ACT TO REPEAL SECTIONS 40, 41 AND 42 OF ARTICLE 39, OF THE CODE OF PUBLIC GENERAL LAWS, ENTITLED "FISH AND FISHERIES," AND TO RE-ENACT A PORTION THEREOF, WITH AMENDMENTS.

Whereas, Difficulty has arisen in the adoption of adequate legislation regulating the taking of fish in the Potomac River, in consequence of the compact existing between the states of Maryland and Virginia, applicable to the taking of fish in the Potomac and Pocomoke Rivers; and

Whereas, It is intended that the provisions of this act shall be made effective by the states of Virginia, West Virginia and Maryland; therefore,

Section 1. Be it enacted by the General Assembly of Maryland, That Sections 40, 41, 42, 43, 44 and 45 of Article 39, of the Code of Public General Laws, entitled "Fish and Fisheries," be and the same are hereby repealed, and the following enacted in lieu thereof:

40. It shall not be lawful for any person to catch or kill any black bass, perch, rock bass, pike or pickerel or wall-eyed pike (commonly known as salmon), between the fifteenth day of April and the first day of October of each fiscal year, to kill any of said species of fish at any other time during the year, save only with a rod, hook and line, or dip net. The words hook and line shall not include trot lines or cut-lines.

41. Any person violating the provisions of this act shall be guilty of a misdemeanor, and shall be punishable, on conviction, by imprisonment in the county jail not exceeding six months or by a fine not exceeding two hundred dollars, or by fine and imprisonment; and it shall be the duty of the circuit court of the counties abutting on the Potomac River, and of the Little Falls at each session of the grand jury to call its attention to the provisions of this law.

42. The provisions of this law shall not be applicable below the Little Falls, near Washington, and that the same shall become effective whenever they shall be adopted by the respective named states, and the proclamation of the adoption of this state of such action by the said states of Virginia and West Virginia.

And be it further enacted, That the Governor of this state be hereby authorized and requested to transmit a certified copy of this act to the governors of the states of Virginia and West Virginia, and upon satisfactory information of the adoption by said states of the provisions of this act, to make proclamation, as hereinbefore provided.

Approved April 4th, 1896.
LLOYD LOWNDES, Governor.
WILLIAM CABELL BRUCE,
President of the Senate.
SYDNEY E. MUDD,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1896.
J. ROGER McSHERRY,
Secretary of the Senate.
M. M. HIGGINS,
Chief Clerk of the House of Delegates.

CHAPTER 73.

AN ACT TO AMEND ARTICLE 27 OF THE CODE OF PUBLIC GENERAL LAWS, TITLE "CRIMES AND PUNISHMENTS," BY ADDING THERETO AN ADDITIONAL SECTION, TO FOLLOW IMMEDIATELY AFTER SECTION 47, AND TO BE NUMBERED 47A, UNDER THE SUB-TITLE "DESERTION OF WIFE OR CHILD."

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 the following section, to follow immediately after section 47, and to be numbered 47A, under the sub-title "Desertion of Wife or Child."

47A. Any person who shall, without just cause, desert or wilfully neglects to provide for the support and maintenance of his wife or minor child, shall, on proved guilty of a misdemeanor, and upon indictment and conviction in any court of the state having criminal jurisdiction, shall be fined not more than five hundred dollars or be imprisoned in the Maryland House of Correction not exceeding one year, or both, in the discretion of the court.

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

Approved March 23d, 1896.
LLOYD LOWNDES, Governor.
WILLIAM CABELL BRUCE,
President of the Senate.
SYDNEY E. MUDD,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1896.
J. ROGER McSHERRY,
Secretary of the Senate.
M. M. HIGGINS,
Chief Clerk of the House of Delegates.

CHAPTER 437.

AN ACT TO PROVIDE AGAINST INJURIES, CUTS, PUNCTURES TO PNEUMATIC TIRES ON VEHICLES.

Section 1. Be it enacted by the General Assembly of Maryland, That whoever willfully places or causes to be placed in or upon any avenue, street, alley, roads, highway or public way any tack, nail, piece of iron, broken glass or other substance which may injure, cut or puncture any pneumatic tire, shall be guilty of a misdemeanor, to be tried before a justice of the peace, and shall be fined not more than fifty dollars nor less than five dollars.

Section 2. Such fines to be collected as other fines are collected, and, when collected, to be paid into the road or street fund of the county or municipal corporation in which they are collected; provided, that none of the provisions of this act shall apply to Talbot or Wicomico counties.

Approved April 4th, 1896.
LLOYD LOWNDES, Governor.
WILLIAM CABELL BRUCE,
President of the Senate.
SYDNEY E. MUDD,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1896.
J. ROGER McSHERRY,
Secretary of the Senate.
M. M. HIGGINS,
Chief Clerk of the House of Delegates.



CHAPTER 207.

AN ACT TO REPEAL SECTION 52 OF ARTICLE 52 OF THE CODE OF PUBLIC GENERAL LAWS, TITLE "JUSTICES OF THE PEACE," SUB-TITLE "SUPERSEDEAS AND EXECUTION," AND TO RE-ENACT THE SAME, WITH AMENDMENTS.

Section 1. Be it enacted by the General Assembly of Maryland, That section 52 of Article 52 of the Code of Public General Laws, title "Justices of the Peace," sub-title "Supersedeas and Execution," be, and the same is, hereby repealed and re-enacted, with amendments, to read as follows:

52. No execution shall issue upon any judgment or decree obtained in any circuit court for any county of this state, provided the defendant therein shall come before a justice of the peace of the county where such judgment or decree was rendered within two months after the rendition of such judgment or decree, and, together with two other persons, such as the said justice shall approve of, confess judgment for his debt and costs of suit adjudged or decreed, with stay of execution for twelve months, which confession shall be made in manner and form following—that is to say: "You —, do confess judgment to — for the sum — and costs, which were recovered by the said — against — on the — day of — in the — Court; the said — to be levied of your goods and chattels, lands or tenements, for the use of the said — and the said — shall not pay and satisfy to the said — so as aforesaid recovered against him, with the additional costs thereon, on the — day next ensuing." Which confession shall be signed by the justice before whom the same is made and forthwith returned to the clerk of the court in which the judgment was rendered, and the clerk shall record the same. If the judgment was rendered in the Court of Appeals, the confession aforesaid may be made before a justice of the peace in the county where the defendant resides; provided, however, that no such confession of judgment shall operate as a supersedeas or of delay the issuing of an execution upon any judgment or decree rendered by any of the circuit courts or the Court of Appeals of this state, unless the same be approved, both as to form and the sufficiency of the security therein, by the court where the judgment or decree intended to be superseded was rendered. This section shall not apply to the city of Baltimore, and it shall not be lawful for the justices of the peace in said city to take supersedeas of any judgment recovered in the Court of Common Pleas, the Superior Court of Baltimore city or the Baltimore City Court; and such supersedeas shall be taken by the clerks of said courts, respectively.

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

Approved April 2d, 1896.
LLOYD LOWNDES, Governor.
WILLIAM CABELL BRUCE,
President of the Senate.
SYDNEY E. MUDD,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1896.
J. ROGER McSHERRY,
Secretary of the Senate.
M. M. HIGGINS,
Chief Clerk of the House of Delegates.

CHAPTER 229.

AN ACT TO AMEND ARTICLE 26 OF THE CODE OF PUBLIC GENERAL LAWS, TITLE "COURTS," BY THE ADDITION OF A NEW SECTION, UNDER THE SUB-TITLE "REMOVAL OF CASES FROM COURTS OF LAW TO COURTS OF EQUITY, AND VICE VERSA," TO BE KNOWN AS SECTION 42, AND TO COME IMMEDIATELY AFTER SECTION 41.

Section 1. Be it enacted by the General Assembly of Maryland, That Article 26 of the Code of Public General Laws, title "Courts," be, and the same is, hereby amended by adding thereto of a new section, under the sub-title "Removal of cases from courts of law to courts of equity, and vice versa," to be known as section 42, and to come immediately after section 41, and to read as follows:

42. In every case at law or in equity in which it shall appear that the plaintiff is entitled to some relief or to some remedy, but upon facts which, if true, or on the side of the court in which the suit is brought or the relief is prayed, the plaintiff shall not on that account be nonsuited or the case dismissed, but the case may, in the discretion of the judge presiding in the court in which the suit is pending, at any time, in an action at law, on motion of the defendant before the verdict, or, in a suit in equity, before the final decree is signed, be removed by an order, in writing, signed by the judge or judges presiding, to such proper court or docket, either of equity or law, in the same county or city, as